

1 approved; amending s. 229.57, F.S.; revising
2 the purpose of the student assessment program;
3 revising provisions relating to participation
4 in the National Assessment of Educational
5 Progress; revising the statewide assessment
6 program; revising requirements relating to the
7 annual report of the results of the statewide
8 assessment program; providing for the
9 identification of schools by performance grade
10 category according to student and school
11 performance data; providing for the
12 identification of school improvement ratings;
13 increasing the authority that each school
14 identified in a certain performance grade
15 category has over the allocation of the
16 school's total budget; authorizing the
17 negotiation of a contract for annual
18 assessment; providing contract requirements;
19 assigning responsibility for local assessments
20 in subjects and grade levels other than those
21 included in the statewide assessment program;
22 providing for funding based on school
23 performance; amending s. 229.58, F.S.; removing
24 a reference to the Florida Commission on
25 Education Reform and Accountability; amending
26 s. 229.591, F.S.; revising provisions relating
27 to the system of school improvement and
28 education accountability to reflect that
29 students are not required to attend schools
30 designated in a certain performance grade
31 category; revising the state education goals;

1 amending s. 229.592, F.S., relating to the
2 implementation of the state system of school
3 improvement and education accountability;
4 removing obsolete language; removing references
5 to the Florida Commission on Education Reform
6 and Accountability; deleting the requirement
7 that the Commissioner of Education appear
8 before the Legislature; revising duties of the
9 Department of Education; revising duties of the
10 State Board of Education; revising provisions
11 relating to waivers from statutes; correcting
12 cross references; repealing s. 229.593, F.S.,
13 relating to the Florida Commission on Education
14 Reform and Accountability; repealing s.
15 229.594, F.S., relating to the powers and
16 duties of the commission; amending s. 229.595,
17 F.S., relating to the implementation of the
18 state system of educational accountability for
19 school-to-work transition; revising provisions
20 relating to the assessment of readiness to
21 enter the workforce; removing a reference to
22 the Florida Commission on Education Reform and
23 Accountability; amending s. 230.23, F.S.,
24 relating to powers and duties of school boards;
25 revising provisions relating to the
26 compensation and salary schedules of school
27 employees; revising provisions relating to
28 courses of study and other instructional aids
29 to include the term "instructional materials";
30 revising school board duties regarding the
31 implementation and enforcement of school

1 improvement and accountability; revising
2 policies regarding public disclosure; requiring
3 school board adoption of certain policies;
4 amending s. 231.29, F.S.; revising the
5 assessment procedure for school district
6 instructional, administrative, and supervisory
7 personnel; amending s. 231.2905, F.S.; revising
8 provisions of the Florida School Recognition
9 Program relating to financial awards based on
10 employee performance; revising initial criteria
11 for identification of schools; amending s.
12 232.245, F.S.; relating to pupil progression;
13 revising requirements relating to the provision
14 of remedial instruction; providing requirements
15 for the use of resources for remedial
16 instruction; requiring the adoption of rules
17 regarding pupil progression; eliminating
18 requirements relating to student academic
19 improvement plans; deleting duplicative
20 requirements relating to mandatory remedial
21 reading instruction; amending s. 228.053, F.S.;
22 relating to developmental research schools;
23 removing references to "Blueprint 2000";
24 correcting cross references; amending s.
25 228.054, F.S., relating to the Joint
26 Developmental Research School Planning,
27 Articulation, and Evaluation Committee;
28 correcting a cross reference; amending s.
29 228.056, F.S.; conforming references to testing
30 programs; amending s. 233.17, F.S., relating
31 to the term of adoption of instructional

1 materials; correcting cross references;
2 amending s. 236.685, F.S., relating to
3 educational funding accountability; correcting
4 a cross reference; amending s. 20.15, F.S.,
5 relating to the creation of the Department of
6 Education; removing a reference to the Florida
7 Commission on Education Reform and
8 Accountability; creating s. 236.08104, F.S.;
9 establishing a supplemental academic
10 instruction categorical fund; providing
11 findings and intent; providing requirements for
12 the use of funds; providing for dropout
13 prevention program funding to be included in
14 Group 1 FEFP programs; amending s. 236.013,
15 F.S.; eliminating certain provisions relating
16 to calculations of the equivalent of a
17 full-time student; revising provisions relating
18 to membership in programs scheduled for more
19 than 180 days; amending s. 239.101, F.S.,
20 relating to career education; correcting cross
21 references; amending s. 239.229, F.S., relating
22 to vocational standards; correcting cross
23 references; amending s. 240.529, F.S., relating
24 to approval of teacher education programs;
25 correcting a cross reference; creating s. 231.
26 002, F.S.; stating an intent to increase
27 standards for the preparation, certification,
28 and professional development of educators;
29 directing the Department of Education to review
30 statutes and rules governing certification to
31 increase efficiency, rigor, and alternatives in

1 the certification process; requiring a report;
2 amending s. 24.121, F.S.; specifying conditions
3 for withholding allocations from the
4 Educational Enhancement Trust Fund; amending s.
5 229.592, F.S.; prohibiting the waiver of a
6 required report of out-of-field teachers;
7 amending s. 230.23, F.S., relating to district
8 school board powers and duties; requiring
9 certain performance-based pay for school
10 administrators and instructional personnel;
11 amending s. 231.02, F.S.; correcting a
12 reference; amending s. 231.0861, F.S.;
13 requiring the State Board of Education to
14 approve criteria for selection of certain
15 administrative personnel; authorizing school
16 districts to contract with private entities for
17 evaluation and training of such personnel;
18 amending s. 231.085, F.S.; specifying
19 principals' responsibilities for assessing
20 performance of school personnel and
21 implementing the Sunshine State Standards;
22 amending s. 231.087, F.S.; requiring the State
23 Board of Education to adopt rules governing the
24 training of school district management
25 personnel; providing for review and repeal of
26 the Management Training Act; requiring
27 recommendations; amending s. 231.09, F.S.;
28 prescribing duties of instructional personnel;
29 amending s. 231.096, F.S.; requiring a school
30 board plan to ensure the competency of teachers
31 with out-of-field teaching assignments;

1 amending s. 231.145, F.S.; revising purpose to
2 reflect increased requirements for
3 certification; amending s. 231.15, F.S.;
4 authorizing certification based on demonstrated
5 competencies; requiring rules of the State
6 Board of Education to specify certain
7 competencies; requiring consultation with
8 postsecondary education boards; amending s.
9 231.17, F.S.; revising prerequisites for
10 certification; increasing the requirement that
11 teachers know and use mathematics, technology,
12 and intervention strategies with students;
13 deleting alternative ways to demonstrate
14 general knowledge competency; requiring
15 demonstration of ability to maintain
16 collaborative relationships with students'
17 families; amending s. 231.1725, F.S.; providing
18 legal protections for clinical field experience
19 students; amending s. 231.174, F.S., relating
20 to district programs for adding certification
21 coverages; removing limitation to specific
22 certification areas; amending s. 231.29, F.S.;
23 revising assessment procedures for
24 instructional personnel and school
25 administrators; amending s. 231.546, F.S.;
26 specifying duties of the Education Standards
27 Commission; amending s. 231.600, F.S.;
28 prescribing the responsibilities of school
29 district professional-development programs;
30 amending s. 240.529, F.S.; revising criteria
31 for initial and continuing approval of

1 teacher-preparation programs; increasing the
2 requirements for a student to enroll in and
3 graduate from a teacher-education program;
4 requiring preservice field experience programs
5 to include supervised contact with lower
6 achieving students; requiring annual reports of
7 program performance; creating s. 231.6135,
8 F.S.; establishing a statewide system for
9 in-service professional development;
10 authorizing professional development academies
11 to meet human resource development and
12 education instruction training needs of
13 educators, schools, and school districts;
14 providing for organization and operation by
15 public and private partners; providing for
16 funding; specifying duties of the Commissioner
17 of Education; repealing s. 231.601, F.S.,
18 relating to purpose of inservice training for
19 instructional personnel; amending s. 230.23,
20 F.S.; requiring school improvement plans to
21 include additional issues; amending s.
22 230.2316, F.S.; specifying the elements of
23 dropout prevention programs; specifying
24 additional contents for the education program;
25 requiring students in grades 1-12 to be
26 eligible for dropout prevention programs;
27 providing for applications by school districts
28 to the Department of Education for grants to
29 operate second chance schools; establishing
30 grant and program requirements; providing for
31 the generation of operating funds through

1 programs of the Florida Education Finance
2 Program; providing new requirements for
3 students seeking to reenter traditional
4 schools; amending s. 231.085, F.S.; requiring
5 principals to ensure the accuracy and
6 timeliness of school reports; requiring
7 principals to provide staff training
8 opportunities; creating s. 232.001, F.S.;
9 allowing certain district school boards to
10 implement pilot projects to raise the
11 compulsory age of attendance for children;
12 providing requirements for school boards that
13 choose to participate in pilot projects;
14 providing for the applicability of state law
15 and State Board of Education rule; providing an
16 exception from the provisions relating to a
17 declaration of intent to terminate school
18 enrollment; requiring a study; amending s.
19 232.01, F.S.; applying compulsory school
20 attendance laws to kindergarten; providing that
21 compulsory school attendance requirements apply
22 until the student turns 18 or the parent or
23 guardian signs the student's declaration of
24 intent to terminate school enrollment; amending
25 s. 232.17, F.S.; providing legislative
26 findings; placing responsibility on school
27 district superintendents for enforcing
28 attendance; establishing requirements for
29 school board policies; revising the current
30 steps for enforcing regular school attendance;
31 requiring public schools to follow the steps;

1 establishing the requirements for school
2 principals, primary teachers, child study
3 teams, and parents; providing for parents to
4 appeal; allowing the superintendent to seek
5 criminal prosecution for parental
6 noncompliance; requiring the superintendent to
7 file certain petitions involving ungovernable
8 children in certain circumstances; requiring
9 the superintendent to provide the court with
10 certain evidence; allowing for court
11 enforcement for children who refuse to comply;
12 revising the notice requirements to parents,
13 guardians, or others; eliminating a current
14 condition for notice; eliminating the option
15 for referral to case staffing committees;
16 requiring the superintendent to take steps to
17 bring about criminal prosecution and requiring
18 related notice; authorizing superintendents to
19 file truancy petitions; allowing for the return
20 of absent children to additional locations;
21 requiring parental notification; deleting
22 certain provisions relating to escalating
23 series of truancy activities; amending s.
24 232.19, F.S., relating to habitual truancy;
25 authorizing superintendents to file truancy
26 petitions; requiring that a court order for
27 school attendance be obtained as a part of
28 services; revising the requirements that must
29 be met prior to filing a petition; amending s.
30 236.081, F.S.; amending procedures that must be
31 followed in determining the annual allocation

1 to each school district for operation;
2 requiring the average daily attendance of the
3 student membership to be calculated by school
4 and by district; requiring the district's FTE
5 membership to be adjusted by multiplying by the
6 average daily attendance factor; amending s.
7 240.529, F.S.; providing the criteria for
8 continued program approval; providing for the
9 requirements for instructors in postsecondary
10 teacher preparation programs who instruct or
11 supervise preservice field experience courses
12 or internships; eliminating the requirement
13 related to a commitment to teaching in the
14 public schools for a period of time; providing
15 additional requirements for school district and
16 instructional personnel who supervise or direct
17 certain teacher preparation students; amending
18 s. 984.03, F.S.; redefining the term "habitual
19 truant"; requiring the state attorney to file a
20 child-in-need-of-services petition in certain
21 circumstances; eliminating the requirement for
22 referral for evaluation; providing definitions
23 for "truancy court" and "truancy petition";
24 creating s. 984.151, F.S.; providing procedure
25 for truancy petitions; providing for truancy
26 hearings and penalties; reenacting s.
27 24.121(5)(b) and (c), F.S., relating to the
28 Educational Enhancement Trust Fund, s.
29 120.81(1)(b), F.S., relating to tests, test
30 scoring criteria, or testing procedures, s.
31 228.056(9)(e), F.S., relating to charter

1 schools, s. 228.0565(6)(b), (c), and (d), F.S.,
2 relating to deregulated public schools, s.
3 228.301(1), F.S., relating to test security, s.
4 229.551(1)(c) and (3), F.S., relating to
5 educational management, s. 230.03(4), F.S.,
6 relating to school district management,
7 control, operation, administration, and
8 supervision, s. 230.2316(4)(b), F.S., relating
9 to dropout prevention, s. 231.24(3)(a), F.S.,
10 relating to the process for renewal of
11 professional certificates, s. 231.36(3)(e) and
12 (f), F.S., relating to contracts with
13 instructional staff, supervisors, and
14 principals, s. 232.2454(1), F.S., relating to
15 district student performance standards,
16 instruments, and assessment procedures, s.
17 232.246(5)(a) and (b), F.S., relating to
18 general requirements for high school
19 graduation, s. 232.248, F.S., relating to
20 confidentiality of assessment instruments, s.
21 232.2481(1), F.S., relating to graduation and
22 promotion requirements for publicly operated
23 schools, s. 233.09(4), F.S., relating to duties
24 of instructional materials committees, s.
25 233.165(1)(b), F.S., relating to the selection
26 of instructional materials, s. 233.25(3)(b),
27 F.S., relating to publishers and manufacturers
28 of instructional materials, s. 236.08106(2)(a)
29 and (c), F.S., relating to the Excellent
30 Teaching Program, s. 236.685(6), F.S., relating
31 to educational funding accountability, s.

1 239.101(7), F.S., relating to career education,
2 s. 239.229(1) and (3), F.S., relating to
3 vocational standards, s. 240.118(4), F.S.,
4 relating to postsecondary feedback of
5 information to high schools, s. 240.529(1),
6 F.S., relating to approval of teacher
7 preparation programs, to incorporate
8 references; providing effective dates.
9

10 WHEREAS, the voters of the State of Florida, in the
11 November 1998 General Election, requested systemic change to
12 Florida's education system by amending Article IX, section 1,
13 of the Florida Constitution to state that "Adequate provision
14 shall be made by law for a uniform, efficient, safe, secure
15 and high quality system of free public schools that allows
16 students to obtain a high quality education. . .," and

17 WHEREAS, a high quality education system must hold high
18 academic expectations for students and must annually measure
19 their achievement, demanding as a benchmark goal that students
20 gain at least a year's worth of knowledge in a year, and

21 WHEREAS, a high quality education system can best
22 attain that benchmark goal by quickly rewarding success and
23 correcting failure, apprising the public of successes and
24 failures so that informed educational decisions can be made,
25 and concentrating resources on the academic progress of
26 students and the effectiveness of classroom teachers, and

27 WHEREAS, the most important influence a school can
28 contribute to the learning of any student is the attitude,
29 skills, knowledge, and understanding of the teacher, and

30 WHEREAS, a safe, secure, and high-quality education
31 system demands parental involvement in the education of their

1 children, a disciplined classroom learning environment, and
2 consistent student attendance at school, NOW, THEREFORE,

3

4 Be It Enacted by the Legislature of the State of Florida:

5

6 Section 1. Section 229.0535, Florida Statutes, is
7 amended to read:

8 229.0535 Authority to enforce school improvement.--It
9 is the intent of the Legislature that all public schools be
10 held accountable for ~~ensuring that~~ students performing perform
11 at acceptable levels. A system of school improvement and
12 accountability that assesses student performance by school,
13 identifies schools in which students are not making not
14 ~~providing~~ adequate progress toward state standards, and
15 institutes appropriate measures for enforcing improvement, and
16 provides rewards and sanctions based on performance shall be
17 the responsibility of the State Board of Education.

18 (1) Pursuant to Art. IX of the State Constitution
19 prescribing the duty of the State Board of Education to
20 supervise Florida's public school system and notwithstanding
21 any other statutory provisions to the contrary, the State
22 Board of Education shall ~~have the authority to~~ intervene in
23 the operation of a district school system when in cases where
24 one or more schools in the a school district have failed to
25 make adequate progress for 2 3 consecutive school years in any
26 4-year period. The state board may determine that the school
27 district or and/or school has not taken steps sufficient for
28 ~~to ensure that~~ students in the school to be academically in
29 ~~question are~~ well served. Considering recommendations of the
30 Commissioner of Education, the state board shall ~~is authorized~~
31 to recommend action to a district school board ~~that is~~

1 intended to improve ~~ensure improved~~ educational services to
2 students in each school that is designated as performance
3 grade category "F" the low-performing schools in question.
4 Recommendations for actions to be taken in the school district
5 shall be made only after thorough consideration of the unique
6 characteristics of a school, which shall also include student
7 mobility rates, and the number and type of exceptional
8 students enrolled in the school, and whether or not the
9 students in the school have available options for improved
10 educational services. The state board shall adopt by rule
11 steps to follow in this process. Such steps shall provide
12 ~~ensure that~~ school districts ~~have~~ sufficient time to improve
13 student performance in schools and ~~have had~~ the opportunity to
14 present evidence of assistance and interventions that the
15 school board has implemented.

16 (2) The state board is specifically authorized to
17 recommend one or more of the following actions to school
18 boards to enable ~~ensure that~~ students in ~~low-performing~~
19 schools designated as performance grade category "F" to be
20 academically ~~are~~ well served by the public school system:

21 (a) Provide additional resources, change certain
22 practices, and provide additional assistance if the state
23 board determines the causes of inadequate progress to be
24 related to school district policy or practice;

25 (b) Implement a plan that satisfactorily resolves the
26 education equity problems in the school;

27 (c) Contract for the educational services of the
28 school, or reorganize the school at the end of the school year
29 under a new principal who is authorized to hire new staff and
30 implement a plan that addresses the causes of inadequate
31 progress; or

1 ~~(d) Allow parents of students in the school to send~~
2 ~~their children to another district school of their choice, if~~
3 ~~appropriate; or~~

4 (d)~~(e)~~ Other action ~~as deemed~~ appropriate to improve
5 the school's performance.

6 (3) In recommending actions to school boards, the
7 State Board of Education shall specify the length of time
8 available to implement the recommended action. The state
9 board may adopt rules to further specify how it may respond in
10 specific circumstances. No action taken by the state board
11 shall relieve a school from state accountability requirements.

12 (4) The State Board of Education is authorized to
13 require the Department of Education or Comptroller to withhold
14 any transfer of state funds to the school district if, within
15 the timeframe specified in state board action, the school
16 district has failed to comply with the said action ordered to
17 improve the district's low-performing schools. Withholding the
18 transfer of funds shall occur only after all other recommended
19 actions for school improvement have failed to improve ~~the~~
20 performance ~~of the school~~. The State Board of Education may
21 invoke the same penalty to any school board that fails to
22 develop and implement a plan for assistance and intervention
23 for low-performing schools as specified in s. 230.23(16)(c).

24 Section 2. Section 229.0537, Florida Statutes, is
25 created to read:

26 229.0537 Opportunity Scholarship Program.--

27 (1) FINDINGS AND INTENT.--This section represents a
28 covenant between the state and the citizens of Florida that
29 all children will have the opportunity to attend schools that
30 can meet their educational needs and in which they can gain
31 the knowledge and skills required to graduate from high school

1 and be prepared for postsecondary education, technical
2 education, or the world of work. The Legislature recognizes
3 that the voters of the State of Florida, in the November 1998
4 general election, amended Article IX, Section 1, of the
5 Florida Constitution so as to make education a paramount duty
6 of the state. The Legislature finds that the new
7 constitutional requirements to provide a high quality
8 education mandate that no student be compelled, against the
9 wishes of the student's parent or guardian, to remain in a
10 school found by the state to be failing for 2 years in any
11 4-year period. It is therefore the intent of the Legislature
12 that parents and guardians be given the opportunity for their
13 children to attend a public school that is performing
14 satisfactorily; or, if the parent or guardian so chooses, it
15 is the intent of the Legislature to make state funds available
16 in order to apply the equivalent of the public education funds
17 generated by their child, in accordance with paragraph (6)(a),
18 to the cost of tuition in an eligible private school.
19 Eligibility of a private school shall include the control and
20 accountability requirements which, coupled with the exercise
21 of parental choice, are reasonably necessary to secure the
22 educational public purpose, as delineated in subsection (4).
23 (2) OPPORTUNITY SCHOLARSHIP ELIGIBILITY.--A public
24 school student's parent or guardian may request and receive
25 from the state an opportunity scholarship for the child to
26 enroll in and attend a private school in accordance with the
27 provisions of this section if:
28 (a) By assigned school attendance area or by special
29 assignment, the student has spent the prior school year in
30 attendance at a public school that has been designated
31 pursuant to s. 229.57 as performance grade category "F,"

1 failing to make adequate progress, and that has had 2 school
2 years of such low performance in any 4-year period, and the
3 student's attendance occurred during a school year in which
4 such designation was in effect; or the parent or guardian of a
5 student who has been in attendance elsewhere in the public
6 school system or who is entering kindergarten or first grade
7 has been notified that the student has been assigned to such
8 school for the next school year;

9 (b) The student is a Florida resident; and

10 (c) The parent or guardian has obtained acceptance for
11 admission of the student to a private school eligible for the
12 program pursuant to subsection (4), and has notified the
13 Department of Education and the school district of the request
14 for an opportunity scholarship no later than July 1 of the
15 first year in which the student intends to use the
16 scholarship.

17
18 For purposes of continuity of educational choice, the
19 opportunity to continue attending a private school shall
20 remain in force until the student graduates from high school
21 or reenters the public school system. However, at any time
22 upon reasonable notice to the Department of Education and the
23 school district, the student's parent or guardian may remove
24 the student from the private school and place the student in a
25 public school, as provided in subparagraph (3)(a)2.

