

Bill No. CS for CS for SB 1756

Amendment No.     

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Klein moved the following amendment:		
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13	<b>Senate Amendment (with title amendment)</b>		
14	On page 49, line 5, through page 56, line 13, delete		
15	those lines		
16			
17	and insert:		
18	229.592 Implementation of state system of school		
19	improvement and education accountability.--		
20	(1) DEVELOPMENT.--It is the intent of the Legislature		
21	that every public school in the state shall have a school		
22	improvement plan, as required by s. 230.23(16), fully		
23	implemented and operational <del>by the beginning of the 1993-1994</del>		
24	<del>school year.</del> Vocational standards considered pursuant to s.		
25	239.229 shall be incorporated into the school improvement plan		
26	for each area technical center operated by a school board <del>by</del>		
27	<del>the 1994-1995 school year,</del> and area technical centers shall		
28	prepare school report cards incorporating such standards,		
29	pursuant to s. 230.23(16), <del>for the 1995-1996 school year.</del> In		
30	order to accomplish this, the Florida Commission on Education		
31	Reform and Accountability and the school districts and schools		

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1 shall carry out the duties assigned to them by ss. 229.594 and  
2 230.23(16), respectively.

3 (2) ESTABLISHMENT.--Based upon the recommendations of  
4 the Florida Commission on Education Reform and Accountability,  
5 the Legislature may enact such laws as it considers necessary  
6 to establish and maintain a state system of school improvement  
7 and accountability. If, after considering the recommendations  
8 of the commission, the Legislature determines an adequate  
9 system of accountability to be in place to protect the public  
10 interest, the Legislature may repeal or revise laws, including  
11 fiscal policies, deemed to stand in the way of school  
12 improvement.

13 (3) COMMISSIONER.--The commissioner shall be  
14 responsible for implementing and maintaining a system of  
15 intensive school improvement and stringent education  
16 accountability, which shall include policies and programs  
17 based on the recommendations of the Florida Commission on  
18 Education Reform and Accountability to-

19 ~~(a) Based on the recommendations of The Florida~~  
20 ~~Commission on Education Reform and Accountability, the~~  
21 ~~commissioner shall develop and implement the following~~  
22 ~~programs and procedures:~~

23 ~~(a)†~~. A system of data collection and analysis that  
24 will improve information about the educational success of  
25 individual students and schools. The information and analyses  
26 must be capable of identifying educational programs or  
27 activities in need of improvement, and reports prepared  
28 pursuant to this paragraph ~~subparagraph~~ shall be distributed  
29 to the appropriate school boards prior to distribution to the  
30 general public. This provision shall not preclude access to  
31 public records as provided in chapter 119.

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1           **(b)2.** A program of school improvement that will  
2 analyze information to identify schools, educational programs,  
3 or educational activities in need of improvement.

4           **(c)3.** A method of delivering services to assist school  
5 districts and schools to improve.

6           **(d)4.** A method of coordinating with the state  
7 educational goals and school improvement plans any other state  
8 program that creates incentives for school improvement.

9           **(4)(b)** The commissioner shall be held responsible for  
10 the implementation and maintenance of the system of school  
11 improvement and education accountability outlined in this  
12 ~~section subsection~~. There shall be an annual determination of  
13 whether adequate progress is being made toward implementing  
14 and maintaining a system of school improvement and education  
15 accountability.

16           **(5)(e)** The annual feedback report shall be developed  
17 by the commission and the Department of Education.

18           **(6)(d)** The commissioner and the commission shall  
19 review each school board's feedback report and submit ~~its~~  
20 findings to the State Board of Education. If adequate  
21 progress is not being made toward implementing and maintaining  
22 a system of school improvement and education accountability,  
23 the State Board of Education shall direct the commissioner to  
24 prepare and implement a corrective action plan. The  
25 commissioner and State Board of Education shall monitor the  
26 development and implementation of the corrective action plan.

