

Bill No. CS/HBs 751, 753 & 755, 2nd Eng.

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Klein moved the following amendment to amendment		
12	(594764):		
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14	Senate Amendment (with title amendment)		
15	On page 42, line 2, through page 49, line 9, delete		
16	those lines		
17			
18	and insert:		
19	229.592 Implementation of state system of school		
20	improvement and education accountability.--		
21	(1) DEVELOPMENT.--It is the intent of the Legislature		
22	that every public school in the state shall have a school		
23	improvement plan, as required by s. 230.23(16), fully		
24	implemented and operational by the beginning of the 1993-1994		
25	school year. Vocational standards considered pursuant to s.		
26	239.229 shall be incorporated into the school improvement plan		
27	for each area technical center operated by a school board by		
28	the 1994-1995 school year, and area technical centers shall		
29	prepare school report cards incorporating such standards,		
30	pursuant to s. 230.23(16), for the 1995-1996 school year. In		
31	order to accomplish this, the Florida Commission on Education		

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1 Reform and Accountability and the school districts and schools
2 shall carry out the duties assigned to them by ss. 229.594 and
3 230.23(16), respectively.

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

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

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

24 (a)~~1.~~ A system of data collection and analysis that
25 will improve information about the educational success of
26 individual students and schools. The information and analyses
27 must be capable of identifying educational programs or
28 activities in need of improvement, and reports prepared
29 pursuant to this paragraph ~~subparagraph~~ shall be distributed
30 to the appropriate school boards prior to distribution to the
31 general public. This provision shall not preclude access to

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1 public records as provided in chapter 119.

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

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

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

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

17 ~~(5)(c)~~ The annual feedback report shall be developed
18 by the commission and the Department of Education.

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

28 ~~(7)(e) As co chair of the Florida Commission on~~
29 ~~Education Reform and Accountability,~~ The commissioner shall
30 ~~appear before the appropriate committees of the Legislature~~
31 ~~annually in October to report to the Legislature~~ and recommend

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

11 ~~(8)(4)~~ DEPARTMENT.--

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

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

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

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1 full school year of planning and development, or does not
2 comply with school advisory council membership composition
3 requirements pursuant to s. 229.58(1). The department shall
4 send a technical assistance team to each school without an
5 approved plan to develop such school improvement plan or to
6 each school without appropriate school advisory council
7 membership composition to develop a strategy for corrective
8 action. The department shall release the funds upon approval
9 of the plan or upon establishment of a plan of corrective
10 action. Notice shall be given to the public of the
11 department's intervention and shall identify each school
12 without a plan or without appropriate school advisory council
13 membership composition.

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

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

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

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

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1 compared to those awarded by high schools operating on other
2 schedules.

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

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

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

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

30 (c) The written request for waiver of statute or rule
31 must indicate at least how ~~the general statutory purpose will~~

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

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

18 (e)1. Schools designated in performance grade category
 19 "A," making excellent progress, shall, if requested by the
 20 school, be given deregulated status as specified in s.
 21 228.0565(5), (7), (8), (9), and (10).

22 2. Schools that have improved at least two performance
 23 grade categories and that meet the criteria of the Florida
 24 School Recognition Program pursuant to s. 231.2905 may be
 25 given deregulated status as specified in s. 228.0565(5), (7),
 26 (8), (9), and (10).

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29 ===== T I T L E A M E N D M E N T =====
 30 And the title is amended as follows:

31 On page 168, line 30, through page 169, line 3, delete

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1 those lines

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3 and insert:

4 removing obsolete provisions; deleting the

5 requirement that

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