26 (3) SCHOOL DISTRICT OBLIGATIONS.--

27 (a) A school district shall, for each student enrolled
28 in or assigned to a school that has been designated as
29 performance grade category "F" for 2 school years in any
30 4-year period:

31

1 1. Timely notify the parent or guardian of the student
2 as soon as such designation is made of all options available
3 pursuant to this section; and

4 2. Offer that student's parent or guardian an
5 opportunity to enroll the student in the public school within
6 the district closest to the student's residence that has been
7 designated by the state pursuant to s. 229.57 as a school
8 performing higher than that in which the student is currently
9 enrolled or to which the student has been assigned, but not
10 less than performance grade category "C." The parent or
11 guardian is not required to accept this offer in lieu of
12 requesting a state opportunity scholarship to a private
13 school. The opportunity to continue attending a higher
14 performing public school shall remain in force until the
15 student graduates from high school.

16 (b) The parent or guardian of a student enrolled in or
17 assigned to a school that has been designated performance
18 grade category "F" for 2 school years in any 4-year period may
19 choose as an alternative to enroll the student in and
20 transport the student to a higher performing public school
21 that has available space in an adjacent school district, and
22 that school district shall accept the student and report the
23 student for purposes of the district's funding pursuant to the
24 Florida Education Finance Program.

25 (c) For students in the district who are participating
26 in the state opportunity scholarship program, the district
27 shall provide locations and times to take all statewide
28 assessments required pursuant to s. 229.57.

29 (d) Students with special needs who are eligible to
30 receive services from the state or school district under
31 federal or state law, and who participate in this program,

1 remain eligible to receive services from the state or school
2 district as provided by federal or state law.

3 (e) If for any reason a qualified private school is
4 not available for the student or if the parent or guardian
5 chooses to request that the student be enrolled in the higher
6 performing public school, rather than choosing to request the
7 state opportunity scholarship, transportation costs to the
8 higher performing public school shall be the responsibility of
9 the school district. The district may utilize state
10 categorical transportation funds or state-appropriated public
11 school choice incentive funds for this purpose.

12 (4) PRIVATE SCHOOL ELIGIBILITY.--To be eligible to
13 participate in the opportunity scholarship program, a private
14 school must be a Florida private school, may be sectarian or
15 nonsectarian, and must:

16 (a) Except for the first year of implementation,
17 notify the Department of Education and the school district in
18 whose service area the school is located of its intent to
19 participate in the program under this section by May 1 of the
20 school year preceding the school year in which it intends to
21 participate. The notice shall specify the grade levels and
22 services that the private school has available for the
23 opportunity scholarship program.

24 (b) Comply with the antidiscrimination provisions of
25 42 U.S.C. section 2000d.

26 (c) Meet state and local health and safety laws and
27 codes.

28 (d) Determine, on an entirely random and
29 religious-neutral basis, which opportunity scholarship
30 students to accept; however, the private school may give
31 preference in accepting applications to siblings of students

1 who have already been accepted on a random and
2 religious-neutral basis.

3 (e) Be subject to instruction, curriculum, and
4 attendance criteria adopted by an appropriate non-public
5 school accrediting body and be academically accountable to the
6 parent or guardian as meeting the educational needs of the
7 student. Upon the parent's or guardian's request, the school
8 shall furnish the parent or guardian with a school profile
9 that includes student performance information.

10 (f) Comply with all state statutes relating to private
11 schools.

12 (g) Accept as full tuition and fees the amount
13 provided by the state for each student.

14 (h) Agree not to compel any student attending the
15 private school on an opportunity scholarship to profess a
16 specific ideological belief, to pray, or to worship.

17 (5) OBLIGATION OF PROGRAM PARTICIPATION.--

18 (a) Any student participating in the opportunity
19 scholarship program must remain in attendance throughout the
20 school year, unless excused by the school for illness or other
21 good cause, and must comply fully with the school's code of
22 conduct.

23 (b) The parent or guardian of each student
24 participating in the opportunity scholarship program must
25 comply fully with the private school's parental involvement
26 requirements, unless excused by the school for illness or
27 other good cause.

28 (c) The parent or guardian shall ensure that the
29 student participating in the opportunity scholarship program
30 takes all statewide assessments required pursuant to s.
31 229.57. Students participating in the opportunity scholarship

1 program may take such tests at a location and at a time
2 provided by the school district.

3 (6) OPPORTUNITY SCHOLARSHIP FUNDING AND PAYMENT.--

4 (a)1. The maximum opportunity scholarship granted for
5 an eligible student shall be a calculated amount equivalent to
6 the base student allocation multiplied by the weighted cost
7 factor for the educational program provided for the student in
8 the district multiplied by the district cost differential. In
9 addition, the calculated amount shall include the per student
10 share of instructional materials funding, technology funding,
11 and other categorical funds as provided for this purpose in
12 the General Appropriations Act. The amount of the opportunity
13 scholarship shall be the calculated amount or the amount of
14 the private school's tuition and fees, whichever is less.
15 Fees eligible shall include textbook fees, lab fees, and other
16 fees related to instruction, including transportation. The
17 district shall report all students who are attending a private
18 school under this program. The students attending private
19 schools on opportunity scholarships shall be reported
20 separately from those students reported for purposes of the
21 Florida Education Finance Program.

22 2. Following annual notification on July 1 of the
23 number of participants, the Department of Education shall
24 transfer from each school district's appropriated funds the
25 calculated amount from the Florida Education Finance Program
26 and authorized categorical accounts to a separate account for
27 the Opportunity Scholarship Program for quarterly disbursement
28 to the parents or guardians of participating students.

29 (b) Upon proper documentation, the Comptroller shall
30 make opportunity scholarship payments in four equal amounts no
31 later than August 1, November 1, February 1, and April 1 of

1 each academic year in which the opportunity scholarship is in
2 force. The initial payment shall be made after verification of
3 admission acceptance. Subsequent payments shall be made upon
4 verification of continued enrollment and attendance at the
5 private school. Payment must be by individual warrant made
6 payable to the student's parent or guardian. The warrant shall
7 be sent directly to the eligible private school chosen by the
8 parent or guardian and the parent or guardian shall
9 restrictively endorse the warrant to the private school.

10 (7) LIABILITY.--No liability shall arise on the part
11 of the state based on any grant or use of an opportunity
12 scholarship.

13 (8) RULES.--The State Board of Education may adopt
14 rules pursuant to ss. 120.536(1) and 120.54 to implement the
15 provisions of this section. Rules shall include penalties for
16 noncompliance with subsections (3) and (5). However, the
17 inclusion of eligible private schools within options available
18 to Florida public school students does not expand the
19 regulatory authority of the state, its officers, or any school
20 district to impose any additional regulation of private
21 schools beyond those reasonably necessary to enforce
22 requirements expressly set forth in this section.

23 Section 3. Subsection (14) of section 229.512, Florida
24 Statutes, is amended, subsections (15) and (16) are renumbered
25 as subsections (18) and (19), respectively, and new
26 subsections (15), (16), and (17) are added to said section to
27 read:

28 229.512 Commissioner of Education; general powers and
29 duties.--The Commissioner of Education is the chief
30 educational officer of the state, and has the following
31 general powers and duties:

1 (14) To implement a program of school improvement and
2 education accountability designed to provide all students the
3 opportunity to make adequate learning gains in each year of
4 school as provided by statute and State Board of Education
5 rule ~~which is~~ based upon the achievement of the state
6 education goals, recognizing the State Board of Education as
7 the body corporate responsible for the supervision of the
8 system of public education, the school board as responsible
9 for school and student performance, and the individual school
10 as the unit for education accountability.†

11 (15) To arrange for the preparation, publication, and
12 distribution of materials relating to the state system of
13 public education which ~~will~~ supply information concerning
14 needs, problems, plans, and possibilities.†

15 (16)(a) To prepare and publish annually reports giving
16 statistics and other useful information pertaining to the
17 state system of public education.† ~~and~~

18 (b) To prepare and publish annually reports giving
19 statistics and other useful information pertaining to the
20 opportunity scholarship program.

21 (17) To have printed copies of school laws, forms,
22 instruments, instructions, and regulations of the State Board
23 of Education and ~~to provide for their the distribution of the~~
24 ~~same.~~

25 Section 4. Section 229.555, Florida Statutes, is
26 amended to read:

27 229.555 Educational planning and information
28 systems.--

29 (1) EDUCATIONAL PLANNING.--

30 (a) The commissioner shall be responsible for all
31 planning functions for the department, including collection,

1 analysis, and interpretation of all data, information, test
2 results, evaluations, and other indicators that are used to
3 formulate policy, identify areas of concern and need, and
4 serve as the basis for short-range and long-range planning.
5 Such planning shall include assembling data, conducting
6 appropriate studies and surveys, and sponsoring research and
7 development activities designed to provide information about
8 educational needs and the effect of alternative educational
9 practices.

10 (b) Each district school board shall maintain a
11 continuing system of planning and budgeting ~~which shall be~~
12 designed to aid in identifying and meeting the educational
13 needs of students and the public. Provision shall be made for
14 coordination between district school boards and community
15 college district boards of trustees concerning the planning
16 for vocational and adult educational programs. The major
17 emphasis of the system shall be upon locally determined goals
18 and objectives, the state plan for education, and the Sunshine
19 State minimum performance Standards developed by the
20 Department of Education and adopted by the State Board of
21 Education. The district planning and budgeting system must
22 include consideration of student achievement data obtained
23 pursuant to s. 229.57. The system shall be structured to meet
24 the specific management needs of the district and to align.
25 ~~The system of planning and budgeting shall ensure that the~~
26 budget adopted by the district school board with ~~reflect~~ the
27 plan the board has also adopted. Each district school board
28 shall utilize its system of planning and budgeting to
29 emphasize a system of school-based management in which
30 individual school centers become the principal planning units
31

1 and ~~eventually~~ to integrate planning and budgeting at the
2 school level.

3 (2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.--The
4 commissioner shall develop and implement an integrated
5 information system for educational management. The system must
6 be designed to collect, via electronic transfer, all student
7 and school performance data required to ascertain the degree
8 to which schools and school districts are meeting state
9 performance standards, and must be capable of producing data
10 for a comprehensive annual report on school and district
11 performance. In addition,the system shall support, as
12 feasible, the management decisions to be made in each division
13 of the department and at the individual school and district
14 levels. Similar data elements among divisions and levels
15 shall be compatible. The system shall be based on an overall
16 conceptual design; the information needed for such decisions,
17 including fiscal, student, program, personnel, facility,
18 community, evaluation, and other relevant data; and the
19 relationship between cost and effectiveness. The system shall
20 be managed and administered by the commissioner and shall
21 include a district subsystem component to be administered at
22 the district level, with input from the reports-and-forms
23 control management committees. Each district school system
24 with a unique management information system shall assure that
25 compatibility exists between its unique system and the
26 district component of the state system so ~~to the extent~~ that
27 all data required as input to the state system is ~~shall be~~
28 made available via electronic transfer and in the appropriate
29 input format.

30 (a) The specific responsibilities of the commissioner
31 shall include:

- 1 1. Consulting with school district representatives in
2 the development of the system design model and implementation
3 plans for the management information system for public school
4 education management;
- 5 2. Providing operational definitions for the proposed
6 system;
- 7 3. Determining the information and specific data
8 elements required for the management decisions made at each
9 educational level, recognizing that the primary unit for
10 information input is ~~shall be~~ the individual school and
11 recognizing that time and effort of instructional personnel
12 expended in collection and compilation of data should be
13 minimized;
- 14 4. Developing standardized terminology and procedures
15 to be followed at all levels of the system;
- 16 5. Developing a standard transmittal format to be used
17 for collection of data from the various levels of the system;
- 18 6. Developing appropriate computer programs to assure
19 integration of the various information components dealing with
20 students, personnel, facilities, fiscal, program, community,
21 and evaluation data;
- 22 7. Developing the necessary programs to provide
23 statistical analysis of the integrated data provided in
24 subparagraph 6. in such a way that required reports may be
25 disseminated, comparisons may be made, and relationships may
26 be determined in order to provide the necessary information
27 for making management decisions at all levels;
- 28 8. Developing output report formats which will provide
29 district school systems with information for making management
30 decisions at the various educational levels;
- 31

1 9. Developing a phased plan for distributing computer
2 services equitably among all public schools and school
3 districts in the ~~this~~ state as rapidly as possible. The plan
4 shall describe alternatives available to the state in
5 providing such computing services and shall contain estimates
6 of the cost of each alternative, together with a
7 recommendation for action. In developing the ~~such~~ plan, the
8 feasibility of shared use of computing hardware and software
9 by school districts, community colleges, and universities
10 shall be examined. Laws or administrative rules regulating
11 procurement of data processing equipment, communication
12 services, or data processing services by state agencies shall
13 not be construed to apply to local agencies which share
14 computing facilities with state agencies;

15 10. Assisting the district school systems in
16 establishing their subsystem components and assuring
17 compatibility with current district systems;

18 11. Establishing procedures for continuous evaluation
19 of system efficiency and effectiveness;

20 12. Initiating a reports-management and
21 forms-management system to ascertain that duplication in
22 collection of data does not exist and that forms and reports
23 for reporting under state and federal requirements and other
24 forms and reports are prepared in a logical and uncomplicated
25 format, resulting in a reduction in the number and complexity
26 of required reports, particularly at the school level; and

27 13. Initiating such other actions as are necessary to
28 carry out the intent of the Legislature that a management
29 information system for public school management needs be
30 implemented. Such other actions shall be based on criteria
31 including, but not limited to:

- 1 a. The purpose of the reporting requirement;
2 b. The origination of the reporting requirement;
3 c. The date of origin of the reporting requirement;
4 and
5 d. The date of repeal of the reporting requirement.
6 (b) The specific responsibilities of each district
7 school system shall include:
8 1. Establishing, at the district level, a
9 reports-control and forms-control management system committee
10 composed of school administrators and classroom teachers. The
11 district school board shall appoint school administrator
12 members and classroom teacher members; or, in school districts
13 where appropriate, the classroom teacher members shall be
14 appointed by the bargaining agent. Teachers shall constitute a
15 majority of the committee membership. The committee shall
16 periodically recommend procedures to the district school board
17 for eliminating, reducing, revising, and consolidating
18 paperwork and data collection requirements and shall submit to
19 the district school board an annual report of its findings.
20 2. With assistance from the commissioner, developing
21 systems compatibility between the state management information
22 system and unique local systems.
23 3. Providing, with the assistance of the department,
24 inservice training dealing with management information system
25 purposes and scope, a method of transmitting input data, and
26 the use of output report information.
27 4. Establishing a plan for continuous review and
28 evaluation of local management information system needs and
29 procedures.
30 5. Advising the commissioner of all district
31 management information needs.

1 6. Transmitting required data input elements to the
2 appropriate processing locations in accordance with guidelines
3 established by the commissioner.

4 7. Determining required reports, comparisons, and
5 relationships to be provided to district school systems by the
6 system output reports, continuously reviewing these reports
7 for usefulness and meaningfulness, and submitting recommended
8 additions, deletions, and change requirements in accordance
9 with the guidelines established by the commissioner.

10 8. Being responsible for the accuracy of all data
11 elements transmitted to the department.

12 (c) It is the intent of the Legislature that the
13 expertise in the state system of public education, as well as
14 contracted services, be utilized to hasten the plan for full
15 implementation of a comprehensive management information
16 system.

17 Section 5. Subsection (1) of section 229.565, Florida
18 Statutes, is amended to read:

19 229.565 Educational evaluation procedures.--

20 (1) STUDENT PERFORMANCE STANDARDS.--

21 (a) The State Board of Education shall approve student
22 performance standards in key academic subject areas and the
23 ~~various program categories and chronological grade levels~~
24 ~~which the Commissioner of Education designates as necessary~~
25 ~~for maintaining a good educational system.~~ The standards must
26 apply, without limitation, to language arts, mathematics,
27 science, social studies, the arts, health and physical
28 education, foreign language, reading, writing, history,
29 government, geography, economics, and computer literacy. The
30 commissioner shall obtain opinions and advice from citizens,
31 educators, and members of the business community in developing

1 the standards. For purposes of this section, the term "student
2 performance standard" means a statement describing a skill or
3 competency students are expected to learn.

4 (b) The student performance standards must address the
5 skills and competencies that a student must learn in order to
6 graduate from high school. The commissioner shall also develop
7 performance standards for students who learn a higher level of
8 skills and competencies.

9 Section 6. Section 229.57, Florida Statutes, 1998
10 Supplement, is amended to read:

11 229.57 Student assessment program.--

12 (1) PURPOSE.--The primary purposes ~~purpose~~ of the
13 statewide assessment program are is to provide information
14 needed to improve for the improvement of the public schools by
15 maximizing the learning gains of all students and to inform
16 parents of the educational progress of their public school
17 children. The program must be designed to:

18 (a) Assess the annual learning gains of each student
19 toward achieving the Sunshine State Standards appropriate for
20 the student's grade level.

21 (b) Provide data for making decisions regarding school
22 accountability and recognition.

23 (c)~~(a)~~ Identify the educational strengths and needs of
24 students and the readiness of students to be promoted to the
25 next grade level or to graduate from high school with a
26 standard high school diploma.

27 (d)~~(b)~~ Assess how well educational goals and
28 performance standards are met at the school, district, and
29 state levels.

30 (e)~~(c)~~ Provide information to aid in the evaluation
31 and development of educational programs and policies.

1 (f) Provide information on the performance of Florida
2 students compared with others across the United States.

3 (2) NATIONAL EDUCATION COMPARISONS.--It is Florida's
4 intent to participate in the measurement of national
5 educational goals ~~set by the President and governors of the~~
6 ~~United States.~~ The Commissioner of Education shall direct
7 ~~Florida is directed to provide for~~ school districts to
8 participate in the administration of the National Assessment
9 of Educational Progress, or a similar national assessment
10 program, both for the national sample and for any
11 state-by-state comparison programs which may be initiated.
12 Such assessments must be conducted using the data collection
13 procedures, the student surveys, the educator surveys, and
14 other instruments included in the National Assessment of
15 Educational Progress or a similar program. The results of
16 these assessments shall be included in the annual report of
17 the Commissioner of Education specified in this section. The
18 administration of the National Assessment of Educational
19 Progress or a similar program shall be in addition to and
20 separate from the administration of the statewide assessment
21 program ~~otherwise described in this section.~~

22 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner
23 shall ~~is directed to~~ design and implement a statewide program
24 of educational assessment that provides information for the
25 improvement of the operation and management of the public
26 schools. ~~The program must be designed, as far as possible, so~~
27 ~~as not to conflict with ongoing district assessment programs~~
28 ~~and so as to use information obtained from district programs.~~
29 Pursuant to the statewide assessment program, the commissioner
30 shall:
31

1 (a) Submit to the state board a list that specifies
2 student skills and competencies to which the goals for
3 education specified in the state plan apply, including, but
4 not limited to, reading, writing, and mathematics. The skills
5 and competencies must include problem-solving and higher-order
6 skills as appropriate and shall be known as the Sunshine State
7 Standards. The commissioner shall select such skills and
8 competencies after receiving recommendations from educators,
9 citizens, and members of the business community. The
10 commissioner shall submit to the state board revisions to the
11 list of student skills and competencies in order to maintain
12 continuous progress toward improvements in student
13 proficiency.

14 (b) Develop and implement a uniform system of
15 indicators to describe the performance of public school
16 students and the characteristics of the public school
17 districts and the public schools. These indicators must
18 include, without limitation, information gathered by the
19 comprehensive management information system created pursuant
20 to s. 229.555 and student achievement information obtained
21 pursuant to this section.

22 (c) Develop and implement a student achievement
23 testing program as part of the statewide assessment program,
24 to be administered annually in grades 3 through 10 at
25 ~~designated times at the elementary, middle, and high school~~
26 ~~levels~~ to measure reading, writing, and mathematics. The
27 testing program must be designed so that:

28 1. The tests measure student skills and competencies
29 adopted by the state board as specified in paragraph (a). The
30 tests must measure and report student proficiency levels in
31 reading, writing, and mathematics. Other content areas may be

1 included as directed by the commissioner. The commissioner
2 shall provide for the tests to be developed or obtained, as
3 appropriate, through contracts and project agreements with
4 private vendors, public vendors, public agencies,
5 postsecondary institutions, or school districts. The
6 commissioner shall obtain input with respect to the design and
7 implementation of the testing program from state educators and
8 the public.

9 2. The tests are a combination of norm-referenced and
10 criterion-referenced and include, to the extent determined by
11 the commissioner, items that require the student to produce
12 information or perform tasks in such a way that the skills and
13 competencies he or she uses can be measured.

14 3. Each testing program, whether at the elementary,
15 middle, or high school level, includes a test of writing in
16 which students are required to produce writings which are then
17 scored by appropriate methods.

18 4. A score is designated for each subject area tested,
19 below which score a student's performance is deemed
20 inadequate. The school districts shall provide appropriate
21 remedial instruction to students who score below these levels.

22 5. Except as provided in subparagraph 6., all 11th
23 grade students take a high school competency test developed by
24 the state board to test minimum student performance skills and
25 competencies in reading, writing, and mathematics. The test
26 must be based on the skills and competencies adopted by the
27 state board pursuant to paragraph (a). Upon recommendation of
28 the commissioner, the state board shall designate a passing
29 score for each part of the high school competency test. In
30 establishing passing scores, the state board shall consider
31 any possible negative impact of the test on minority students.

1 The commissioner may establish criteria whereby a student who
2 successfully demonstrates proficiency in either reading or
3 mathematics or both may be exempted from taking the
4 corresponding section of the high school competency test or
5 the college placement test. A student must earn a passing
6 score or have been exempted from each part of the high school
7 competency test in order to qualify for a regular high school
8 diploma. The school districts shall provide appropriate
9 remedial instruction to students who do not pass part of the
10 competency test.

11 6. Students who enroll in grade 9 in the fall of 1999
12 and thereafter must earn a passing score on the grade 10
13 assessment test described in this paragraph instead of the
14 high school competency test described in subparagraph 5. Such
15 students must earn a passing score in reading, writing, and
16 mathematics to qualify for a regular high school diploma. Upon
17 recommendation of the commissioner, the state board shall
18 designate a passing score for each part of the grade 10
19 assessment test. In establishing passing scores, the state
20 board shall consider any possible negative impact of the test
21 on minority students.