27           **(7)(e)** ~~As co-chair of the Florida Commission on~~  
28 ~~Education Reform and Accountability,~~ The commissioner shall  
29 ~~appear before the appropriate committees of the Legislature~~  
30 ~~annually in October to report to the Legislature~~ and recommend  
31 changes in state policy necessary to foster school improvement

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1 and education accountability. The report shall reflect the  
 2 recommendations of the Florida Commission on Education Reform  
 3 and Accountability. Included in the report shall be a list of  
 4 the schools for which school boards have developed assistance  
 5 and intervention plans and an analysis of the various  
 6 strategies used by the school boards. School reports shall be  
 7 distributed pursuant to this paragraph and s. 230.23(16)(e)  
 8 according to guidelines adopted by the State Board of  
 9 Education.

10 (8)~~(4)~~ DEPARTMENT.--

11 (a) The Department of Education shall implement a  
 12 training program to develop among state and district educators  
 13 a cadre of facilitators of school improvement. These  
 14 facilitators shall assist schools and districts to conduct  
 15 needs assessments and develop and implement school improvement  
 16 plans to meet state goals.

17 (b) Upon request, the department shall provide  
 18 technical assistance and training to any school, school  
 19 advisory council, district, or school board for conducting  
 20 needs assessments, developing and implementing school  
 21 improvement plans, developing and implementing assistance and  
 22 intervention plans, or implementing other components of school  
 23 improvement and accountability. Priority for these services  
 24 shall be given to schools designated as performance grade  
 25 category "D" or "F" and school districts in rural and sparsely  
 26 populated areas of the state.

27 (c) Pursuant to s. 24.121(5)(d), the department shall  
 28 not release funds from the Educational Enhancement Trust Fund  
 29 to any district in which a school does not have an approved  
 30 school improvement plan, pursuant to s. 230.23(16), after 1  
 31 full school year of planning and development, or does not

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1 comply with school advisory council membership composition  
2 requirements pursuant to s. 229.58(1). The department shall  
3 send a technical assistance team to each school without an  
4 approved plan to develop such school improvement plan or to  
5 each school without appropriate school advisory council  
6 membership composition to develop a strategy for corrective  
7 action. The department shall release the funds upon approval  
8 of the plan or upon establishment of a plan of corrective  
9 action. Notice shall be given to the public of the  
10 department's intervention and shall identify each school  
11 without a plan or without appropriate school advisory council  
12 membership composition.

13 (9)(5) STATE BOARD.--The State Board of Education  
14 shall adopt rules pursuant to ss. 120.536(1) and 120.54  
15 ~~necessary~~ to implement a state system of school improvement  
16 and education accountability and shall specify required annual  
17 reports by schools and school districts. Such rules must be  
18 based on recommendations of the Commission on Education Reform  
19 and Accountability and must include, but need not be limited  
20 to, a requirement that each school report identify the annual  
21 Education Enhancement Trust Fund allocations to the district  
22 and the school and how those allocations were used for  
23 educational enhancement and supporting school improvement.

24 (10)(6) EXCEPTIONS TO LAW.--To facilitate innovative  
25 practices and to allow local selection of educational methods,  
26 the commissioner may waive, upon the request of a school  
27 board, requirements of chapters 230 through 239 of the Florida  
28 School Code that relate to instruction and school operations,  
29 except those pertaining to civil rights, and student health,  
30 safety, and welfare. The Commissioner of Education is not  
31 authorized to grant waivers for any provisions of law

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1 pertaining to the allocation and appropriation of state and  
2 local funds for public education; the election, compensation,  
3 and organization of school board members and superintendents;  
4 graduation and state accountability standards; financial  
5 reporting requirements; public meetings; public records; or  
6 due process hearings governed by chapter 120. Prior to  
7 approval, the commissioner shall report pending waiver  
8 requests to the state board on a monthly basis, and shall,  
9 upon request of any state board member, bring a waiver request  
10 to the state board for consideration. If, within 2 weeks of  
11 receiving the report, no member requests that a waiver be  
12 considered by the state board, the commissioner may act on the  
13 original waiver request. No later than January 1 of each year,  
14 the commissioner shall report to the President and Minority  
15 Leader of the Senate and the Speaker and Minority Leader of  
16 the House of Representatives all approved waiver requests in  
17 the preceding year.