22 ~~7.6.~~ Participation in the testing program is mandatory
23 for all students, except as otherwise prescribed by the
24 commissioner. The commissioner shall recommend rules to the
25 state board for the provision of test adaptations and
26 modifications of procedures as necessary for students in
27 exceptional education programs and for students who have
28 limited English proficiency.

29 ~~8.7.~~ A student seeking an adult high school diploma
30 must meet the same testing requirements that a regular high
31 school student must meet.

1 9. School districts must provide instruction to
2 prepare students to demonstrate proficiency on the skills and
3 competencies necessary for successful grade-to-grade
4 progression and high school graduation. The commissioner shall
5 conduct studies as necessary to verify that the required
6 skills and competencies are part of the district instructional
7 programs.

8
9 The commissioner may design and implement student testing
10 programs for any grade level and subject area, based on
11 procedures designated by the commissioner to monitor
12 educational achievement in the state.

13 (d) Obtain or develop a career planning assessment to
14 be administered to students, at their option, in grades 7 and
15 10 to assist them in preparing for further education or
16 entering the workforce. ~~The statewide student assessment~~
17 ~~program must include career planning assessment.~~

18 (e) Conduct ongoing research to develop improved
19 methods of assessing student performance, including, without
20 limitation, the use of technology to administer tests, the use
21 of electronic transfer of data, the development of
22 work-product assessments, and the development of process
23 assessments.

24 (f) Conduct ongoing research and analysis of student
25 achievement data, including, without limitation, monitoring
26 trends in student achievement, identifying school programs
27 that are successful, and analyzing correlates of school
28 achievement.

29 (g) Provide technical assistance to school districts
30 in the implementation of state and district testing programs
31 and the use of the data produced pursuant to such programs.

1 (4) DISTRICT TESTING PROGRAMS.--Each district shall
2 periodically assess student performance and achievement within
3 each school of the district. The assessment programs must be
4 based upon local goals and objectives that are compatible with
5 the state plan for education and that supplement the skills
6 and competencies adopted by the State Board of Education. All
7 school districts must participate in the state assessment
8 program designed to measure annual student learning and school
9 performance. All school districts shall report assessment
10 results as required by the management information system.~~In~~
11 ~~grades 4 and 8, each district shall administer a nationally~~
12 ~~normed achievement test selected from a list approved by the~~
13 ~~state board; the data resulting from these tests must be~~
14 ~~provided to the Department of Education according to~~
15 ~~procedures specified by the commissioner. The commissioner~~
16 ~~may request achievement data for other grade levels as~~
17 ~~necessary.~~

18 (5) SCHOOL TESTING PROGRAMS.--Each public school,
19 unless specifically exempted by state board rule based on
20 serving a specialized population for which standardized
21 testing is not appropriate, shall participate in the state
22 assessment program. Student performance data shall be analyzed
23 and reported to parents, the community, and the state. Student
24 performance data shall be used in developing objectives of the
25 school improvement plan, evaluation of instructional
26 personnel, evaluation of administrative personnel, assignment
27 of staff, allocation of resources, acquisition of
28 instructional materials and technology, and promotion and
29 assignment of students into educational programs ~~administering~~
30 ~~an achievement test, whether at the elementary, middle, or~~
31 ~~high school level, and each public school administering the~~

1 ~~high school competency test, shall prepare an analysis of the~~
2 ~~resultant data after each administration.~~ The analysis of
3 student performance data also must identify strengths and
4 needs in the educational program and trends over time. The
5 analysis must be used in conjunction with the budgetary
6 planning processes developed pursuant to s. 229.555 and the
7 development of the programs of remediation described in s.
8 233.051.

9 (6) ANNUAL REPORTS.--The commissioner shall prepare
10 annual reports of the results of the statewide assessment
11 program which describe student achievement in the state, each
12 district, and each school. The commissioner shall prescribe
13 the design and content of these reports which must include,
14 without limitation, descriptions of the performance of all
15 schools participating in the assessment program and all of
16 their major student populations as determined by the
17 Commissioner of Education, and must also include the median
18 scores of all eligible students who scored at or in the lowest
19 25th percentile of the state in the previous school year
20 ~~students at both low levels and exemplary levels, as well as~~
21 ~~the performance of students scoring in the middle 50 percent~~
22 ~~of the test population.~~ Until such time as annual assessments
23 prescribed in this section are fully implemented, annual
24 reports shall include student performance data based on
25 existing assessments.

26 (7) SCHOOL PERFORMANCE GRADE CATEGORIES.--Beginning
27 with the 1998-1999 school year's student and school
28 performance data, the annual report shall identify schools as
29 being in one of the following grade categories defined
30 according to rules of the state board:

31 (a) "A," schools making excellent progress.

1 (b) "B," schools making above average progress.

2 (c) "C," schools making satisfactory progress.

3 (d) "D," schools making less than satisfactory
4 progress.

5 (e) "F," schools failing to make adequate progress.

6
7 Beginning in the 1999-2000 school year, each school designated
8 in performance grade category "A," making excellent progress,
9 or as having improved at least two performance grade
10 categories, shall have greater authority over the allocation
11 of the school's total budget generated from the FEFP, state
12 categoricals, lottery funds, grants, and local funds, as
13 specified in state board rule.

14 (8) DESIGNATION OF SCHOOL PERFORMANCE GRADE
15 CATEGORIES.--School performance grade category designations
16 itemized in subsection (7) shall be based on the following:

17 (a) Timeframes.--

18 1. School performance grade category designations
19 shall be based on one school year of performance.

20 2. In school years 1998-1999 and 1999-2000, a school's
21 performance grade category designation shall be determined by
22 the student achievement levels on the FCAT, and on other
23 appropriate performance data, including, but not limited to,
24 attendance, dropout rate, school discipline data, and student
25 readiness for college, in accordance with state board rule.

26 3. Beginning with the 2000-2001 school year, a
27 school's performance grade category designation shall be based
28 on a combination of student achievement scores as measured by
29 the FCAT, on the degree of measured learning gains of the
30 students, and on other appropriate performance data,

31

1 including, but not limited to, attendance, dropout rate,
2 school discipline data, and student readiness for college.

3 4. Beginning with the 2001-2002 school year and
4 thereafter, a school's performance grade category designation
5 shall be based on student learning gains as measured by annual
6 FCAT assessments in grades 3 through 10, and on other
7 appropriate performance data, including, but not limited to,
8 attendance, dropout rate, school discipline data, and student
9 readiness for college.

10
11 For the purpose of implementing ss. 229.0535 and 229.0537,
12 each school identified as critically low performing based on
13 both 1996-1997 and 1997-1998 school performance data and state
14 board-adopted criteria, and that receives a performance grade
15 category designation of "F" based on 1998-1999 school
16 performance data pursuant to this section, shall be considered
17 as having failed to make adequate progress for 2 years. All
18 other schools that receive a performance grade category
19 designation of "F" based on 1998-1999 school performance data
20 shall be considered as having failed to make adequate progress
21 for 1 year.

22 (b) Student assessment data.--Student assessment data
23 used in determining school performance grade categories shall
24 include:

25 1. The median scores of all students enrolled in the
26 school who have been assessed on the FCAT.

27 2. The median scores of all students enrolled in the
28 school who have been assessed on the FCAT and who have scored
29 at or in the lowest 25th percentile of students in the state
30 who have been assessed on the FCAT in the previous school
31 year.

1
2 The state board shall adopt appropriate criteria for each
3 school performance grade category so as to ensure that school
4 performance grade category designations reflect each school's
5 accountability for the learning of all students in the school.
6 The criteria must also give added weight to student
7 achievement in reading. Schools designated as performance
8 grade category "C," making satisfactory progress, shall be
9 required to demonstrate that adequate progress has been made
10 by students who have scored at or in the lowest 25 percent of
11 students in the state as well as by the overall population of
12 students in the school.

13 (9) SCHOOL IMPROVEMENT RATINGS.--Beginning with the
14 1999-2000 school year's student and school performance data,
15 the annual report shall identify each school's performance as
16 having improved, remained the same, or declined. This school
17 improvement rating shall be based on a comparison of the
18 current year's and previous year's student and school
19 performance data. Schools that improve at least one
20 performance grade category are eligible for school recognition
21 awards pursuant to s. 231.2905.

22 (10) SCHOOL PERFORMANCE GRADE CATEGORY AND IMPROVEMENT
23 RATING REPORTS.--School performance grade category
24 designations and improvement ratings shall apply to each
25 school's performance for the year in which performance is
26 measured. Each school's designation and rating shall be
27 published annually by the Department of Education and the
28 school district. Parents and guardians shall be entitled to an
29 easy-to-read report card about the designation and rating of
30 the school in which their child is enrolled.

31

1 (11) STATEWIDE ASSESSMENTS.--The Department of
2 Education is authorized, subject to appropriation, to
3 negotiate a multi-year contract for the development, field
4 testing, and implementation of annual assessments of students
5 in grades 3 through 10. Such assessments must comply with the
6 following criteria:

7 (a) Assessments for each grade level shall be capable
8 of measuring each student's mastery of the Sunshine State
9 Standards for that grade level and above.

10 (b) Assessments shall be capable of measuring the
11 annual progress each student makes in mastering the Sunshine
12 State Standards.

13 (c) Assessments shall include measures in reading and
14 mathematics in each grade level and must include writing in
15 grades 4, 8, and 10.

16 (d) Assessments shall include a norm-referenced
17 subtest that allows for comparisons of Florida students with
18 the performance of students nationally.

19 (e) The annual testing program shall be administered
20 to provide for valid statewide comparisons of learning gains
21 to be made for purposes of accountability and recognition.
22 Annual assessments that do not contain performance items shall
23 be administered no earlier than March of each school year,
24 with results being returned to schools prior to the end of the
25 academic year. Subtests that contain performance items may be
26 given earlier than March, provided that the remaining subtests
27 are sufficient to provide valid data on comparisons of student
28 learning from year to year. The time of administration shall
29 be aligned such that a comparable amount of instructional time
30 is measured in all school districts. District school boards
31

1 shall not establish school calendars that jeopardize or limit
2 the valid testing and comparison of student learning gains.

3 (f) Assessments shall be implemented statewide no
4 later than the spring of the 2000-2001 school year.

5 (12) LOCAL ASSESSMENTS.--Measurement of the learning
6 gains of students in all subjects and grade levels other than
7 subjects and grade levels required for the state assessment
8 program is the responsibility of the school districts.

9 (13)~~(7)~~ APPLICABILITY OF TESTING STANDARDS.--A student
10 must meet the testing requirements for high school graduation
11 which were in effect at the time the student entered 9th
12 grade, provided the student's enrollment was continuous.

13 (14)~~(8)~~ RULES.--The State Board of Education shall
14 adopt rules pursuant to ss. 120.536(1) and 120.54 ~~as necessary~~
15 to implement the provisions of this section.

16 (15) PERFORMANCE-BASED FUNDING.--The Legislature may
17 factor in the performance of schools in calculating any
18 performance-based funding policy that is provided for in the
19 annual General Appropriations Act.

20 Section 7. Section 229.58, Florida Statutes, 1998
21 Supplement, is amended to read:

22 229.58 District and school advisory councils.--

23 (1) ESTABLISHMENT.--

24 (a) The school board shall establish an advisory
25 council for each school in the district, and shall develop
26 procedures for the election and appointment of advisory
27 council members. Each school advisory council shall include in
28 its name the words "school advisory council." The school
29 advisory council shall be the sole body responsible for final
30 decisionmaking at the school relating to implementation of the
31 provisions of ss. 229.591, 229.592, and 230.23(16). A majority

1 of the members of each school advisory council must be persons
2 who are not employed by the school. Each advisory council
3 shall be composed of the principal and an appropriately
4 balanced number of teachers, education support employees,
5 students, parents, and other business and community citizens
6 who are representative of the ethnic, racial, and economic
7 community served by the school. Vocational-technical center
8 and high school advisory councils shall include students, and
9 middle and junior high school advisory councils may include
10 students. School advisory councils of vocational-technical
11 and adult education centers are not required to include
12 parents as members. Council members representing teachers,
13 education support employees, students, and parents shall be
14 elected by their respective peer groups at the school in a
15 fair and equitable manner as follows:

- 16 1. Teachers shall be elected by teachers.
- 17 2. Education support employees shall be elected by
18 education support employees.
- 19 3. Students shall be elected by students.
- 20 4. Parents shall be elected by parents.

21
22 The school board shall establish procedures for use by schools
23 in selecting business and community members. Such procedures
24 shall include means of ensuring wide notice of vacancies and
25 for taking input on possible members from local business,
26 chambers of commerce, community and civic organizations and
27 groups, and the public at large. The school board shall review
28 the membership composition of each advisory council. Should
29 the school board determine that the membership elected by the
30 school is not representative of the ethnic, racial, and
31 economic community served by the school, the board shall

1 appoint additional members to achieve proper representation.
2 The Commissioner of Florida Commission on Education Reform and
3 Accountability shall ~~serve as a review body to~~ determine if
4 schools have maximized their efforts to include on their
5 advisory councils minority persons and persons of lower
6 socioeconomic status. Although schools should be strongly
7 encouraged to establish school advisory councils, any school
8 district that has a student population of 10,000 or fewer may
9 establish a district advisory council which shall include at
10 least one duly elected teacher from each school in the
11 district. For the purposes of school advisory councils and
12 district advisory councils, the term "teacher" shall include
13 classroom teachers, certified student services personnel, and
14 media specialists. For purposes of this paragraph, "education
15 support employee" means any person employed by a school who is
16 not defined as instructional or administrative personnel
17 pursuant to s. 228.041 and whose duties require 20 or more
18 hours in each normal working week.

19 (b) The school board may establish a district advisory
20 council representative of the district and composed of
21 teachers, students, parents, and other citizens or a district
22 advisory council which may be comprised of representatives of
23 each school advisory council. Recognized schoolwide support
24 groups which meet all criteria established by law or rule may
25 function as school advisory councils.

26 (2) DUTIES.--Each advisory council shall perform such
27 functions as are prescribed by regulations of the school
28 board; however, no advisory council shall have any of the
29 powers and duties now reserved by law to the school board.
30 Each school advisory council shall assist in the preparation
31 and evaluation of the school improvement plan required

1 pursuant to s. 230.23(16). By the 1999-2000 academic year,
2 with technical assistance from the Department of Education,
3 each school advisory council shall assist in the preparation
4 of the school's annual budget and plan as required by s.
5 229.555(1). A portion of funds provided in the annual General
6 Appropriations Act for use by school advisory councils must be
7 used for implementing the school improvement plan.

8 Section 8. Section 229.591, Florida Statutes, 1998
9 Supplement, is amended to read:

10 229.591 Comprehensive revision of Florida's system of
11 school improvement and education accountability.--

12 (1) INTENT.--The Legislature recognizes that the
13 children and youth of the state are its future and its most
14 precious resource. To provide these developing citizens with
15 the sound education needed to grow to a satisfying and
16 productive adulthood, the Legislature intends that, ~~by the~~
17 ~~year 2000~~, Florida establish a system of school improvement
18 and education accountability based on the performance of
19 students and educational programs. The intent of the
20 Legislature is to provide clear guidelines for achieving this
21 purpose and for returning the responsibility for education to
22 those closest to the students, their ~~that is the~~ schools,
23 teachers, and parents. The Legislature recognizes, however,
24 its ultimate responsibility and that of the Governor, the
25 Commissioner of Education, and the State Board of Education
26 and other state policymaking bodies in providing the strong
27 leadership needed to forge a new concept of school improvement
28 and in making adequate provision by law ~~provisions~~ for a
29 uniform, efficient, safe, secure, and high-quality system of
30 free public schools as required by s. 1, Art. IX of the State
31 Constitution. It is further the intent of the Legislature to

1 build upon the foundation established by the Educational
2 Accountability Act of 1976 and to implement a program of
3 education accountability and school improvement based upon the
4 achievement of state goals, recognizing the State Board of
5 Education as the body corporate responsible for the
6 supervision of the system of public education, the district
7 school board as responsible for school and student
8 performance, and the individual school as the unit for
9 education accountability.

10 (2) REQUIREMENTS.--Florida's system for school
11 improvement and education accountability shall:

12 (a) Establish state and local educational goals.

13 (b) Increase the use of educational outcomes over
14 educational processes in assessing educational programs.

15 (c) Redirect state fiscal and human resources to
16 assist school districts and schools to meet state and local
17 goals for student success in school and in later life.

18 (d) Provide methods for measuring, and public
19 reporting of, state, school district, and individual school
20 progress toward the education goals.

21 (e) Recognize successful schools.

22 (f) Provide for ~~Ensure that unsuccessful~~ schools
23 designated as performance grade categories "D" and "F" to
24 receive are provided assistance and intervention sufficient to
25 attain adequate ~~such that~~ improvement ~~occurs,~~ and provide
26 ~~further ensure that~~ action that should occur when schools do
27 not improve.

28 (g) Provide that parents or guardians are not required
29 to send their children to schools that have been designated in
30 performance grade category "F," failing to make adequate
31

1 progress, as defined in state board rule, for two school
2 years.

3 (3) EDUCATION GOALS.--The state as a whole shall work
4 toward the following goals:

5 (a) Readiness to start school.--Communities and
6 schools collaborate in a statewide comprehensive school
7 readiness program to prepare children and families for
8 children's success in school.

9 (b) Graduation rate and readiness for postsecondary
10 education and employment.--Students graduate and are prepared
11 to enter the workforce and postsecondary education.

12 (c) Student performance.--Students make annual
13 learning gains sufficient to acquire the knowledge, skills,
14 and competencies needed to master state standards,
15 successfully compete at the highest levels nationally and
16 internationally, and be ~~are~~ prepared to make well-reasoned,
17 thoughtful, and healthy lifelong decisions.

18 (d) Learning environment.--School boards provide a
19 learning environment conducive to teaching and learning, in
20 which education programs are based on student performance
21 data, and which strive to eliminate achievement gaps by
22 improving the learning of all students.

23 (e) School safety and environment.--Communities and
24 schools provide an environment that is drug-free and protects
25 students' health, safety, and civil rights.

26 (f) Teachers and staff.--The schools, district, all
27 postsecondary institutions, and state work collaboratively to
28 provide ~~ensure~~ professional teachers and staff who possess the
29 competencies and demonstrate the performance needed to
30 maximize learning among all students.

31

1 (g) Adult literacy.--Adult Floridians are literate and
2 have the knowledge and skills needed to compete in a global
3 economy, prepare their children for success in school,and
4 exercise the rights and responsibilities of citizenship.

5 (h) Parental involvement.--Communities, school boards,
6 and schools provide opportunities for involving parents and
7 guardians as active partners in achieving school improvement
8 and education accountability. ~~The State Board of Education~~
9 ~~shall adopt standards for indicating progress toward this~~
10 ~~state education goal by January 1, 1997.~~

11 Section 9. Section 229.592, Florida Statutes, 1998
12 Supplement, is amended to read:

13 229.592 Implementation of state system of school
14 improvement and education accountability.--

15 (1) DEVELOPMENT.--It is the intent of the Legislature
16 that every public school in the state shall have a school
17 improvement plan, as required by s. 230.23(16), fully
18 implemented and operational ~~by the beginning of the 1993-1994~~
19 ~~school year.~~ Vocational standards considered pursuant to s.
20 239.229 shall be incorporated into the school improvement plan
21 for each area technical center operated by a school board ~~by~~
22 ~~the 1994-1995 school year,~~ and area technical centers shall
23 prepare school report cards incorporating such standards,
24 pursuant to s. 230.23(16), ~~for the 1995-1996 school year.~~ In
25 order to accomplish this, the Commissioner of Florida
26 ~~Commission on Education Reform and Accountability~~ and the
27 school districts and schools shall carry out the duties
28 assigned to them by s.ss. 229.594 and 230.23(16),
29 ~~respectively.~~

30 ~~(2) ESTABLISHMENT.--Based upon the recommendations of~~
31 ~~the Florida Commission on Education Reform and Accountability,~~

1 ~~the Legislature may enact such laws as it considers necessary~~
2 ~~to establish and maintain a state system of school improvement~~
3 ~~and accountability. If, after considering the recommendations~~
4 ~~of the commission, the Legislature determines an adequate~~
5 ~~system of accountability to be in place to protect the public~~
6 ~~interest, the Legislature may repeal or revise laws, including~~
7 ~~fiscal policies, deemed to stand in the way of school~~
8 ~~improvement.~~

9 (2)~~(3)~~ COMMISSIONER.--The commissioner shall be
10 responsible for implementing and maintaining a system of
11 intensive school improvement and stringent education
12 accountability, which shall include policies and programs to-

13 ~~(a) Based on the recommendations of The Florida~~
14 ~~Commission on Education Reform and Accountability, the~~
15 ~~commissioner shall develop and implement the following~~
16 ~~programs and procedures:~~

17 (a)1. A system of data collection and analysis that
18 will improve information about the educational success of
19 individual students and schools. The information and analyses
20 must be capable of identifying educational programs or
21 activities in need of improvement, and reports prepared
22 pursuant to this paragraph ~~subparagraph~~ shall be distributed
23 to the appropriate school boards prior to distribution to the
24 general public. This provision shall not preclude access to
25 public records as provided in chapter 119.

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

29 (c)3. A method of delivering services to assist school
30 districts and schools to improve.

31

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

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

11 (4)~~(c)~~ The annual feedback report shall be developed
12 by the ~~commission and the~~ Department of Education.

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

22 (6)~~(e)~~ ~~As co-chair of the Florida Commission on~~
23 ~~Education Reform and Accountability,~~ The commissioner shall
24 ~~appear before the appropriate committees of the Legislature~~
25 ~~annually in October to report~~ to the Legislature and recommend
26 changes in state policy necessary to foster school improvement
27 and education accountability. ~~The report shall reflect the~~
28 ~~recommendations of the Florida Commission on Education Reform~~
29 ~~and Accountability.~~ Included in the report shall be a list of
30 the schools for which school boards have developed assistance
31 and intervention plans and an analysis of the various

1 strategies used by the school boards. School reports shall be
2 distributed pursuant to this paragraph and s. 230.23(16)(e)
3 according to guidelines adopted by the State Board of
4 Education.

5 (7)~~(4)~~ DEPARTMENT.--

6 (a) The Department of Education shall implement a
7 training program to develop among state and district educators
8 a cadre of facilitators of school improvement. These
9 facilitators shall assist schools and districts to conduct
10 needs assessments and develop and implement school improvement
11 plans to meet state goals.

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

22 (c) Pursuant to s. 24.121(5)(d), the department shall
23 not release funds from the Educational Enhancement Trust Fund
24 to any district in which a school does not have an approved
25 school improvement plan, pursuant to s. 230.23(16), after 1
26 full school year of planning and development, or does not
27 comply with school advisory council membership composition
28 requirements pursuant to s. 229.58(1). The department shall
29 send a technical assistance team to each school without an
30 approved plan to develop such school improvement plan or to
31 each school without appropriate school advisory council

1 membership composition to develop a strategy for corrective
2 action. The department shall release the funds upon approval
3 of the plan or upon establishment of a plan of corrective
4 action. Notice shall be given to the public of the
5 department's intervention and shall identify each school
6 without a plan or without appropriate school advisory council
7 membership composition.

8 (8)~~(5)~~ STATE BOARD.--The State Board of Education
9 shall adopt rules pursuant to ss. 120.536(1) and 120.54
10 necessary to implement a state system of school improvement
11 and education accountability and shall specify required annual
12 reports by schools and school districts. ~~Such rules must be~~
13 ~~based on recommendations of the Commission on Education Reform~~
14 ~~and Accountability and must include, but need not be limited~~
15 ~~to, a requirement that each school report identify the annual~~
16 ~~Education Enhancement Trust Fund allocations to the district~~
17 ~~and the school and how those allocations were used for~~
18 ~~educational enhancement and supporting school improvement.~~

19 (9)~~(6)~~ EXCEPTIONS TO LAW.--To facilitate innovative
20 practices and to allow local selection of educational methods,
21 the commissioner may waive, upon the request of a school
22 board, requirements of chapters 230 through 239 of the Florida
23 School Code that relate to instruction and school operations,
24 except those pertaining to civil rights, and student health,
25 safety, and welfare. The Commissioner of Education is not
26 authorized to grant waivers for any provisions of law
27 pertaining to the allocation and appropriation of state and
28 local funds for public education; the election, compensation,
29 and organization of school board members and superintendents;
30 graduation and state accountability standards; financial
31 reporting requirements; reporting of out-of-field teaching

1 assignments under s. 231.095; public meetings; public records;
2 or due process hearings governed by chapter 120. Prior to
3 approval, the commissioner shall report pending waiver
4 requests to the state board on a monthly basis, and shall,
5 upon request of any state board member, bring a waiver request
6 to the state board for consideration. If, within 2 weeks of
7 receiving the report, no member requests that a waiver be
8 considered by the state board, the commissioner may act on the
9 original waiver request. No later than January 1 of each year,
10 the commissioner shall report to the President and Minority
11 Leader of the Senate and the Speaker and Minority Leader of
12 the House of Representatives all approved waiver requests in
13 the preceding year.

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

29 1. A school board may originate a request for waiver
30 and submit the request to the commissioner if such a waiver is
31 required to implement districtwide improvements.

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

17 3. When approved by the commissioner, a waiver
18 requested under this paragraph is effective for a 5-year
19 period.

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

25 (c) The written request for waiver of statute or rule
26 must indicate at least how ~~the general statutory purpose will~~
27 ~~be met~~, how granting the waiver will assist schools in
28 improving student outcomes related to the student performance
29 standards adopted by the state board pursuant to subsection
30 ~~(5)~~, and how student improvement will be evaluated and
31 reported. ~~In considering any waiver,~~The commissioner shall

1 not grant any waiver that would impair the ~~ensure~~ protection
2 of the health, safety, welfare, or ~~and~~ civil rights of the
3 students or the ~~and~~ protection of the public interest.

4 (d) Upon denying a request for a waiver, the
5 commissioner must state with particularity the grounds or
6 basis for the denial. The commissioner shall report the
7 specific statutes and rules for which waivers are requested
8 and the number and disposition of such requests to the
9 Legislature and the State Board of Education ~~Florida~~

10 ~~Commission on Education Reform and Accountability~~ for use in
11 determining which statutes and rules stand in the way of
12 school improvement.

13 (e)1. Schools designated in performance grade category
14 "A," making excellent progress, shall, upon the request of the
15 school, be given deregulated status as specified in s.
16 228.0565(5), (7), (8), (9), and (10).

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

22 Section 10. Section 229.593, Florida Statutes, 1998
23 Supplement, is repealed.

24 Section 11. Section 229.594, Florida Statutes, is
25 repealed.

26 Section 12. Subsection (5) of section 229.595, Florida
27 Statutes, is amended to read:

28 229.595 Implementation of state system of education
29 accountability for school-to-work transition.--

30 (5) Prior to each student's graduation from high
31 school, the school shall ~~Any assessment required for student~~

1 ~~receipt of a high school diploma shall include items designed~~
2 ~~to assess the student's student preparation to enter the~~
3 ~~workforce and provide the student and the student's parent or~~
4 ~~guardian with the results of such assessment. The Commissioner~~
5 ~~of Florida Commission on Education Reform and Accountability~~
6 shall identify the employability skills associated with
7 successful entry into the workforce from which such items
8 shall be derived.

9 Section 13. Paragraphs (c) and (g) of subsection (5),
10 paragraph (b) of subsection (7), and subsections (16) and (17)
11 of section 230.23, Florida Statutes, 1998 Supplement, are
12 amended, subsection (18) is amended and renumbered as
13 subsection (19), and a new subsection (18) is added to said
14 section, to read:

15 230.23 Powers and duties of school board.--The school
16 board, acting as a board, shall exercise all powers and
17 perform all duties listed below:

18 (5) PERSONNEL.--Designate positions to be filled,
19 prescribe qualifications for those positions, and provide for
20 the appointment, compensation, promotion, suspension, and
21 dismissal of employees as follows, subject to the requirements
22 of chapter 231:

23 (c) Compensation and salary schedules.--Adopt a salary
24 schedule or salary schedules designed to furnish incentives
25 for improvement in training and for continued efficient
26 service to be used as a basis for paying all school employees,
27 ~~such schedules to be arranged, insofar as practicable, so as~~
28 ~~to furnish incentive for improvement in training and for~~
29 ~~continued and efficient service~~ and fix and authorize the
30 compensation of school employees on the basis thereof ~~of such~~
31 ~~schedules~~. A district school board, in determining the salary

1 schedule for instructional personnel, must base a portion of
2 each employee's compensation on performance demonstrated under
3 s. 231.29 and must consider the prior teaching experience of a
4 person who has been designated state teacher of the year by
5 any state in the United States. In developing the salary
6 schedule, the school board shall seek input from parents,
7 teachers, and representatives of the business community.

8 (g) Awards and incentives.--Provide for recognition of
9 district employees, students, school volunteers, and ~~or~~
10 advisory committee members who have contributed outstanding
11 and meritorious service in their fields or service areas.
12 After considering recommendations of the superintendent, the
13 board shall adopt rules establishing and regulating the
14 meritorious service awards necessary for the efficient
15 operation of the program. An award or incentive granted under
16 this paragraph may not be considered in determining the salary
17 schedules required by paragraph (c). Monetary awards shall be
18 limited to persons who propose procedures or ideas ~~which are~~
19 adopted by the board ~~and~~ which will result in eliminating or
20 reducing school board expenditures or improving district or
21 school center operations. Nonmonetary awards shall include,
22 but are ~~need not be~~ limited to, certificates, plaques, medals,
23 ribbons, and photographs. The school board may ~~is authorized~~
24 ~~to~~ expend funds for such recognition and awards. No award
25 granted under ~~the provisions of~~ this paragraph shall exceed
26 \$2,000 or 10 percent of the first year's gross savings,
27 whichever is greater.

28 (7) COURSES OF STUDY AND OTHER INSTRUCTIONAL
29 AIDS.--Provide adequate instructional aids for all children as
30 follows and in accordance with the requirements of chapter
31 233.

1 (b) Textbooks.--Provide for proper requisitioning,
2 distribution, accounting, storage, care, and use of all
3 instructional materials ~~textbooks and other books~~ furnished by
4 the state and furnish such other instructional materials
5 ~~textbooks and library books~~ as may be needed. The school board
6 is responsible for assuring that instructional materials used
7 in the district are consistent with the district goals and
8 objectives and the curriculum frameworks approved by the State
9 Board of Education, as well as with the state and district
10 performance standards provided for in ss. 229.565 and
11 232.2454.

12 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
13 ACCOUNTABILITY.--Maintain a system of school improvement and
14 education accountability as provided by statute and State
15 Board of Education rule. This system of school improvement and
16 education accountability shall be consistent with, and
17 implemented through, the district's continuing system of
18 planning and budgeting required by this section and ss.
19 229.555 and 237.041. This system of school improvement and
20 education accountability shall include, but is not ~~be~~ limited
21 to, the following:

22 (a) School improvement plans.--Annually approve and
23 require implementation of a new, amended, or continuation
24 school improvement plan for each school in the district. Such
25 plan shall be designed to achieve the state education goals
26 and student performance standards pursuant to ss. 229.591(3)
27 and 229.592. Beginning in 1999-2000, each plan shall also
28 address issues relative to budget, training, instructional
29 materials, technology, staffing, student support services, and
30 other matters of resource allocation, as determined by school
31

1 board policy, and shall be based on an analysis of student
2 achievement and other school performance data.

3 (b) Approval process.--Develop a process for approval
4 of a school improvement plan presented by an individual school
5 and its advisory council. In the event a board does not
6 approve a school improvement plan after exhausting this
7 process, the Department of Education ~~Florida Commission on~~
8 ~~Education Reform and Accountability~~ shall be notified of the
9 need for assistance.

10 (c) Assistance and intervention.--Develop a 2-year
11 ~~3-year~~ plan of increasing individualized assistance and
12 intervention for each school in danger of ~~that does~~ not
13 meeting state standards ~~meet~~ or making ~~make~~ adequate progress,
14 ~~based upon the recommendations of the commission,~~ as defined
15 pursuant to statute and State Board of Education rule, toward
16 meeting the goals and standards of its approved school
17 improvement plan. A school that is identified as being in
18 performance grade category "D" pursuant to s. 229.57 is in
19 danger of failing and must be provided assistance and
20 intervention.

21 (d) After 2 ~~3~~ years.--Notify the Commissioner of
22 ~~Florida Commission on Education Reform and Accountability~~ and
23 the State Board of Education in the event any school does not
24 make adequate progress toward meeting the goals and standards
25 of a school improvement plan by the end of 2 ~~3~~ consecutive
26 years of failing to make adequate progress in any 4-year
27 period ~~district assistance and intervention~~ and proceed
28 according to guidelines developed pursuant to statute and
29 State Board of Education rule. School districts shall provide
30 intervention and assistance to schools in danger of being
31

1 designated as performance grade category "F," failing to make
2 adequate progress.
3 (e) Public disclosure.--Provide information regarding
4 performance of students and educational programs as required
5 pursuant to ~~ss.~~s.229.555 and 229.57(5)and implement a
6 system of school reports as required by statute and State
7 Board of Education rule. Annual public disclosure reports
8 shall be in an easy-to-read report card format, and shall
9 include the school's student and school performance grade
10 category designation and performance data as specified in
11 state board rule.
12 (f) School improvement funds.--Provide funds to
13 schools for developing and implementing school improvement
14 plans. Such funds shall include those funds appropriated for
15 the purpose of school improvement pursuant to s. 24.121(5)(c).
16 (17) LOCAL-LEVEL DECISIONMAKING.--
17 (a) Adopt policies that clearly encourage and enhance
18 maximum decisionmaking appropriate to the school site. Such
19 policies must include guidelines for schools in the adoption
20 and purchase of district and school site instructional
21 materials and technology, staff training, school advisory
22 council member training, student support services, budgeting,
23 and the allocation of staff resources.
24 (b) Adopt waiver process policies to enable all
25 schools to exercise maximum flexibility and notify advisory
26 councils of processes to waive school district and state
27 policies.
28 (c) Develop policies for periodically monitoring the
29 membership composition of school advisory councils to ensure
30 compliance with requirements established in s. 229.58.
31

1 (d) Adopt policies that assist in giving greater
2 autonomy to schools designated as performance grade category
3 "A," making excellent progress, and schools rated as having
4 improved at least two performance grade categories.

5 (18) OPPORTUNITY SCHOLARSHIPS.--Adopt policies
6 allowing students attending schools that have been designated
7 as performance grade category "F," failing to make adequate
8 progress, for 2 school years in any 4-year period to attend a
9 higher performing school in the district or an adjoining
10 district or be granted a state opportunity scholarship to a
11 private school, in conformance with s. 229.0537 and state
12 board rule.

13 (19)~~(18)~~ ADOPT RULES.--Adopt rules pursuant to ss.
14 120.536(1) and 120.54 to implement ~~the provisions of this~~
15 section.

16 Section 14. Paragraph (a) of subsection (3) of section
17 231.29, Florida Statutes, 1998 Supplement, is amended to read:

18 231.29 Assessment procedures and criteria.--

19 (3) The assessment procedure for instructional
20 personnel shall comply with, but shall not be limited to, the
21 following requirements:

22 (a) An assessment shall be conducted for each employee
23 at least once a year. The assessment shall be based upon sound
24 educational principles and contemporary research in effective
25 educational practices. Beginning with the full implementation
26 of an annual assessment of learning gains, the assessment must
27 primarily use data and indicators of improvement in student
28 performance assessed annually as specified in s. 229.57 and
29 may consider results of peer reviews in evaluating the
30 employee's performance. The assessment criteria must include,
31

- 1 but are not limited to, indicators that relate to the
2 following:
- 3 1. Ability to maintain appropriate discipline.
 - 4 2. Knowledge of subject matter. The district school
5 board shall make special provisions for evaluating teachers
6 who are assigned to teach out-of-field.
 - 7 3. Ability to plan and deliver instruction.
 - 8 4. Ability to evaluate instructional needs.
 - 9 5. Ability to communicate with parents.
 - 10 6. Other professional competencies, responsibilities,
11 and requirements as established by rules of the State Board of
12 Education and policies of the district school board.

13 Section 15. Subsection (2) of section 231.2905,
14 Florida Statutes, is amended, and a new subsection (3) is
15 added to said section, to read:

16 231.2905 Florida School Recognition Program.--

17 (2) The Florida School Recognition Program is created
18 to provide greater autonomy and financial awards to ~~faculty~~
19 ~~and staff of~~ schools that sustain high performance or that
20 demonstrate exemplary improvement due to innovation and
21 effort. The Commissioner of Education shall establish
22 statewide objective criteria for schools to be invited to
23 apply for the Florida School Recognition Program. The
24 selection of schools must be based on at least 2 school years
25 of data, when available. ~~To participate in the program, a~~
26 ~~school district must have incorporated a performance incentive~~
27 ~~program into its employee salary structure.~~All public
28 schools, including charter schools, are eligible to
29 participate in the program.

30
31

1 ~~(a)~~ Initial criteria for identification of schools
2 must rely on the school's data and statewide data and must
3 include, but is not ~~be~~ limited to:
4 ~~(a)1.~~ Improvement in the school's student achievement
5 data.
6 ~~(b)2.~~ Statewide student achievement data.
7 ~~(c)~~ Student learning gains when such data becomes
8 available.
9 ~~(d)3.~~ Readiness for postsecondary education data.
10 ~~(e)4.~~ Dropout rates.
11 ~~(f)5.~~ Attendance rates.
12 ~~(b)~~ ~~After a pool of eligible schools has been~~
13 ~~identified, schools must apply for final recognition and~~
14 ~~financial awards based on established criteria. Criteria must~~
15 ~~include, but not be limited to:~~
16 ~~1. School climate, including rates of school violence~~
17 ~~and crime.~~
18 ~~2. Indicators of innovation in teaching and learning.~~
19 ~~3. Indicators of successful challenging school~~
20 ~~improvement plans.~~
21 ~~4. Parent, community, and student involvement in~~
22 ~~learning.~~
23 ~~(c)~~ ~~After identification of schools for final~~
24 ~~recognition and financial awards, awards must be distributed~~
25 ~~based on employee performance criteria established in district~~
26 ~~school board policy.~~
27 (3) The School Recognition Program shall utilize the
28 school performance grade category designations in s. 229.57.
29 Section 16. Section 232.245, Florida Statutes, is
30 amended to read:
31

1 232.245 Pupil progression; remedial instruction;
2 reporting requirements.--

3 (1) It is the intent of the Legislature that each
4 student's progression from one grade to another be determined,
5 in part, upon proficiency in reading, writing, and
6 mathematics; that school district policies facilitate such
7 proficiency; and that each student and his or her parent or
8 legal guardian be informed of that student's academic
9 progress.

10 (2) Each district school board shall establish a
11 comprehensive program for pupil progression which must
12 include:

13 (a) Standards for evaluating each pupil's performance,
14 including how well he or she masters the performance standards
15 approved by the state board according to s. 229.565; and

16 (b) Specific levels of performance in reading,
17 writing, and mathematics for each grade level, including the
18 levels of performance on statewide assessments ~~at selected~~
19 ~~grade levels in elementary school, middle school, and high~~
20 ~~school~~ as defined by the Commissioner of Education, below
21 which a student must receive remediation, or ~~and may~~ be
22 retained, or both. No student may be assigned to a grade level
23 based solely on age or other factors that constitute social
24 promotion. School boards shall allocate remedial and
25 supplemental instruction resources first to students who fail
26 to meet achievement performance levels required for promotion.
27 The state board shall adopt rules to prescribe limited
28 circumstances in which a student may be promoted without
29 meeting the specific assessment performance levels prescribed
30 by the district's pupil progression plan.

31

1 (3) Each student must participate in the statewide
2 assessment tests required by s. 229.57. Each student who does
3 not meet specific levels of performance ~~as determined by the~~
4 ~~district school board~~ in reading, writing, and mathematics for
5 each grade level, or who does not meet specific levels of
6 performance, determined by the Commissioner of Education, on
7 statewide assessments at selected grade levels, must be
8 provided with additional diagnostic assessments to determine
9 the nature of the student's difficulty and areas of academic
10 need. The school in which the student is enrolled must
11 develop, in consultation with the student's parent or legal
12 guardian, and must implement an academic improvement plan
13 designed to assist the student in meeting state and district
14 expectations for proficiency. Each plan must include the
15 provision of intensive remedial instruction in the areas of
16 weakness ~~through one or more of the following activities, as~~
17 ~~considered appropriate by the school administration:~~

- 18 ~~(a) Summer school coursework;~~
19 ~~(b) Extended-day services;~~
20 ~~(c) Parent tutorial programs;~~
21 ~~(d) Contracted academic services;~~
22 ~~(e) Exceptional education services; or~~
23 ~~(f) Suspension of curriculum other than reading,~~
24 ~~writing, and mathematics.~~ Remedial instruction provided during
25 high school may not be in lieu of English and mathematics
26 credits required for graduation.

27
28 Upon subsequent evaluation, if the documented deficiency has
29 not been corrected in accordance with the academic improvement
30 plan, the student shall ~~may~~ be retained. Each student who does
31 not meet the minimum performance expectations defined by the

1 Commissioner of Education for the statewide assessment tests
2 in reading, writing, and mathematics must ~~retake the state~~
3 ~~assessment test in the subject area of deficiency and must~~
4 continue remedial or supplemental instruction until the
5 expectations are met or the student graduates from high school
6 or is not subject to compulsory school attendance.

7 (4) Any student who exhibits substantial deficiency in
8 reading skills, based on locally determined assessments
9 conducted before the end of grade 1 or grade 2, ~~and grade 3,~~
10 or based on teacher recommendation, must be given intensive
11 reading instruction immediately following the identification
12 of the reading deficiency. The student's reading proficiency
13 must be reassessed by locally determined assessment or based
14 on teacher recommendation at the beginning of the grade
15 following the intensive reading instruction, and the student
16 must continue to be given intensive reading instruction until
17 the reading deficiency is remedied. If the student's reading
18 deficiency, as determined by the locally determined
19 assessment at grades 1 and 2 or by the statewide assessment at
20 grade 3, is not remedied by the end of grade 4, ~~and 2 or grade~~
21 ~~3, or if the student scores below the specific level of~~
22 ~~performance, determined by the local school board, on the~~
23 ~~statewide assessment test in reading and writing given in~~
24 ~~elementary school,~~ the student must be retained. The local
25 school board may exempt a student from mandatory retention for
26 good cause.

27 ~~(5) Beginning with the 1997-1998 school year, any~~
28 ~~student who exhibits substantial deficiency in reading skills,~~
29 ~~based on locally determined assessments conducted at the~~
30 ~~beginning of grade 2, grade 3, and grade 4, or based on~~
31 ~~teacher recommendation, must be given intensive reading~~

1 ~~instruction immediately following the identification of the~~
2 ~~reading deficiency. The student's reading proficiency must be~~
3 ~~reassessed by locally determined assessment or based on~~
4 ~~teacher recommendation at the beginning of the grade following~~
5 ~~the intensive reading instruction, and the student must~~
6 ~~continue to be given intensive reading instruction until the~~
7 ~~reading deficiency is remedied. If the student's reading~~
8 ~~deficiency is not remedied by the end of grade 5, the student~~
9 ~~may be retained.~~

10 (5)~~(6)~~ Each district must annually report to the
11 parent or legal guardian of each student the progress of the
12 student towards achieving state and district expectations for
13 proficiency in reading, writing, and mathematics. The district
14 must report to the parent or legal guardian the student's
15 results on each statewide assessment test. The evaluation of
16 each student's progress must be based upon the student's
17 classroom work, observations, tests, district and state
18 assessments, and other relevant information. Progress
19 reporting must be provided to the parent or legal guardian in
20 writing in a format adopted by the district school board.