18 (a) Graduation requirements in s. 232.246 must be met  
19 by demonstrating performance of intended outcomes for any  
20 course in the Course Code Directory unless a waiver is  
21 approved by the commissioner. In developing procedures for  
22 awarding credits based on performance outcomes, districts may  
23 request waivers from State Board of Education rules relating  
24 to curriculum frameworks and credits for courses and programs  
25 in the Course Code Directory. Credit awarded for a course or  
26 program beyond that allowed by the Course Code Directory  
27 counts as credit for electives. Upon request by any school  
28 district, the commissioner shall evaluate and establish  
29 procedures for variations in academic credits awarded toward  
30 graduation by a high school offering six periods per day  
31 compared to those awarded by high schools operating on other

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1 schedules.

2 1. A school board may originate a request for waiver  
3 and submit the request to the commissioner if such a waiver is  
4 required to implement districtwide improvements.

5 2. A school board may submit a request to the  
6 commissioner for a waiver if such request is presented to the  
7 school board by a school advisory council established pursuant  
8 to s. 229.58 and if such a waiver is required to implement a  
9 school improvement plan required by s. 230.23(16). The school  
10 board shall report annually to the Florida Commission on  
11 Education Reform and Accountability, in conjunction with the  
12 feedback report required pursuant to this section ~~subsection~~  
13 ~~(3)~~, the number of waivers requested by school advisory  
14 councils, the number of such waiver requests approved and  
15 submitted to the commissioner, and the number of such waiver  
16 requests not approved and not submitted to the commissioner.  
17 For each waiver request not approved, the school board shall  
18 report the statute or rule for which the waiver was requested,  
19 the rationale for the school advisory council request, and the  
20 reason the request was not approved.

21 3. When approved by the commissioner, a waiver  
22 requested under this paragraph is effective for a 5-year  
23 period.

24 (b) Notwithstanding the provisions of chapter 120 and  
25 for the purpose of implementing this subsection, the  
26 commissioner may waive State Board of Education rules if the  
27 school board has submitted a written request to the  
28 commissioner for approval pursuant to this subsection.

29 (c) The written request for waiver of statute or rule  
30 must indicate at least how ~~the general statutory purpose will~~  
31 ~~be met, how~~ granting the waiver will assist schools in

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1 improving student outcomes related to the student performance  
 2 standards adopted by the state board ~~pursuant to subsection~~  
 3 ~~(5)~~, and how student improvement will be evaluated and  
 4 reported. ~~In considering any waiver,~~The commissioner shall  
 5 not grant any waiver that would impair the ~~ensure~~ protection  
 6 of the health, safety, welfare, or ~~and~~ civil rights of the  
 7 students or the ~~and~~ protection of the public interest.

8 (d) Upon denying a request for a waiver, the  
 9 commissioner must state with particularity the grounds or  
 10 basis for the denial. The commissioner shall report the  
 11 specific statutes and rules for which waivers are requested  
 12 and the number and disposition of such requests to the  
 13 Legislature, the State Board of Education, and the Florida  
 14 Commission on Education Reform and Accountability for use in  
 15 determining which statutes and rules stand in the way of  
 16 school improvement.

17 (e)1. Schools designated in performance grade category  
 18 "A," making excellent progress, shall, if requested by the  
 19 school, be given deregulated status as specified in s.  
 20 228.0565(5), (7), (8), (9), and (10).

21 2. Schools that have improved at least two performance  
 22 grade categories and that meet the criteria of the Florida  
 23 School Recognition Program pursuant to s. 231.2905 may be  
 24 given deregulated status as specified in s. 228.0565(5), (7),  
 25 (8), (9), and (10).

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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

On page 2, lines 28-30, delete those lines



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1 and insert:  
2 removing obsolete provisions; deleting  
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