21 (6)~~(7)~~ The Commissioner of Education shall adopt rules
22 pursuant to ss. 120.536(1) and 120.54 ~~necessary~~ for the
23 administration of this section.

24 (7)~~(8)~~ The Department of Education shall provide
25 technical assistance as needed to aid school districts in
26 administering this section.

27 Section 17. Subsections (3), (8), and (12) of section
28 228.053, Florida Statutes, are amended to read:

29 228.053 Developmental research schools.--

30 (3) MISSION.--The mission of a developmental research
31 school shall be the provision of a vehicle for the conduct of

1 research, demonstration, and evaluation regarding management,
2 teaching, and learning. Programs to achieve the mission of a
3 developmental research school shall embody the goals and
4 standards of ~~"Blueprint 2000"~~ established pursuant to ss.
5 229.591 and 229.592 and shall ensure an appropriate education
6 for its students.

7 (a) Each developmental research school shall emphasize
8 mathematics, science, computer science, and foreign languages.
9 The primary goal of a developmental research school is to
10 enhance instruction and research in such specialized subjects
11 by using the resources available on a state university campus,
12 while also providing an education in nonspecialized subjects.
13 Each developmental research school shall provide sequential
14 elementary and secondary instruction where appropriate. A
15 developmental research school may not provide instruction at
16 grade levels higher than grade 12 without authorization from
17 the State Board of Education. Each developmental research
18 school shall develop and implement a school improvement plan
19 pursuant to s. 230.23(16).

20 (b) Research, demonstration, and evaluation conducted
21 at a developmental research school may be generated by the
22 college of education with which the school is affiliated.

23 (c) Research, demonstration, and evaluation conducted
24 at a developmental research school may be generated by the
25 Education Standards Commission. Such research shall respond to
26 the needs of the education community at large, rather than the
27 specific needs of the affiliated college.

28 (d) Research, demonstration, and evaluation conducted
29 at a developmental research school may consist of pilot
30 projects to be generated by the affiliated college, the
31 Education Standards Commission, or the Legislature.

1 (e) The exceptional education programs offered at a
2 developmental research school shall be determined by the
3 research and evaluation goals and the availability of students
4 for efficiently sized programs. The fact that a developmental
5 research school offers an exceptional education program in no
6 way lessens the general responsibility of the local school
7 district to provide exceptional education programs.

8 (8) ADVISORY BOARDS.--~~"Blueprint 2000" provisions and~~
9 ~~intent specify that~~ Each public school in the state shall
10 establish a school advisory council that is reflective of the
11 population served by the school, pursuant to s. 229.58, and is
12 responsible for the development and implementation of the
13 school improvement plan pursuant to s. 230.23(16).

14 Developmental research schools shall comply with the
15 provisions of s. 229.58 in one of two ways:

16 (a) Two advisory bodies.--Each developmental research
17 school may:

18 1. Establish an advisory body pursuant to the
19 provisions and requirements of s. 229.58 to be responsible for
20 the development and implementation of the school improvement
21 plan, pursuant to s. 230.23(16).

22 2. Establish an advisory board to provide general
23 oversight and guidance. The dean of the affiliated college of
24 education shall be a standing member of the board, and the
25 president of the university shall appoint three faculty
26 members from the college of education, one layperson who
27 resides in the county in which the school is located, and two
28 parents or legal guardians of students who attend the
29 developmental research school to serve on the advisory board.
30 The term of each member shall be for 2 years, and any vacancy
31 shall be filled with a person of the same classification as

1 his or her predecessor for the balance of the unexpired term.
2 The president shall stagger the terms of the initial
3 appointees in a manner that results in the expiration of terms
4 of no more than two members in any year. The president shall
5 call the organizational meeting of the board. The board shall
6 annually elect a chair and a vice chair. There shall be no
7 limitation on successive appointments to the board or
8 successive terms that may be served by a chair or vice chair.
9 The board shall adopt internal organizational procedures or
10 bylaws necessary for efficient operation as provided in
11 chapter 120. Board members shall not receive per diem or
12 travel expenses for the performance of their duties. The
13 board shall:

- 14 a. Meet at least quarterly.
15 b. Monitor the operations of the school and the
16 distribution of moneys allocated for such operations.
17 c. Establish necessary policy, program, and
18 administration modifications.
19 d. Evaluate biennially the performance of the director
20 and principal and recommend corresponding action to the dean
21 of the college of education.

22 e. Annually review evaluations of the school's
23 operation and research findings.

24 (b) One advisory body.--Each developmental research
25 school may establish an advisory body responsible for the
26 development and implementation of the school improvement plan,
27 pursuant to s. 230.23(16), in addition to general oversight
28 and guidance responsibilities. The advisory body shall reflect
29 the membership composition requirements established in s.
30 229.58, but may also include membership by the dean of the
31 college of education and additional members appointed by the

1 president of the university that represent faculty members
2 from the college of education, the university, or other bodies
3 deemed appropriate for the mission of the school.

4 (12) EXCEPTIONS TO LAW.--To encourage innovative
5 practices and facilitate the mission of the developmental
6 research schools, in addition to the exceptions to law
7 specified in s. 229.592~~(6)~~, the following exceptions shall be
8 permitted for developmental research schools:

9 (a) The methods and requirements of the following
10 statutes shall be held in abeyance: ss. 230.01; 230.02;
11 230.03; 230.04; 230.05; 230.061; 230.08; 230.10; 230.105;
12 230.11; 230.12; 230.15; 230.16; 230.17; 230.173; 230.18;
13 230.19; 230.201; 230.202; 230.21; 230.22; 230.2215; 230.2318;
14 230.232; 230.24; 230.241; 230.26; 230.28; 230.30; 230.303;
15 230.31; 230.32; 230.321; 230.33; 230.35; 230.39; 230.63;
16 230.64; 230.643; 234.01; 234.021; 234.112; 236.25; 236.261;
17 236.29; 236.31; 236.32; 236.35; 236.36; 236.37; 236.38;
18 236.39; 236.40; 236.41; 236.42; 236.43; 236.44; 236.45;
19 236.46; 236.47; 236.48; 236.49; 236.50; 236.51; 236.52;
20 236.55; 236.56; 237.051; 237.071; 237.091; 237.201; 237.40;
21 and 316.75. With the exception of subsection (16) of s.
22 230.23, s. 230.23 shall be held in abeyance. Reference to
23 school boards in s. 230.23(16) shall mean the president of the
24 university or the president's designee.

25 (b) The following statutes or related rules may be
26 waived for any developmental research school so requesting,
27 provided the general statutory purpose of each section is met
28 and the developmental research school has submitted a written
29 request to the Joint Developmental Research School Planning,
30 Articulation, and Evaluation Committee for approval pursuant
31 to this subsection: ss. 229.555; 231.291; 232.2462; 232.36;

1 233.34; 237.01; 237.02; 237.031; 237.041; 237.061; 237.081;
2 237.111; 237.121; 237.131; 237.141; 237.151; 237.161; 237.162;
3 237.171; 237.181; 237.211; and 237.34. Notwithstanding
4 reference to the responsibilities of the superintendent or
5 school board in chapter 237, developmental research schools
6 shall follow the policy intent of the chapter and shall, at
7 least, adhere to the general state agency accounting
8 procedures established in s. 11.46.

9 1. Two or more developmental research schools may
10 jointly originate a request for waiver and submit the request
11 to the committee if such waiver is approved by the school
12 advisory council of each developmental research school
13 desiring the waiver.

14 2. A developmental research school may submit a
15 request to the committee for a waiver if such request is
16 presented by a school advisory council established pursuant to
17 s. 229.58, if such waiver is required to implement a school
18 improvement plan required by s. 230.23(16), and if such
19 request is made using forms established pursuant to s.
20 229.592~~(6)~~. The Joint Developmental Research School Planning,
21 Articulation, and Evaluation Committee shall monitor the
22 waiver activities of all developmental research schools and
23 shall report annually to the department ~~and the Florida~~
24 ~~Commission on Education Reform and Accountability~~, in
25 conjunction with the feedback report required pursuant to s.
26 229.592~~(3)~~, the number of waivers requested and submitted to
27 the committee by developmental research schools, and the
28 number of such waiver requests not approved. For each waiver
29 request not approved, the committee shall report the statute
30 or rule for which the waiver was requested, the rationale for
31

1 the developmental research school request, and the reason the
2 request was not approved.

3 (c) The written request for waiver of statute or rule
4 shall indicate at least how the general statutory purpose will
5 be met, how granting the waiver will assist schools in
6 improving student outcomes related to the student performance
7 standards adopted pursuant to s. 229.592(5), and how student
8 improvement will be evaluated and reported. In considering any
9 waiver, the committee shall ensure protection of the health,
10 safety, welfare, and civil rights of the students and
11 protection of the public interest.

12 (d) ~~The procedure established in s. 229.592(6)(f)~~
13 ~~shall be followed for any request for a waiver which is not~~
14 ~~denied, or for which a request for additional information is~~
15 ~~not issued.~~ Notwithstanding the request provisions of s.
16 229.592(6), developmental research schools shall request all
17 waivers through the Joint Developmental Research School
18 Planning, Articulation, and Evaluation Committee, as
19 established in s. 228.054. The committee shall approve or
20 disapprove said requests pursuant to this subsection and s.
21 229.592(6); however, the Commissioner of Education shall have
22 standing to challenge any decision of the committee should it
23 adversely affect the health, safety, welfare, or civil rights
24 of the students or public interest. The department shall
25 immediately notify the committee and developmental research
26 school of the decision and provide a rationale therefor.

27 Section 18. Paragraph (e) of subsection (2) of section
28 228.054, Florida Statutes, is amended to read:

29 228.054 Joint Developmental Research School Planning,
30 Articulation, and Evaluation Committee.--

31

1 (2) The committee shall have the duty and
2 responsibility to:

3 (e) Provide assistance to schools in the waiver
4 process established under s. 228.053(12), review and approve
5 or disapprove waivers requested pursuant to ss. 228.053(12)
6 and 229.592(6), and annually review, identify, and report to
7 the Legislature additional barriers and statutes that hinder
8 the implementation of s. 228.053.

9 Section 19. Paragraph (f) of subsection (9) of section
10 228.056, Florida Statutes, 1998 Supplement, is amended to
11 read:

12 228.056 Charter schools.--

13 (9) CHARTER.--The major issues involving the operation
14 of a charter school shall be considered in advance and written
15 into the charter. The charter shall be signed by the governing
16 body of the charter school and the sponsor, following a public
17 hearing to ensure community input.

18 (f) Upon receipt of the annual report required by
19 paragraph (d), the Department of Education shall provide to
20 the State Board of Education, the Commissioner of Education,
21 the President of the Senate, and the Speaker of the House of
22 Representatives an analysis and comparison of the overall
23 performance of charter school students, to include all
24 students whose scores are counted as part of the state
25 assessment program ~~norm-referenced assessment tests~~, versus
26 comparable public school students in the district as
27 determined by state assessment program ~~norm-referenced~~
28 ~~assessment tests~~ currently administered in the school
29 district, and, as appropriate, the Florida Writes Assessment
30 Test, the High School Competency Test, and other assessments
31 administered pursuant to s. 229.57(3).

1 Section 20. Subsection (3) of section 233.17, Florida
2 Statutes, is amended to read:

3 233.17 Term of adoption for instructional materials.--

4 (3) The department shall publish annually an official
5 schedule of subject areas to be called for adoption for each
6 of the succeeding 2 years, and a tentative schedule for years
7 3, 4, 5, and 6. If extenuating circumstances warrant, the
8 Commissioner of Education may order the department to add one
9 or more subject areas to the official schedule, in which event
10 the commissioner shall develop criteria for such additional
11 subject area or areas pursuant to s. 229.512~~(18)~~~~(15)~~ and make
12 them available to publishers as soon as practicable.

13 Notwithstanding the provisions of s. 229.512~~(18)~~~~(15)~~, the
14 criteria for such additional subject area or areas may be
15 provided to publishers less than 24 months before the date on
16 which bids are due. The schedule shall be developed so as to
17 promote balance among the subject areas so that the required
18 expenditure for new instructional materials is approximately
19 the same each year in order to maintain curricular
20 consistency.

21 Section 21. Subsection (6) of section 236.685, Florida
22 Statutes, is amended to read:

23 236.685 Educational funding accountability.--

24 (6) The annual school public accountability report
25 required by ss. 229.592~~(5)~~ and 230.23~~(16)~~~~(18)~~ must include a
26 school financial report. The purpose of the school financial
27 report is to better inform parents and the public concerning
28 how revenues were spent to operate the school during the prior
29 fiscal year. Each school's financial report must follow a
30 uniform, districtwide format that is easy to read and
31 understand.

1 (a) Total revenue must be reported at the school,
2 district, and state levels. The revenue sources that must be
3 addressed are state and local funds, other than lottery funds;
4 lottery funds; federal funds; and private donations.

5 (b) Expenditures must be reported as the total
6 expenditures per unweighted full-time equivalent student at
7 the school level and the average expenditures per full-time
8 equivalent student at the district and state levels in each of
9 the following categories and subcategories:

10 1. Teachers, excluding substitute teachers, and
11 teacher aides who provide direct classroom instruction to
12 students enrolled in programs classified by s. 236.081 as:

- 13 a. Basic programs;
- 14 b. Students-at-risk programs;
- 15 c. Special programs for exceptional students;
- 16 d. Career education programs; and
- 17 e. Adult programs.

18 2. Substitute teachers.

19 3. Other instructional personnel, including
20 school-based instructional specialists and their assistants.

21 4. Contracted instructional services, including
22 training for instructional staff and other contracted
23 instructional services.

24 5. School administration, including school-based
25 administrative personnel and school-based education support
26 personnel.

27 6. The following materials, supplies, and operating
28 capital outlay:

- 29 a. Textbooks;
- 30 b. Computer hardware and software;
- 31 c. Other instructional materials;

- 1 d. Other materials and supplies; and
2 e. Library media materials.
3 7. Food services.
4 8. Other support services.
5 9. Operation and maintenance of the school plant.
6 (c) The school financial report must also identify the
7 types of district-level expenditures that support the school's
8 operations. The total amount of these district-level
9 expenditures must be reported and expressed as total
10 expenditures per full-time equivalent student.

11
12 As used in this subsection, the term "school" means a "school
13 center" as defined by s. 228.041.

14 Section 22. Subsection (6) of section 20.15, Florida
15 Statutes, 1998 Supplement, is amended to read:

16 20.15 Department of Education.--There is created a
17 Department of Education.

18 (6) COUNCILS AND COMMITTEES.--Notwithstanding anything
19 contained in law to the contrary, the Commissioner of
20 Education shall appoint all members of all councils and
21 committees of the Department of Education, except the Board of
22 Regents, the State Board of Community Colleges, the community
23 college district boards of trustees, the Postsecondary
24 Education Planning Commission, the Education Practices
25 Commission, the Education Standards Commission, the State
26 Board of Independent Colleges and Universities, ~~the Florida~~
27 ~~Commission on Education Reform and Accountability,~~ and the
28 State Board of Nonpublic Career Education.

29 Section 23. Effective July 1, 1999, section 236.08104,
30 Florida Statutes, is created to read:

31

1 236.08104 Supplemental academic instruction;
2 category fund.--

3 (1) There is created a categorical fund to provide
4 supplemental academic instruction to students in kindergarten
5 through grade 12. This section may be cited as the
6 "Supplemental Academic Achievement Categorical Fund."

7 (2) The Legislature finds that when appropriate types
8 of supplemental instruction are provided at appropriate times,
9 students who might otherwise fall behind can acquire the
10 skills and knowledge needed to be promoted to the next grade
11 level and to receive a high school diploma. Failure to
12 provide a student with needed supplemental instruction at the
13 appropriate time can result in nonpromotion or dropping out of
14 school. The Legislature further finds that for schools and
15 classrooms to provide flexible supplemental instruction to
16 meet the needs of students, they must have resources which can
17 be used with equal flexibility.

18 (3) It is the intent of the Legislature that all
19 students gain at least a year's worth of knowledge for each
20 year in school and that no student be left behind by his or
21 her peers. In order for some students to achieve this goal
22 they may need supplemental instruction. All students will not
23 need the same kind or the same amount. Some may need
24 supplemental instruction during the school day using
25 specialized skills development curriculum, others may need
26 lower student-teacher ratios, some may need tutoring after
27 school or at home, some may benefit from Saturday morning
28 sessions, some may need specialized or intensive help during
29 the summer, and others may need modified curriculum. It is
30 the intent of the Legislature that supplemental instruction be
31 provided throughout the year at the time it can be most

1 effective and that it not be limited to summer school. It is
2 also the intent of the Legislature that funds be allocated
3 specifically to provide supplemental academic instruction and
4 that schools and classrooms have ample flexibility to use
5 these funds to meet student needs.

6 (4) Categorical funds for supplemental academic
7 instruction shall be allocated annually to each school
8 district in the amount provided in the General Appropriations
9 Act. These funds shall be in addition to the funds
10 appropriated on the basis of full-time equivalent student
11 (FTE) membership in the Florida Education Finance Program and
12 shall be included in the total potential funds of each
13 district. These funds shall be used only to provide
14 supplemental academic instruction to students enrolled in the
15 K-12 program and programs such as mentoring, alternative
16 programs, alternative schools, behavioral contracts, and peer
17 tutoring for disruptive students, as provided in the General
18 Appropriations Act. Supplemental instruction may include
19 lowering class size as one method for improving student
20 achievement and may be provided to a student in any manner and
21 at any time during or beyond the regular 180-day term
22 identified by the school as being the most effective and
23 efficient way to best help that student progress from grade to
24 grade and to graduate.

25 (5) Effective with the 1999-2000 fiscal year, funding
26 on the basis of FTE membership beyond the 180-day regular term
27 shall be provided in the FEFP only for students enrolled
28 pursuant to s. 236.013(2)(c)2.a. Funding for instruction
29 beyond the regular 180-day school year for all other K-12
30 students shall be provided through the supplemental academic
31 instruction categorical fund and other state, federal, and

1 local fund sources with ample flexibility for schools to
2 provide supplemental instruction to enable students to gain a
3 year's worth knowledge for each year in school, not fall
4 behind, to progress from grade to grade, and to receive a high
5 school diploma.

6 (6) Beginning in the 1999-2000 school year, dropout
7 prevention programs shall be included in Group 1 programs
8 under s. 236.081(1)(d)3.

9 Section 24. Effective July 1, 1999, paragraph (c) of
10 subsection (2) of section 236.013, Florida Statutes, is
11 amended to read:

12 236.013 Definitions.--Notwithstanding the provisions
13 of s. 228.041, the following terms are defined as follows for
14 the purposes of this act:

15 (2) A "full-time equivalent student" in each program
16 of the district is defined in terms of full-time students and
17 part-time students as follows:

18 (c)1. A "full-time equivalent student" is:

19 a. A full-time student in any one of the programs
20 listed in s. 236.081(1)(c); or

21 b. A combination of full-time or part-time students in
22 any one of the programs listed in s. 236.081(1)(c) which is
23 the equivalent of one full-time student based on the following
24 calculations:

25 (I) A full-time student, except a postsecondary or
26 adult student or a senior high school student enrolled in
27 adult education when such courses are required for high school
28 graduation, in a combination of programs listed in s.
29 236.081(1)(c) shall be a fraction of a full-time equivalent
30 membership in each special program equal to the number of net
31 hours per school year for which he or she is a member, divided

1 by the appropriate number of hours set forth in subparagraph
2 (a)1. or subparagraph (a)2.; the difference between that
3 fraction or sum of fractions and the maximum value as set
4 forth in subsection (5) for each full-time student is presumed
5 to be the balance of the student's time not spent in such
6 special education programs and shall be recorded as time in
7 the appropriate basic program.

8 ~~(II) A student in the basic half-day kindergarten~~
9 ~~program of not less than 450 net hours shall earn one-half of~~
10 ~~a full-time equivalent membership.~~

11 ~~(III) A half-day kindergarten student in a combination~~
12 ~~of programs listed in s. 236.081(1)(c) is a fraction of a~~
13 ~~full-time equivalent membership in each special program equal~~
14 ~~to the number of net hours or major portion thereof per school~~
15 ~~year for which he or she is a member divided by the number of~~
16 ~~hours set forth in sub-sub-subparagraph (II); the difference~~
17 ~~between that fraction and the number of hours set forth in~~
18 ~~sub-sub-subparagraph (II) for each full-time student in~~
19 ~~membership in a half-day kindergarten program is presumed to~~
20 ~~be the balance of the student's time not spent in such special~~
21 ~~education programs and shall be recorded as time in the~~
22 ~~appropriate basic program.~~

23 ~~(IV) A part-time student, except a postsecondary or~~
24 ~~adult student, is a fraction of a full-time equivalent~~
25 ~~membership in each basic and special program equal to the~~
26 ~~number of net hours or major fraction thereof per school year~~
27 ~~for which he or she is a member, divided by the appropriate~~
28 ~~number of hours set forth in subparagraph (a)1. or~~
29 ~~subparagraph (a)2.~~

30 ~~(V) A postsecondary or adult student or a senior high~~
31 ~~school student enrolled in adult education when such courses~~

1 ~~are required for high school graduation is a portion of a~~
2 ~~full-time equivalent membership in each special program equal~~
3 ~~to the net hours or major fraction thereof per fiscal year for~~
4 ~~which he or she is a member, divided by the appropriate number~~
5 ~~of hours set forth in subparagraph (a)1. or subparagraph (a)2.~~

6 ~~(VI) A full-time student who is part of a program~~
7 ~~authorized by subparagraph (a)3. in a combination of programs~~
8 ~~listed in s. 236.081(1)(c) is a fraction of a full-time~~
9 ~~equivalent membership in each regular or special program equal~~
10 ~~to the number of net hours per school year for which he or she~~
11 ~~is a member, divided by the appropriate number of hours set~~
12 ~~forth in subparagraph (a)1. or subparagraph (a)2.~~

13 ~~(II)(VII)~~ (II) A prekindergarten handicapped student shall
14 meet the requirements specified for kindergarten students.

15 2. A student in membership in a program scheduled for
16 more or less than 180 school days is a fraction of a full-time
17 equivalent membership equal to the number of instructional
18 hours in membership divided by the appropriate number of hours
19 set forth in subparagraph (a)1.; however, for the purposes of
20 this subparagraph, membership in programs scheduled for more
21 than 180 days is limited to:

22 a. Support level III, IV, and V Special programs for
23 exceptional students;

24 b. ~~Special vocational-technical programs;~~

25 c. ~~Special adult general education programs;~~

26 b.d. ~~Dropout prevention programs as defined in s.~~
27 ~~230.2316 for students in residential programs operated by the~~
28 ~~Department of Children and Family Services;~~ Residential
29 programs operated by the Department of Juvenile Justice as
30 defined in s. 230.23161 in which students receive educational
31 services; ~~or teenage parent programs as defined in s.~~

1 ~~230.23166 for students who are in need of such additional~~
2 ~~instruction;~~

3 ~~c.e. Dropout prevention programs as defined in s.~~
4 ~~230.2316 in which students are placed for academic or~~
5 ~~disciplinary purposes or Programs in English for speakers of~~
6 ~~other languages as defined in s. 233.058 for students who were~~
7 ~~in membership for all of the last 15 days of the 180-day term~~
8 ~~or a total of 30 days within the 180-day term and are in need~~
9 ~~of such additional instruction;~~

10 ~~f. Other basic programs offered for promotion or~~
11 ~~credit instruction as defined by rules of the state board; and~~

12 ~~g. Programs which modify the school year to~~
13 ~~accommodate the needs of children who have moved with their~~
14 ~~parents for the purpose of engaging in the farm labor or fish~~
15 ~~industries, provided such programs are approved by the~~
16 ~~commissioner.~~

17
18 The department shall determine and implement an equitable
19 method of equivalent funding for experimental schools and for
20 schools operating under emergency conditions, which schools
21 have been approved by the department under the provisions of
22 s. 228.041(13) to operate for less than the minimum school
23 day.

24 Section 25. Subsection (7) of section 239.101, Florida
25 Statutes, is amended to read:

26 239.101 Legislative intent.--

27 (7) The Legislature finds that career education is a
28 crucial component of the educational programs conducted within
29 school districts and community colleges. Accordingly, career
30 education must be represented in accountability processes
31 undertaken for educational institutions. It is the intent of

1 the Legislature that the vocational standards articulated in
2 s. 239.229(2) be considered in the development of
3 accountability measures for public schools pursuant to ss.
4 229.591, 229.592, ~~229.593~~, ~~229.594~~, and 230.23(16) and for
5 community colleges pursuant to s. 240.324.

6 Section 26. Subsection (1) of section 239.229, Florida
7 Statutes, 1998 Supplement, is amended to read:

8 239.229 Vocational standards.--

9 (1) The purpose of career education is to enable
10 students who complete vocational programs to attain and
11 sustain employment and realize economic self-sufficiency. The
12 purpose of this section is to identify issues related to
13 career education for which school boards and community college
14 boards of trustees are accountable. It is the intent of the
15 Legislature that the standards articulated in subsection (2)
16 be considered in the development of accountability standards
17 for public schools pursuant to ss. 229.591, 229.592, ~~229.593~~,
18 ~~229.594~~, and 230.23(16) and for community colleges pursuant to
19 s. 240.324.

20 Section 27. Subsection (1) of section 240.529, Florida
21 Statutes, is amended to read:

22 240.529 Public accountability and state approval for
23 teacher preparation programs.--

24 (1) INTENT.--The Legislature recognizes that skilled
25 teachers make the most important contribution to a quality
26 educational system and that competent teachers are produced by
27 effective and accountable teacher preparation programs. The
28 intent of the Legislature is to establish a system for
29 development and approval of teacher preparation programs that
30 will free postsecondary teacher preparation institutions to
31 employ varied and innovative teacher preparation techniques

1 while being held accountable for producing teachers with the
2 competencies and skills for achieving the state education
3 goals and sustaining the state system of school improvement
4 and education accountability established pursuant to ss.
5 229.591 and,~~229.592,~~ ~~and 229.593.~~

6 Section 28. Section 231.002, Florida Statutes, is
7 created to read:

8 231.002 Teacher quality; legislative findings and
9 purpose.--

10 (1) The Legislature finds that the most important
11 influence the school can contribute to the learning of any
12 student is the attitude, skills, knowledge, and understanding
13 of the teacher. The Legislature intends to implement a
14 comprehensive approach to increase students' academic
15 achievement and improve teaching quality. The Legislature
16 recognizes that professional educators shape the future of
17 this state and the nation by developing the knowledge and
18 skills of our future workforce and laying the foundation for
19 good citizenship and full participation in community and civic
20 life. The Legislature also recognizes its critical role in
21 meeting the state's educational goals and preparing all
22 students to achieve at the high levels set by the Sunshine
23 State Standards.

24 (2) The purpose of this act is to raise standards for
25 certifying professional educators; establish a statewide
26 system for in-service professional development; increase
27 accountability for postsecondary programs that prepare future
28 educators; and increase accountability for administrators who
29 evaluate teacher performance. To further this initiative, the
30 Department of Education must review the provisions of chapter
31 231, Florida Statutes, and related administrative rules

1 governing the certification of individuals who must hold state
2 certification as a condition of employment in any district
3 school system. The purpose of the review is to identify ways
4 to make the certification process more efficient and
5 responsive to the needs of district school systems and
6 educators; to maintain rigorous standards for initial and
7 continuing certification; and to provide more alternative
8 certification options for individuals who have specific
9 subject-area expertise but have not completed a standard
10 teacher preparation program. The department must evaluate the
11 rigor of the assessment instruments and passing scores
12 required for certification and should consider components of
13 more rigorous and efficient certification systems in other
14 states. The department may request assistance from the
15 Education Standards Commission. By January 1, 2000, the
16 department must submit its findings and recommendations for
17 revision of statutes and administrative rules to the presiding
18 officers of the Senate, the House of Representatives, and the
19 State Board of Education.

20 Section 29. Paragraph (d) of subsection (5) of section
21 24.121, Florida Statutes, 1998 Supplement, is amended to read:

22 24.121 Allocation of revenues and expenditure of funds
23 for public education.--

24 (5)

25 (d) No funds shall be released for any purpose from
26 the Educational Enhancement Trust Fund to any school district
27 in which one or more schools do not have an approved school
28 improvement plan pursuant to s. 230.23(16) or do not comply
29 with school advisory council membership composition
30 requirements pursuant to s. 229.58(1). Effective July 1, 2002,
31 the Commissioner of Education shall withhold disbursements

1 from the trust fund to any school district that fails to adopt
2 and implement the performance pay policy required by s.
3 230.23(5).

4 Section 30. Paragraph (c) of subsection (5) of section
5 230.23, Florida Statutes, 1998 Supplement, is amended to read:

6 230.23 Powers and duties of school board.--The school
7 board, acting as a board, shall exercise all powers and
8 perform all duties listed below:

9 (5) PERSONNEL.--Designate positions to be filled,
10 prescribe qualifications for those positions, and provide for
11 the appointment, compensation, promotion, suspension, and
12 dismissal of employees as follows, subject to the requirements
13 of chapter 231:

14 (c) Compensation and salary schedules.--Adopt a salary
15 schedule or salary schedules to be used as a basis for paying
16 all school employees, such schedules to be arranged, insofar
17 as practicable, so as to furnish incentive for improvement in
18 training and for continued and efficient service and fix and
19 authorize the compensation of school employees on the basis of
20 such schedules. A district school board, in determining the
21 salary schedule for instructional personnel, must base a
22 portion of each employee's compensation on performance
23 demonstrated under s. 231.29 and must consider the prior
24 teaching experience of a person who has been designated state
25 teacher of the year by any state in the United States. In
26 developing the salary schedule, the school board shall seek
27 input from parents, teachers, and representatives of the
28 business community. By June 30, 2002, the salary schedule
29 adopted by the school board must base at least 5 percent of
30 the salary of school administrators and instructional
31 personnel on annual performance measured under s. 231.29. The

1 district's performance-pay policy is subject to negotiation as
2 provided in chapter 447; however, the adopted salary schedule
3 must allow employees who demonstrate outstanding performance
4 to earn 5 percent of their individual salary. The Commissioner
5 of Education shall determine whether the board's adopted
6 salary schedule complies with the requirement for
7 performance-based pay. If the board fails to comply by June
8 30, 2002, the commissioner shall withhold disbursements from
9 the Education Enhancement Trust Fund to the district until
10 compliance is verified.

11 Section 31. Subsection (1) of section 231.02, Florida
12 Statutes, 1998 Supplement, is amended to read:

13 231.02 Qualifications of personnel.--

14 (1) To be eligible for appointment in any position in
15 any district school system, a person shall be of good moral
16 character; shall have attained the age of 18 years, if he or
17 she is to be employed in an instructional capacity; and shall,
18 when required by law, hold a certificate or license issued
19 under rules of the State Board of Education or the Department
20 of Health ~~and Rehabilitative Services~~, except when employed
21 pursuant to s. 231.15 or under the emergency provisions of s.
22 236.0711. Previous residence in this state shall not be
23 required in any school of the state as a prerequisite for any
24 person holding a valid Florida certificate or license to serve
25 in an instructional capacity.

26 Section 32. Subsection (2) of section 231.0861,
27 Florida Statutes, is amended to read:

28 231.0861 Principals and assistant principals;
29 selection.--

30 (2) ~~By July 1, 1986,~~ Each district school board shall
31 adopt and implement an objective-based process for the

1 screening, selection, and appointment of assistant principals
2 and principals in the public schools of this state which meets
3 the criteria approved by the State Board of Education ~~Florida~~
4 ~~Council on Educational Management~~. Each school district may
5 contract with other local school districts, agencies,
6 associations, private entities, or universities to conduct the
7 assessments, evaluations, and training programs required under
8 this section.

9 Section 33. Section 231.085, Florida Statutes, is
10 amended to read:

11 231.085 Duties of principals.--A district school board
12 shall employ, through written contract, public school
13 principals who shall supervise the operation and management of
14 the schools and property as the board determines necessary.
15 Each principal is responsible for the performance of all
16 personnel employed by the school board and assigned to the
17 school to which the principal is assigned. The principal shall
18 faithfully and effectively apply the personnel-assessment
19 system approved by the school board pursuant to s. 231.29.
20 Each principal shall perform such duties as may be assigned by
21 the superintendent pursuant to the rules of the school board.
22 Such rules shall include, but not be limited to, rules
23 relating to administrative responsibility, instructional
24 leadership in implementing the Sunshine State Standards and ~~of~~
25 the overall educational program of the school to which the
26 principal is assigned, submission of personnel recommendations
27 to the superintendent, administrative responsibility for
28 records and reports, administration of corporal punishment,
29 and student suspension. Each principal shall provide
30 leadership in the development or revision and implementation
31 of a school improvement plan pursuant to s. 230.23(16).

1 Section 34. Paragraph (a) of subsection (5) of section
2 231.087, Florida Statutes, is amended, and subsection (7) is
3 added to that section, to read:

4 231.087 Management Training Act; Florida Council on
5 Educational Management; Florida Academy for School Leaders;
6 Center for Interdisciplinary Advanced Graduate Study.--

7 (5) DISTRICT MANAGEMENT TRAINING PROGRAMS.--

8 (a) Pursuant to rules ~~guidelines~~ to be adopted by the
9 State Board of Education ~~Florida Council on Educational~~
10 ~~Management~~, each school board may submit to the commissioner a
11 proposed program designed to train district administrators and
12 school-based managers, including principals, assistant
13 principals, school site administrators, and persons who are
14 potential candidates for employment in such administrative
15 positions, in the competencies which have been identified by
16 the Florida Council on Educational Management ~~council~~ as being
17 necessary for effective school management. The proposed
18 program shall include a statement of the number of individuals
19 to be included in the program and an itemized statement of the
20 estimated total cost of the program, which shall be paid in
21 part by the district and in part by the department.

22 (7) REPEAL AND REVIEW OF MANAGEMENT ACT.--The Office
23 of Program Policy Analysis and Governmental Accountability, in
24 consultation with the Department of Education, shall conduct a
25 comprehensive review of the Management Training Act to
26 determine its effectiveness and by January 1, 2000, shall make
27 recommendations to the presiding officers of the Legislature
28 for the repeal, revision, or reauthorization of the act. This
29 section is repealed effective June 30, 2000.

30 Section 35. Section 231.09, Florida Statutes, is
31 amended to read:

1 231.09 Duties of instructional personnel.--The primary
2 duty of instructional personnel is to work diligently and
3 faithfully to help students meet or exceed annual learning
4 goals, to meet state and local achievement requirements, and
5 to master the skills required to graduate from high school
6 prepared for postsecondary education, technical school, or
7 work. This duty applies to instructional personnel whether
8 they teach or function in a support role.Members of the
9 instructional staff of the public schools shall perform duties
10 prescribed by rules of the school board. Such rules shall
11 include, but not be limited to, rules relating to a teacher's
12 duty to help students master challenging standards and meet
13 all state and local requirements for achievement;teaching
14 efficiently and faithfully, using prescribed materials and
15 methods; recordkeeping; and fulfilling the terms of any
16 contract, unless released from the contract by the school
17 board.

18 Section 36. Section 231.096, Florida Statutes, 1998
19 Supplement, is amended to read:

20 231.096 Teacher teaching out-of-field;
21 assistance.--Each ~~school~~ district school board shall adopt and
22 implement ~~have~~ a plan to assist any teacher teaching
23 out-of-field, and priority consideration in professional
24 development activities shall be given to teachers who are
25 teaching out-of-field. The school board shall require that
26 such teachers participate in a certification,
27 staff-development, or peer assistance program designed to
28 ensure that the teacher has the competencies required for the
29 assigned duties. The cost of the program must be funded by
30 the school board. The board-approved assistance plan must
31 include duties of administrative personnel and other

1 instructional personnel to help the out-of-field teacher
2 ensure that students receive high-quality instructional
3 services.

4 Section 37. Section 231.145, Florida Statutes, is
5 amended to read:

6 231.145 Purpose of instructional personnel
7 certification.--It is the intent of the Legislature that
8 school personnel certified in this state possess the
9 credentials, knowledge, and skills necessary to provide a
10 high-quality ~~quality~~ education in the public schools. The
11 purpose of school personnel certification is to protect the
12 educational interests of students, parents, and the public at
13 large by assuring that teachers in this state are
14 professionally qualified. In fulfillment of its duty to the
15 citizens of this state, the Legislature has established
16 certification requirements to assure that educational
17 personnel in public schools possess appropriate skills in
18 reading, writing, and mathematics, and adequate pedagogical
19 knowledge and relevant subject matter competence so as to ~~and~~
20 ~~can~~ demonstrate an acceptable level of professional
21 performance. Further, the Legislature has established a
22 certificate renewal process which promotes the continuing
23 professional improvement of school personnel, thereby
24 enhancing public education in all areas of the state.

25 Section 38. Section 231.15, Florida Statutes, 1998
26 Supplement, is amended to read:

27 231.15 Positions for which certificates required.--

28 (1) The State Board of Education shall classify school
29 services, designate the certification subject areas, establish
30 competencies and certification requirements for all
31 school-based personnel, and prescribe rules in accordance with

1 which the professional, temporary, and part-time certificates
2 shall be issued by the Department of Education to applicants
3 who meet the standards prescribed by such rules for their
4 class of service. The rules must allow the holder of a valid
5 professional certificate to add an area of certification
6 without completing the associated course requirements if the
7 certificateholder attains a passing score on an examination of
8 competency in the subject area to be added and provides
9 evidence of at least 2 years of satisfactory performance
10 evaluations that considered the performance of students taught
11 by the certificateholder. The rules must allow individuals who
12 have specific subject area expertise but who have not
13 completed a standard teacher preparation program to
14 participate in a state-designed alternative certification
15 program for a professional certificate. This program must
16 provide for demonstration of the following competency areas in
17 lieu of completion of a specific number of college course
18 credit hours:

- 19 (a) Assessment.
20 (b) Communication.
21 (c) Critical thinking.
22 (d) Human development and learning.
23 (e) Classroom management.
24 (f) Planning.
25 (g) Technology.
26 (h) Diversity.
27 (i) Teacher responsibility.
28 (j) Code of ethics.
29 (k) Continuous professional improvement.

30
31

1 The State Board of Education shall consult with the State
2 Board of Independent Colleges and Universities, the State
3 Board of Nonpublic Career Education, the Board of Regents, and
4 the State Board of Community Colleges before adopting any
5 changes to training requirements relating to entry into the
6 profession in cases affecting their jurisdiction. This
7 consultation must allow the educational board to provide
8 advice regarding the impact of the proposed changes in terms
9 of the length of time necessary to complete the training
10 program and the fiscal impact of the changes. Each person
11 employed or occupying a position as school supervisor,
12 principal, teacher, library media specialist, school
13 counselor, athletic coach, or other position in which the
14 employee serves in an instructional capacity, in any public
15 school of any district of this state shall hold the
16 certificate required by law and by rules of the state board in
17 fulfilling the requirements of the law for the type of service
18 rendered. However, the state board shall adopt rules
19 authorizing school boards to employ selected noncertificated
20 personnel to provide instructional services in the
21 individuals' fields of specialty or to assist instructional
22 staff members as education paraprofessionals.

23 (2) Each person who is employed and renders service as
24 an athletic coach in any public school in any district of this
25 state shall hold a valid part-time, temporary, or professional
26 certificate. The provisions of this subsection do not apply to
27 any athletic coach who voluntarily renders service and who is
28 not employed by any public school district of this state.

29 (3) Each person employed as a school nurse shall hold
30 a license to practice nursing in the state, and each person
31 employed as a school physician shall hold a license to

1 practice medicine in the state. ~~The provisions of this~~
2 ~~subsection shall not apply to any athletic coach who renders~~
3 ~~service in a voluntary capacity and who is not employed by any~~
4 ~~public school of any district in this state.~~

5 (4)~~(2)~~ A commissioned or noncommissioned military
6 officer who is an instructor of junior reserve officer
7 training shall be exempt from requirements for teacher
8 certification, except for the filing of fingerprints pursuant
9 to s. 231.02, if he or she meets the following qualifications:

10 (a) Is retired from active military duty with at least
11 20 years of service and draws retirement pay or is retired, or
12 transferred to retired reserve status, with at least 20 years
13 of active service and draws retirement pay or retainer pay.

14 (b) Satisfies criteria established by the appropriate
15 military service for certification by the service as a junior
16 reserve officer training instructor.

17 (c) Has an exemplary military record.

18
19 If such instructor is assigned instructional duties other than
20 junior reserve officer training, he or she shall hold the
21 certificate required by law and rules of the state board for
22 the type of service rendered.

23 Section 39. Paragraph (c) of subsection (3) and
24 subsections (4), (5), and (8) of section 231.17, Florida
25 Statutes, 1998 Supplement, are amended to read:

26 231.17 Official statements of eligibility and
27 certificates granted on application to those meeting
28 prescribed requirements.--

29 (3) TEMPORARY CERTIFICATE.--

30 (c) To qualify for a temporary certificate, the
31 applicant must:

- 1 1. File a written statement under oath that the
2 applicant subscribes to and will uphold the principles
3 incorporated in the Constitutions of the United States and of
4 the State of Florida.
- 5 2. Be at least 18 years of age.
- 6 3. Document receipt of a bachelor's or higher degree
7 from an accredited institution of higher learning, as defined
8 by state board rule. Credits and degrees awarded by a newly
9 created Florida state institution that is part of the State
10 University System shall be considered as granted by an
11 accredited institution of higher learning during the first 2
12 years of course offerings while accreditation is gained.
13 Degrees from foreign institutions, or degrees from other
14 institutions of higher learning that are in the accreditation
15 process, may be validated by a process established in state
16 board rule. Once accreditation is gained, the institution
17 shall be considered as accredited beginning with the 2-year
18 period prior to the date of accreditation. The bachelor's or
19 higher degree may not be required in areas approved in rule by
20 the State Board of Education as nondegreed areas. Each
21 applicant seeking initial certification must have attained at
22 least a 2.5 overall grade point average on a 4.0 scale in the
23 applicant's major field of study. The applicant may document
24 the required education by submitting official transcripts from
25 institutions of higher education or by authorizing the direct
26 submission of such official transcripts through established
27 electronic network systems.
- 28 4. Be competent and capable of performing the duties,
29 functions, and responsibilities of a teacher.
- 30 5. Be of good moral character.
- 31

1 6. Demonstrate mastery of general knowledge, including
2 the ability to read, write, and compute. Individuals who apply
3 for certification on or after July 1, 2000, must demonstrate
4 these minimum competencies in order to receive a temporary
5 certificate. Acceptable means of demonstrating such mastery
6 is an individual's achievement of passing scores on other
7 states' general knowledge examinations or a valid standard
8 teaching certificate issued by another state that requires
9 mastery of general knowledge.

10

11 Rules adopted pursuant to this section shall provide for the
12 review and acceptance of credentials from foreign institutions
13 of higher learning.

14 (4) PROFESSIONAL CERTIFICATE.--The department shall
15 issue a professional certificate for a period not to exceed 5
16 years to any applicant who meets the requirements for a
17 temporary certificate and documents mastery of the minimum
18 competencies required by subsection (5). Mastery of the
19 minimum competencies must be documented on a comprehensive
20 written examination or through other criteria as specified by
21 rules of the state board. Mastery of minimum competencies
22 required under subsection (5) must be demonstrated in the
23 following areas:

24 (a) General knowledge, including the ability to read,
25 write, and compute.

26 (b) Professional skills and knowledge of the standards
27 of professional practice.

28 (c) The subject matter in each area for which
29 certification is sought.

30 (5) MINIMUM COMPETENCIES FOR PROFESSIONAL
31 CERTIFICATE.--

1 (a) The state board must specify, by rule, the minimum
2 essential competencies that educators must possess and
3 demonstrate in order to qualify to teach students the
4 standards of student performance adopted by the state board.
5 The minimum competencies must include but are not limited to
6 the ability to:

7 1. Write and speak in a logical and understandable
8 style with appropriate grammar and sentence structure.

9 2. Read, comprehend, and interpret professional and
10 other written material.

11 3. Comprehend and work with ~~fundamental~~ mathematical
12 concepts, including algebra.

13 4. Recognize signs of severe emotional distress in
14 students and apply techniques of crisis intervention with an
15 emphasis on suicide prevention and positive emotional
16 development.

17 5. Recognize signs of alcohol and drug abuse in
18 students and refer such students to counseling and assistance
19 programs designed to prevent ~~apply counseling techniques with~~
20 ~~emphasis on intervention and prevention of~~ future abuse.

21 6. Recognize the physical and behavioral indicators of
22 child abuse and neglect, know rights and responsibilities
23 regarding reporting, know how to care for a child's needs
24 after a report is made, and know recognition, intervention,
25 and prevention strategies pertaining to child abuse and
26 neglect which can be related to children in a classroom
27 setting in a nonthreatening, positive manner.

28 7. Comprehend patterns of physical, social, and
29 academic development in students, including exceptional
30 students in the regular classroom, and counsel these students
31 concerning their needs in these areas.

- 1 8. Recognize and be aware of the instructional needs
2 of exceptional students.
- 3 9. Comprehend patterns of normal development in
4 students and employ appropriate intervention strategies for
5 disorders of development.
- 6 10. Identify and comprehend the codes and standards of
7 professional ethics, performance, and practices adopted
8 pursuant to s. 231.546(2)(b), the grounds for disciplinary
9 action provided by s. 231.28, and the procedures for resolving
10 complaints filed pursuant to this chapter, including appeal
11 processes.
- 12 11. Recognize and demonstrate awareness of the
13 educational needs of students who have limited proficiency in
14 English and employ appropriate teaching strategies.
- 15 12. Use and integrate appropriate technology in
16 teaching and learning processes and in managing, evaluating,
17 and improving instruction.
- 18 13. Use assessment and other diagnostic strategies to
19 assist the continuous development of the learner.
- 20 14. Use teaching and learning strategies that include
21 considering each student's culture, learning styles, special
22 needs, and socioeconomic background.
- 23 15. Demonstrate knowledge and understanding of the
24 subject matter that is aligned with the subject knowledge and
25 skills specified in the Sunshine State Standards and student
26 performance standards approved by the state board.
- 27 16. Demonstrate knowledge and skill in managing
28 student behavior inside and outside the classroom. Such
29 knowledge and skill must include techniques for preventing and
30 effectively responding to incidents of disruptive or violent
31 behavior.

1 17. Demonstrate knowledge of and skill in developing
2 and administering appropriate classroom assessment instruments
3 designed to measure student learning gains.

4 18. Demonstrate the ability to maintain a positive
5 collaborative relationship with students' families to increase
6 student achievement.

7 19. Recognize the early signs of truancy in students
8 and identify effective interventions to avoid or resolve
9 nonattendance behavior.

10 (b) The state board shall designate the certification
11 areas for subject area tests. However, an applicant may
12 satisfy the subject area and professional knowledge testing
13 requirements by attaining scores on corresponding tests from
14 the National Teachers Examination series, and successors to
15 that series, that meet standards established by the state
16 board. The College Level Academic Skills Test, a similar test
17 approved by the state board, or corresponding tests from
18 ~~beginning January 1, 1996,~~the National Teachers Examination
19 series must be used ~~by degreed personnel~~ to demonstrate
20 mastery of general knowledge as required in paragraphs (3)(c)
21 and paragraph (4)(a). All required tests may be taken prior to
22 graduation.The College Level Academic Skills Test shall be
23 waived for any applicant who passed the reading, writing, and
24 mathematics subtest of the former Florida Teacher
25 Certification Examination or the College Level Academic Skills
26 Test and subsequently obtained a certificate pursuant to this
27 chapter.

28 (8) EXAMINATIONS.--

29 (a) The commissioner, with the approval of the state
30 board, may contract for developing, printing, administering,
31

1 scoring, and appropriate analysis of the written tests
2 required.

3 (b) The state board shall, by rule, specify the
4 examination scores that are required for the issuance of a
5 professional certificate and ~~certain~~ temporary certificate
6 certificates. ~~When the College Level Academic Skills Test is~~
7 ~~used to demonstrate general knowledge, Such rules must provide~~
8 ~~an alternative method by which an applicant may demonstrate~~
9 ~~mastery of general knowledge, including the ability to read,~~
10 ~~write, or compute, must define generic subject area~~
11 ~~competencies and must establish uniform evaluation~~
12 ~~guidelines. Individuals who apply for their professional~~
13 ~~certificate before July 1, 2000, may demonstrate mastery of~~
14 general knowledge pursuant to the alternative method specified
15 by state board rule which ~~The alternative method~~ must:

16 1. Apply only to an applicant who has successfully
17 completed all prerequisites for issuance of the professional
18 certificate, except passing one specific subtest of the
19 College Level Academic Skills Test, and who has taken and
20 failed to achieve a passing score on that subtest at least
21 four times.

22 2. Require notification from the superintendent of the
23 employing school district, the governing authority of the
24 employing developmental research school, or the governing
25 authority of the employing state-supported school or nonpublic
26 school that the applicant has satisfactorily demonstrated
27 mastery of the subject area covered by that specific subtest
28 through successful experience in the professional application
29 of generic subject area competencies and proficient academic
30 performance in that subject area. The decision of the
31 superintendent or governing authority shall be based on a

1 review of the applicant's official academic transcript and
2 notification from the applicant's principal, a peer teacher,
3 and a district-level supervisor that the applicant has
4 demonstrated successful professional experience in that
5 subject area.

6 (c) If an applicant takes an examination developed by
7 this state and does not achieve the score necessary for
8 certification, the applicant may review his or her completed
9 examination and bring to the attention of the department any
10 errors that would result in a passing score.

11 (d) The department and the board shall maintain
12 confidentiality of the examination, developmental materials,
13 and workpapers, and the examination, developmental materials,
14 and workpapers are exempt from s. 119.07(1).

15 Section 40. Subsection (3) is added to section
16 231.1725, Florida Statutes, 1998 Supplement, to read:

17 231.1725 Employment of substitute teachers, teachers
18 of adult education, and nondegreed teachers of career
19 education; students performing clinical field experience.--

20 (3) A student who is enrolled in a state-approved
21 teacher preparation program in an institution of higher
22 education approved by rules of the State Board of Education
23 and who is jointly assigned by such institution of higher
24 education and a school board to perform a clinical field
25 experience under the direction of a regularly employed and
26 certified educator shall be accorded the same protection of
27 laws as that accorded the certified educator while serving
28 such supervised clinical field experience, except for the
29 right to bargain collectively as employees of the school
30 board.

31

1 Section 41. Section 231.174, Florida Statutes, is
2 amended to read:

3 231.174 Alternative preparation programs for certified
4 teachers to add additional coverage.--A district school board
5 may design alternative teacher preparation programs to enable
6 persons already certificated to add an additional coverage to
7 their certificates ~~to teach exceptional education classes or~~
8 ~~in other areas of critical shortage.~~ Each alternative teacher
9 preparation program shall be reviewed and approved by the
10 Department of Education to assure that persons who complete
11 the program are competent in the necessary areas of subject
12 matter specialization. Two or more school districts may
13 jointly participate in an alternative preparation program for
14 teachers.

15 Section 42. Subsection (3) of section 231.29, Florida
16 Statutes, 1998 Supplement, is amended to read:

17 231.29 Assessment procedures and criteria.--

18 (3) The assessment procedure for instructional
19 personnel and school administrators must ~~shall~~ comply with,
20 but need ~~shall~~ not be limited to, the following requirements:

21 (a) An assessment must ~~shall~~ be conducted for each
22 employee at least once a year. The assessment must ~~shall~~ be
23 based upon sound educational principles and contemporary
24 research in effective educational practices. The assessment
25 must use data and indicators of improvement in student
26 performance and may consider results of peer reviews in
27 evaluating the employee's performance. The assessment
28 criteria must include, but are not limited to, indicators that
29 relate to the following:

30 1. Performance of students as measured by state
31 assessments required under s. 229.57 and by local assessments

1 for subjects and grade levels not measured by the state
2 assessment program.
3 ~~2.1.~~ Ability to maintain appropriate discipline.
4 ~~3.2.~~ Knowledge of subject matter. The district school
5 board shall make special provisions for evaluating teachers
6 who are assigned to teach out-of-field.
7 ~~4.3.~~ Ability to plan and deliver instruction.
8 ~~5.4.~~ Ability to evaluate instructional needs.
9 ~~6.5.~~ Ability to establish and maintain a positive
10 collaborative relationship with students' families to increase
11 student achievement ~~communicate with parents.~~
12 ~~7.6.~~ Other professional competencies,
13 responsibilities, and requirements as established by rules of
14 the State Board of Education and policies of the district
15 school board.
16 (b) All personnel must ~~shall~~ be fully informed of the
17 criteria and procedures associated with the assessment process
18 before the assessment takes place.
19 (c) The individual responsible for supervising the
20 employee must assess the employee's performance. The evaluator
21 must submit a written report of the assessment to the
22 superintendent for the purpose of reviewing the employee's
23 contract. The evaluator must submit the written report to the
24 employee no later than 10 days after the assessment takes
25 place. The evaluator must discuss the written report of
26 assessment with the employee. The employee shall have the
27 right to initiate a written response to the assessment, and
28 the response shall become a permanent attachment to his or her
29 personnel file.
30 (d) If an employee is not performing his or her duties
31 in a satisfactory manner, the evaluator shall notify the

1 employee in writing of such determination. The notice must
2 describe such unsatisfactory performance and include notice of
3 the following procedural requirements:

4 1. Upon delivery of a notice of unsatisfactory
5 performance, the evaluator must confer with the employee, make
6 recommendations with respect to specific areas of
7 unsatisfactory performance, and provide assistance in helping
8 to correct deficiencies within a prescribed period of time.

9 2. The employee shall be placed on performance
10 probation and governed by the provisions of this section for
11 90 calendar days from the receipt of the notice of
12 unsatisfactory performance to demonstrate corrective action.
13 School holidays and school vacation periods are not counted
14 when calculating the 90-calendar-day period. During the 90
15 calendar days, the employee must be evaluated periodically and
16 apprised of progress achieved and must be provided assistance
17 and inservice training opportunities to help correct the noted
18 performance deficiencies. At any time during the 90 calendar
19 days, the employee may request a transfer to another
20 appropriate position with a different supervising
21 administrator; however, a transfer does not extend the period
22 for correcting performance deficiencies.

23 3. Within 14 days after the close of the 90 calendar
24 days, the evaluator must assess whether the performance
25 deficiencies have been corrected and forward a recommendation
26 to the superintendent. Within 14 days after receiving the
27 evaluator's recommendation, the superintendent must notify the
28 employee in writing whether the performance deficiencies have
29 been satisfactorily corrected and whether the superintendent
30 will recommend that the school board continue or terminate his
31 or her employment contract. If the employee wishes to contest

1 the superintendent's recommendation, the employee must, within
2 15 days after receipt of the superintendent's recommendation,
3 submit a written request for a hearing. Such hearing shall be
4 conducted at the school board's election in accordance with
5 one of the following procedures:

6 a. A direct hearing conducted by the school board
7 within 60 days after receipt of the written appeal. The
8 hearing shall be conducted in accordance with the provisions
9 of ss. 120.569 and 120.57. A majority vote of the membership
10 of the school board shall be required to sustain the
11 superintendent's recommendation. The determination of the
12 school board shall be final as to the sufficiency or
13 insufficiency of the grounds for termination of employment; or

14 b. A hearing conducted by an administrative law judge
15 assigned by the Division of Administrative Hearings of the
16 Department of Management Services. The hearing shall be
17 conducted within 60 days after receipt of the written appeal
18 in accordance with chapter 120. The recommendation of the
19 administrative law judge shall be made to the school board. A
20 majority vote of the membership of the school board shall be
21 required to sustain or change the administrative law judge's
22 recommendation. The determination of the school board shall be
23 final as to the sufficiency or insufficiency of the grounds
24 for termination of employment.

25 Section 43. Paragraph (a) of subsection (1) of section
26 231.546, Florida Statutes, 1998 Supplement, is amended to
27 read:

28 231.546 Education Standards Commission; powers and
29 duties.--

30 (1) The Education Standards Commission shall have the
31 duty to:

1 (a) Recommend to the state board ~~high desirable~~
2 standards relating to programs and policies for the
3 development, certification and certification extension,
4 improvement, and maintenance of competencies of educational
5 personnel, including teacher interns. Such standards must be
6 consistent with the state's duty to provide a high-quality
7 system of public education to all students.

8 Section 44. Subsections (1) and (3) and paragraph (b)
9 of subsection (4) of section 231.600, Florida Statutes, 1998
10 Supplement, are amended, and subsections (8) and (9) are added
11 to that section, to read:

12 231.600 School Community Professional Development
13 Act.--

14 (1) The Department of Education, public community
15 colleges and universities, public school districts, and public
16 schools in this state shall collaborate to establish a
17 coordinated system of professional development. The purpose of
18 the professional development system is to enable the school
19 community to meet state and local student achievement
20 standards and the state education goals and to succeed in
21 school improvement as described in s. 229.591.

22 (3) The activities designed to implement this section
23 must:

24 (a) Increase the success of educators in guiding
25 student learning and development so as to implement state and
26 local educational standards, goals, and initiatives;

27 (b) Assist the school community in providing
28 stimulating educational activities that encourage and motivate
29 students to achieve at the highest levels and to become
30 ~~developing in school children the dispositions that will~~
31 ~~motivate them to be~~ active learners; and

1 (c) Provide continuous support as well as, ~~rather than~~
2 temporary intervention for education professionals who need
3 improvement in knowledge, skills, and performance, ~~for~~
4 ~~improving the performance of teachers and others who assist~~
5 ~~children in their learning.~~

6 (4) The Department of Education, school districts,
7 schools, and public colleges and universities share the
8 responsibilities described in this section. These
9 responsibilities include the following:

10 (b) Each district school board shall consult with
11 teachers and representatives of college and university
12 faculty, community agencies, and other interested citizen
13 groups to establish policy and procedures to guide the
14 operation of the district professional development program.
15 The professional development system must:

16 1. Require that principals and schools use student
17 achievement data, school discipline data, school environment
18 surveys, assessments of parental satisfaction, and other
19 performance indicators to identify school and student needs
20 that can be met by improved professional performance, and
21 assist principals and schools in making these identifications;

22 2. Provide training activities coupled with followup
23 support that is appropriate to accomplish district-level and
24 school-level improvement goals and standards; ~~and~~

25 3. Provide for systematic consultation with regional
26 and state personnel designated to provide technical assistance
27 and evaluation of local professional development programs; ~~-~~

28 4. Provide for delivery of professional development by
29 distance learning and other technology-based delivery systems
30 to reach more educators at lower costs; and

31

1 5. Continuously evaluate the quality and effectiveness
2 of professional development programs in order to eliminate
3 ineffective programs and strategies and to expand effective
4 ones. Evaluations must consider the impact of such activities
5 on the performance of participating educators and their
6 students' achievement and behavior.

7 (8) This section does not limit or discourage a
8 district school board from contracting with independent
9 entities for professional-development services and inservice
10 education if the school board believes that, through such a
11 contract, a better product can be acquired or its goals for
12 education improvement can be better met.

13 (9) For teachers and administrators who have been
14 evaluated as less than satisfactory, a school board may
15 require participation in a specific professional development
16 program or peer assistance and review program as part of the
17 improvement prescription.

18 Section 45. Subsection (1), paragraph (b) of
19 subsection (3), and subsections (4) and (5) of section
20 240.529, Florida Statutes, are amended to read:

21 240.529 Public accountability and state approval for
22 teacher preparation programs.--

23 (1) INTENT.--The Legislature recognizes that skilled
24 teachers make the most important contribution to a quality
25 educational system and that competent teachers are produced by
26 effective and accountable teacher preparation programs. The
27 intent of the Legislature is to establish a system for
28 development and approval of teacher preparation programs that
29 will free postsecondary teacher preparation institutions to
30 employ varied and innovative teacher preparation techniques
31 while being held accountable for producing graduates ~~teachers~~

1 with the competencies and skills necessary to achieve for
2 ~~achieving~~ the state education goals; help students meet high
3 standards for academic achievement; maintain safe, secure
4 classroom learning environments; and sustain ~~sustaining~~ the
5 state system of school improvement and education
6 accountability established pursuant to ss. 229.591, 229.592,
7 and 229.593.

8 (3) INITIAL STATE PROGRAM APPROVAL.--

9 (b) Each teacher preparation program approved by the
10 Department of Education, as provided for by this section,
11 shall require students to meet one of the following as
12 prerequisites ~~a prerequisite~~ for admission into the program:

13 ~~1. That a student receive a passing score at the 40th~~
14 ~~percentile or above, as established by state board rule, on a~~
15 ~~nationally standardized college entrance examination;~~

16 ~~1.2. That a student~~ Have a grade point average of at
17 least 2.5 on a 4.0 scale for the general education component
18 of undergraduate studies; or

19 ~~2.3. That a student~~ Have completed the requirements
20 for a baccalaureate degree with a minimum grade point average
21 of 2.5 on a 4.0 scale from any college or university
22 accredited by a regional accrediting association as defined by
23 state board rule; and.

24 3. Beginning with the 2000-2001 academic year,
25 demonstrate mastery of general knowledge, including the
26 ability to read, write, and compute by passing the College
27 Level Academic Skills Test, a corresponding component of the
28 National Teachers Examination series, or a similar test
29 pursuant to rules of the State Board of Education.

30
31

1 The State Board of Education may ~~shall~~ provide by rule for a
2 waiver of these requirements. The rule shall require that 90
3 percent of those admitted to each teacher education program
4 meet the requirements of this paragraph and that the program
5 implement strategies to ensure that students admitted under a
6 waiver receive assistance to demonstrate competencies to
7 successfully meet requirements for certification.

8 (4) CONTINUED PROGRAM APPROVAL.--Notwithstanding
9 subsection (3), failure by a public or nonpublic teacher
10 preparation program to meet the criteria for continued program
11 approval shall result in loss of program approval. The
12 Department of Education, in collaboration with the departments
13 and colleges of education, shall develop procedures for
14 continued program approval which document the continuous
15 improvement of program processes and graduates' performance.

16 (a) Continued approval of specific teacher preparation
17 programs at each public and nonpublic institution of higher
18 education within the state is contingent upon the passing of
19 the written examination required by s. 231.17 by at least 90
20 ~~80~~ percent of the graduates of the program who take the
21 examination. On request of an institution, the Department of
22 Education shall provide an analysis of the performance of the
23 graduates of such institution with respect to the competencies
24 assessed by the examination required by s. 231.17.

25 (b) Additional criteria for continued program approval
26 for public institutions may be developed by the Education
27 Standards Commission and approved by the State Board of
28 Education. Such criteria must emphasize outcome measures and
29 must ~~may~~ include, but need not be limited to, program
30 graduates' satisfaction with training and the unit's
31 responsiveness to local school districts. Additional criteria

1 for continued program approval for nonpublic institutions
2 shall be developed in the same manner as for public
3 institutions; however, such criteria must be based upon
4 significant, objective, and quantifiable graduate performance
5 measures. Responsibility for collecting data on outcome
6 measures through survey instruments and other appropriate
7 means shall be shared by the institutions of higher education,
8 the Board of Regents, the State Board of Independent Colleges
9 and Universities, and the Department of Education. By January
10 1 of each year, the Department of Education, in cooperation
11 with the Board of Regents and the State Board of Independent
12 Colleges and Universities, shall report this information for
13 each postsecondary institution that has state-approved
14 programs of teacher education to the Governor, the
15 Commissioner of Education, the Chancellor of the State
16 University System, the President of the Senate, the Speaker of
17 the House of Representatives, all Florida postsecondary
18 teacher preparation programs, and interested members of the
19 public. This report must analyze the data and make
20 recommendations for improving teacher preparation programs in
21 the state.

22 (c) ~~Beginning July 1, 1997,~~ Continued approval for a
23 teacher preparation program is contingent upon the results of
24 annual reviews of the program conducted by the institution of
25 higher education, using procedures and criteria outlined in an
26 institutional program evaluation plan approved by the
27 Department of Education. This plan must incorporate the
28 criteria established in paragraphs (a) and (b) and include
29 provisions for involving primary stakeholders, such as program
30 graduates, district school personnel, classroom teachers,
31 principals, community agencies, parents of school-aged

1 children, and business representatives in the evaluation
2 process. Upon request by an institution, the department shall
3 provide assistance in developing, enhancing, or reviewing the
4 institutional program evaluation plan and training evaluation
5 team members.

6 (d) ~~Beginning July 1, 1997,~~ Continued approval for a
7 teacher preparation program is contingent upon standards being
8 in place that are designed to adequately prepare elementary,
9 middle, and high school teachers to instruct their students in
10 higher-level mathematics concepts at the appropriate grade
11 level.

12 (e) Beginning July 1, 2000, continued approval of
13 teacher preparation programs is contingent upon the receipt of
14 at least a satisfactory rating from public schools and
15 nonpublic schools that employ graduates of the program.
16 Employer satisfaction shall be determined by an annually
17 administered survey instrument approved by the Department of
18 Education.

19 (f) Beginning with the 2000-2001 academic year, each
20 public and private institution that offers a teacher
21 preparation program in this state must annually report in the
22 institution's student catalogue the prior year's performance
23 of the teacher preparation program. Each annual report must
24 address at least the following measures:

25 1. Quality of students entering the program, as
26 evidenced by mean grade point average and average score on
27 examinations of general knowledge required by chapter 231 for
28 issuance of a temporary or professional certificate.

29 2. Graduation rates.

30 3. Time-to-graduation data.

31

1 4. Ability of graduates to perform at preprofessional
2 and professional levels as evidenced by the percentage of
3 graduates who pass the examinations required by chapter 231
4 and demonstrate competencies required for issuance of the
5 temporary certificate, professional certificate, and
6 certificate of competency in various subject areas.

7 5. Percentage of graduates rehired to teach after the
8 first year of employment in a public or private school.

9 6. Percentage of graduates remaining in teaching for
10 at least 4 years.

11 7. Satisfaction of graduates of the program as
12 evidenced by a common survey.

13 8. Satisfaction of employers as evidenced by a common
14 survey of public and private schools that employ graduates of
15 the program.

16 (g) Beginning July 1, 2000, continued program approval
17 for teacher preparation programs is contingent upon compliance
18 with the entrance requirements itemized in subsection (3).

19 (5) PRESERVICE FIELD EXPERIENCE.--All postsecondary
20 instructors, school district personnel and instructional
21 personnel, and school sites preparing instructional personnel
22 through preservice field experience courses and internships
23 shall meet special requirements.

24 (a) All instructors in postsecondary teacher
25 preparation programs who instruct or supervise preservice
26 field experience courses or internships shall have at least
27 one of the following: specialized training in clinical
28 supervision; a valid professional teaching certificate
29 pursuant to ss. 231.17 and 231.24; or at least 3 years of
30 successful teaching experience in prekindergarten through
31 ~~grade 12; or a commitment to spend periods of time specified~~

1 ~~by State Board of Education rule teaching in the public~~
2 ~~schools.~~

3 (b) All school district personnel and instructional
4 personnel who supervise or direct teacher preparation students
5 during field experience courses or internships must have
6 evidence of "clinical educator" training and must successfully
7 demonstrate effective classroom management strategies that
8 consistently result in improved student performance. The
9 Education Standards Commission shall recommend, and the state
10 board shall approve, the training requirements.

11 (c) Preservice field experience programs must provide
12 specific guidance and demonstration of effective classroom
13 management strategies, modeling strategies for incorporating
14 technology into classroom instruction, and ways to link
15 instructional plans to the Sunshine State Standards, as
16 appropriate. Such experience must include at least 1 week of
17 supervised student contact with lower achieving students. The
18 length of structured field experiences may be extended to
19 ensure that candidates achieve the competencies needed to meet
20 certification requirements.

21 ~~(d)(c)~~ Postsecondary teacher preparation programs in
22 cooperation with district school boards and approved nonpublic
23 school associations shall select the school sites for
24 preservice field experience activities. These sites must
25 represent the full spectrum of school communities, including,
26 but not limited to, schools located in urban settings. In
27 order to be selected, school sites must demonstrate commitment
28 to the education of public school students and to the
29 preparation of future teachers. A nonpublic school
30 association, in order to be approved, must have a
31

1 state-approved master inservice program plan in accordance
2 with s. 236.0811.

3 Section 46. Section 231.6135, Florida Statutes, is
4 created to read:

5 231.6135 Statewide system for in-service professional
6 development.--The intent of this section is to establish a
7 statewide system of professional development that provides a
8 wide range of targeted in-service training to teachers and
9 administrators designed to upgrade skills and knowledge needed
10 to reach world class standards in education. The system shall
11 consist of a network of professional development academies in
12 each region of the state that are operated in partnership with
13 area business partners to develop and deliver high quality
14 training programs purchased by school districts. The academies
15 shall be established to meet the human resource development
16 needs of professional educators, schools, and school
17 districts. Funds appropriated for the initiation of
18 professional development academies shall be allocated by the
19 Commissioner of Education, unless otherwise provided in an
20 appropriations act. To be eligible for startup funds, the
21 academy must:

22 (1) Demonstrate the capacity to provide effective
23 training to improve teaching skills in the areas of elementary
24 or secondary reading and mathematics, the use of instructional
25 technology, high school algebra, and classroom management, and
26 to deliver such training using face-to-face, distance
27 learning, and individualized computer-based delivery systems.

28 (2) Propose a plan for responding in an effective and
29 timely manner to the professional development needs of
30 teachers, administrators, schools, and school districts

31

1 relating to improving student achievement and meeting state
2 and local education goals.

3 (3) Be established by the collaborative efforts of one
4 or more district school boards, members of the business
5 community, and the postsecondary institutions that will award
6 college credits for courses taught at the academy.

7 (4) Demonstrate the ability to provide high-quality
8 trainers and training, appropriate followup and coaching for
9 all participants, and support school personnel in positively
10 impacting student performance.

11 (5) Be operated under contract with its public
12 partners and governed by an independent board of directors,
13 which should include at least one superintendent and one
14 school board chairman from the participating school districts,
15 the president of the collective bargaining unit that
16 represents the majority of the region's teachers, and at least
17 three individuals who are not employees or elected or
18 appointed officials of the participating school districts.

19 (6) Be financed during the first year of operation by
20 an equal or greater match from private funding sources and
21 demonstrate the ability to be self-supporting within 1 year
22 after opening through fees for services, grants, or private
23 contributions.

24 (7) Own or lease a facility that can be used to
25 deliver training on-site and through distance learning and
26 other technology-based delivery systems. The participating
27 district school boards may lease a site or facility to the
28 academy for a nominal fee and may pay all or part of the costs
29 of renovating a facility to accommodate the academy. The
30 academy is responsible for all operational, maintenance, and
31 repair costs.

1 (8) Provide professional development services for the
2 participating school districts as specified in the contract
3 and may provide professional development services to other
4 school districts, private schools, and individuals on a
5 fee-for-services basis.

6 Section 47. Section 231.601, Florida Statutes, is
7 repealed.

8 Section 48. Paragraph (a) of subsection (16) of
9 section 230.23, Florida Statutes, 1998 Supplement, is amended
10 to read:

11 230.23 Powers and duties of school board.--The school
12 board, acting as a board, shall exercise all powers and
13 perform all duties listed below:

14 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
15 ACCOUNTABILITY.--Maintain a system of school improvement and
16 education accountability as provided by statute and State
17 Board of Education rule. This system of school improvement and
18 education accountability shall be consistent with, and
19 implemented through, the district's continuing system of
20 planning and budgeting required by this section and ss.
21 229.555 and 237.041. This system of school improvement and
22 education accountability shall include, but not be limited to,
23 the following:

24 (a) School improvement plans.--Annually approve and
25 require implementation of a new, amended, or continuation
26 school improvement plan for each school in the district. Such
27 plan shall be designed to achieve the state education goals
28 and student performance standards pursuant to ss. 229.591(3)
29 and 229.592. Beginning in 1999-2000, each plan shall also
30 address issues relative to budget, training, instructional
31 materials, technology, staffing, student support services,

1 specific school safety and discipline strategies,and other
2 matters of resource allocation, as determined by school board
3 policy.

4 Section 49. Subsection (3) of section 230.2316,
5 Florida Statutes, 1998 Supplement, is amended to read:

6 230.2316 Dropout prevention.--

7 (3) STUDENT ELIGIBILITY AND PROGRAM CRITERIA.--

8 (a) Dropout prevention programs shall differ from
9 traditional education programs and schools in scheduling,
10 administrative structure, philosophy, curriculum, or setting
11 and shall employ alternative teaching methodologies,
12 curricula, learning activities, and ~~or~~ diagnostic and
13 assessment procedures in order to meet the needs, interests,
14 abilities, and talents of eligible students. The educational
15 program shall provide curricula, character development and law
16 education as provided in s. 233.0612,and related services
17 which support the program goals and lead to completion of a
18 high school diploma. Student participation in such programs
19 shall be voluntary. Districts may, however, assign students
20 to a program for disruptive students. The minimum period of
21 time during which the student participates in the program
22 shall be equivalent to two instructional periods per day
23 unless the program utilizes a student support and assistance
24 component rather than regularly scheduled courses.

25 (b) Students in grades 1-12 ~~4-12~~ shall be eligible for
26 dropout prevention programs. Eligible dropout prevention
27 students shall be reported for dropout prevention full-time
28 equivalent student membership in the Florida Education Finance
29 Program in standard dropout prevention classes or student
30 support and assistance components which provide academic
31 assistance and coordination of support services to students

1 enrolled full time in a regular classroom. The student support
2 and assistance component shall include auxiliary services
3 provided to students or teachers, or both. Students
4 participating in this model shall generate funding only for
5 the time that they receive extra services or auxiliary help.

6 (c) A student shall be identified as being a potential
7 dropout based upon one of the following criteria:

8 1. The student has shown a lack of motivation in
9 school through grades which are not commensurate with
10 documented ability levels or high absenteeism or habitual
11 truancy as defined in s. 228.041(28).

12 2. The student has not been successful in school as
13 determined by retentions, failing grades, or low achievement
14 test scores and has needs and interests that cannot be met
15 through traditional programs.

16 3. The student has been identified as a potential
17 school dropout by student services personnel using district
18 criteria. District criteria that are used as a basis for
19 student referral to an educational alternatives program shall
20 identify specific student performance indicators that the
21 educational alternative program seeks to address.

22 4. The student has documented drug-related or
23 alcohol-related problems, or has immediate family members with
24 documented drug-related or alcohol-related problems that
25 adversely affect the student's performance in school.

26 5. The student has a history of disruptive behavior in
27 school or has committed an offense that warrants out-of-school
28 suspension or expulsion from school according to the district
29 code of student conduct. For the purposes of this program,
30 "disruptive behavior" is behavior that:
31

1 a. Interferes with the student's own learning or the
2 educational process of others and requires attention and
3 assistance beyond that which the traditional program can
4 provide or results in frequent conflicts of a disruptive
5 nature while the student is under the jurisdiction of the
6 school either in or out of the classroom; or

7 b. Severely threatens the general welfare of students
8 or others with whom the student comes into contact.

9 6. The student is assigned to a program provided
10 pursuant to chapter 39, chapter 984, or chapter 985 which is
11 sponsored by a state-based or community-based agency or is
12 operated or contracted for by the Department of Children and
13 Family Services or the Department of Juvenile Justice.

14 (d)1. "Second chance schools" means school district
15 programs provided through cooperative agreements between the
16 Department of Juvenile Justice, private providers, state or
17 local law enforcement agencies, or other state agencies for
18 students who have been disruptive or violent or who have
19 committed serious offenses. As partnership programs, second
20 chance schools are eligible for waivers by the Commissioner of
21 Education from chapters 230-235 and 239 and State Board of
22 Education rules that prevent the provision of appropriate
23 educational services to violent, severely disruptive, or
24 delinquent students in small nontraditional settings or in
25 court-adjudicated settings.

26 2. School districts seeking to enter into a
27 partnership with a private entity or public entity to operate
28 a second chance school for disruptive students may apply to
29 the Department of Education for start-up grants from the
30 Department of Education. These grants must be available for 1
31 year and must be used to offset the start-up costs for

1 implementing such programs off public school campuses. General
2 operating funds must be generated through the appropriate
3 programs of the Florida Education Finance Program. Grants
4 approved under this program shall be for the full operation of
5 the school by a private nonprofit or for-profit provider or
6 the public entity. This program must operate under rules
7 adopted by the Department of Education and must be implemented
8 to the extent funded by the Legislature.

9 ~~3.2.~~ A student enrolled in a sixth, seventh, eighth,
10 ninth, or tenth grade class may be assigned to a second chance
11 school if the student meets the following criteria:

12 a. The student is a habitual truant as defined in s.
13 228.041(28).

14 b. The student's excessive absences have detrimentally
15 affected the student's academic progress and the student may
16 have unique needs that a traditional school setting may not
17 meet.

18 c. The student's high incidences of truancy have been
19 directly linked to a lack of motivation.

20 d. The student has been identified as at risk of
21 dropping out of school.

22 ~~4.3.~~ A student who is habitually truant may be
23 assigned to a second chance school only if the case staffing
24 committee, established pursuant to s. 984.12, determines that
25 such placement could be beneficial to the student and the
26 criteria included in subparagraph 2. are met.

27 ~~5.4.~~ A student may be assigned to a second chance
28 school if the school district in which the student resides has
29 a second chance school and if the student meets one of the
30 following criteria:

31

1 a. The student habitually exhibits disruptive behavior
2 in violation of the code of student conduct adopted by the
3 school board.

4 b. The student interferes with the student's own
5 learning or the educational process of others and requires
6 attention and assistance beyond that which the traditional
7 program can provide, or, while the student is under the
8 jurisdiction of the school either in or out of the classroom,
9 frequent conflicts of a disruptive nature occur.

10 c. The student has committed a serious offense which
11 warrants suspension or expulsion from school according to the
12 district code of student conduct. For the purposes of this
13 program, "serious offense" is behavior which:

14 (I) Threatens the general welfare of students or
15 others with whom the student comes into contact;

16 (II) Includes violence;

17 (III) Includes possession of weapons or drugs; or

18 (IV) Is harassment or verbal abuse of school personnel
19 or other students.

20 ~~6.5.~~ Prior to assignment of students to second chance
21 schools, school boards are encouraged to use alternative
22 programs, such as in-school suspension, which provide
23 instruction and counseling leading to improved student
24 behavior, a reduction in the incidence of truancy, and the
25 development of more effective interpersonal skills.

26 ~~7.6.~~ Students assigned to second chance schools must
27 be evaluated by the school's local child study team before
28 placement in a second chance school. The study team shall
29 ensure that students are not eligible for placement in a
30 program for emotionally disturbed children.

31

1 ~~8.7.~~ Students who exhibit academic and social progress
2 and who wish to return to a traditional school shall complete
3 a character development and law education program, as provided
4 in s. 233.0612, and demonstrate preparedness to reenter the
5 regular school setting ~~be evaluated by school district~~
6 ~~personnel~~ prior to reentering a traditional school.

7 ~~9.8.~~ Second chance schools shall be funded at the
8 dropout prevention program weight pursuant to s. 236.081 and
9 may receive school safety funds or other funds as appropriate.

10 Section 50. Section 231.085, Florida Statutes, is
11 amended to read:

12 231.085 Duties of principals.--A district school board
13 shall employ, through written contract, public school
14 principals who shall supervise the operation and management of
15 the schools and property as the board determines necessary.
16 Each principal shall perform such duties as may be assigned by
17 the superintendent pursuant to the rules of the school board.
18 Such rules shall include, but not be limited to, rules
19 relating to administrative responsibility, instructional
20 leadership of the educational program of the school to which
21 the principal is assigned, submission of personnel
22 recommendations to the superintendent, administrative
23 responsibility for records and reports, administration of
24 corporal punishment, and student suspension. Each principal
25 shall provide leadership in the development or revision and
26 implementation of a school improvement plan pursuant to s.
27 230.23(16). Each principal must make the necessary provisions
28 to ensure that all school reports are accurate and timely, and
29 must provide the necessary training opportunities for staff to
30 accurately report attendance, FTE program participation,
31 student performance, teacher appraisal, and school safety and

1 discipline data. A principal who fails to comply with this
2 section shall be ineligible for any portion of the performance
3 pay policy incentive under s. 230.23(5)(c).

4 Section 51. Section 232.001, Florida Statutes, is
5 created to read:

6 232.001 Pilot projects.--It is the purpose of this
7 section to authorize at least three district school boards
8 identified in the General Appropriations Act to implement
9 pilot projects that raise the compulsory age of attendance for
10 children from the age of 16 years to 18 years, except for
11 those students who graduate from high school before reaching
12 18 years of age. The pilot project applies to each child who
13 has not attained the age of 16 years by September 30 of the
14 school year in which a school board policy is adopted.

15 (1) Beginning July 1, 1999, the district school boards
16 as identified in the General Appropriations Act may implement
17 a pilot project consistent with policy adopted by each of the
18 school boards to raise the compulsory age of attendance for
19 children from the age of 16 years to 18 years, except for
20 those students who graduate from high school before reaching
21 18 years of age.

22 (2) Before the beginning of the school year, each
23 district school board that chooses to participate in the pilot
24 project must adopt a policy for raising the compulsory age of
25 attendance for children from the age of 16 years to 18 years,
26 except for those students who graduate from high school before
27 reaching 18 years of age.

28 (a) Before the adoption of the policy, each district
29 school board must provide a notice of intent to adopt a policy
30 to raise the compulsory age of attendance for children from
31 the age of 16 years to 18 years, except for those students who

1 graduate from high school before reaching 18 years of age. The
2 notice must be provided to the parent or legal guardian of
3 each child who is the age of 15 years and who is enrolled in a
4 school in the district.

5 (b) Within 2 weeks after adoption of the school board
6 policy, each district school board must provide notice of the
7 policy to the parent or legal guardian of each child who is
8 the age of 15 years and who is enrolled in a school in the
9 district. The notice must also provide information related to
10 the penalties for refusing or failing to comply with the
11 compulsory attendance requirements and information on
12 alternative education programs offered within the school
13 district.

14 (3) All state laws and State Board of Education rules
15 related to students subject to compulsory school attendance
16 apply to a district school board that chooses to participate
17 in a pilot project. Notwithstanding the provisions of s.
18 232.01, the formal declaration of intent to terminate school
19 enrollment does not apply to a district school board that
20 chooses to participate in a pilot project.

21 (4) Each district school board that chooses to
22 participate in the pilot project must evaluate the effect of
23 the adopted school board policy for raising the compulsory age
24 of attendance on school attendance and the school district's
25 dropout rate, as well as the costs associated with the pilot
26 project. Each school district shall report the findings to the
27 President of the Senate, the Speaker of the House of
28 Representatives, the minority leader of each house, the
29 Governor, and the Commissioner of Education not later than
30 August 1 following each year that the pilot project is in
31 operation.

1 Section 52. Effective July 1, 1999, paragraphs (a),
2 (b), and (c) of subsection (1) of section 232.01, Florida
3 Statutes, 1998 Supplement, are amended to read:

4 232.01 School attendance.--

5 ~~(1)(a)1. All children who have attained the age of 6~~
6 ~~years or who will have attained the age of 6 years by February~~
7 ~~1 of any school year or who are older than 6 years of age but~~
8 ~~who have not attained the age of 16 years, except as~~
9 ~~hereinafter provided, are required to attend school regularly~~
10 ~~during the entire school term.~~

11 1.2. All children who will have attained the age of 5
12 years on or before September 1 of the school year or who are
13 older than 5 years of age but who have not attained the age of
14 16 years, except as hereinafter provided, are required to
15 attend school regularly during the entire school term ~~are~~
16 ~~eligible for admission to public kindergartens during that~~
17 ~~school year under rules prescribed by the school board.~~

18 ~~2.3.~~ Children who will have attained the age of 3
19 years on or before September 1 of the school year are eligible
20 for admission to prekindergarten early intervention programs
21 during that school year as provided in s. 230.2305 or a
22 preschool program as provided in s. 228.061.

23 (b) Any child who has attained the age of 5 6 years on
24 or before September 1 of the school year ~~and who has been~~
25 ~~enrolled in a public school or who has attained the age of 6~~
26 ~~years on or before September 1 and has satisfactorily~~
27 ~~completed the requirements for kindergarten in a nonpublic~~
28 ~~school from which the district school board accepts transfer~~
29 ~~of academic credit, or who otherwise meets the criteria for~~
30 ~~admission or transfer in a manner similar to that applicable~~
31 ~~to other grades, shall progress according to the district's~~

1 pupil progression plan; provided, however, that each
2 district's pupil progression plan shall include kindergarten
3 for the full length of the regular school day. However,
4 nothing in this section shall authorize the state or any
5 school district to oversee or exercise control over the
6 curricula or academic programs of nonpublic schools or home
7 education programs.

8 (c) A child who attains the age of 16 years during the
9 school year is not subject to compulsory school attendance
10 beyond the date upon which he or she attains that age if the
11 child files a formal declaration of intent to terminate school
12 enrollment with the district school board. The declaration
13 must acknowledge that terminating school enrollment is likely
14 to reduce the student's earning potential and must be signed
15 by the child and the child's parent or legal guardian. The
16 school district must notify the child's parent or legal
17 guardian of receipt of the child's declaration of intent to
18 terminate school enrollment. Compulsory school attendance
19 requirements shall apply until such time as the student turns
20 18, unless the student graduates before reaching 18 years of
21 age, or until the parent or legal guardian signs the
22 declaration. A child who attains the age of 18 years during
23 the school year is not subject to compulsory school attendance
24 beyond the date upon which he or she attains that age.

25 Section 53. Section 232.17, Florida Statutes, 1998
26 Supplement, is amended to read:

27 232.17 Enforcement of school attendance.--The
28 Legislature finds that poor academic performance is associated
29 with nonattendance and that schools must take an active role
30 in enforcing attendance as a means of improving the
31 performance of many students. It is the policy of the state

1 that the superintendent of each school district be responsible
2 for enforcing school attendance of all children and youth
3 subject to the compulsory school age in the school district.
4 The responsibility includes recommending to the school board
5 policies and procedures to ensure that schools respond in a
6 timely manner to every unexcused absence, or absence for which
7 the reason is unknown, of students enrolled in the schools.
8 School board policies must require each parent or guardian of
9 a student to justify each absence of the student, and that
10 justification will be evaluated based on adopted school board
11 policies that define excused and unexcused absences. The
12 policies must provide that schools track excused and unexcused
13 absences and contact the home in the case of an unexcused
14 absence from school, or absence for which the reason is
15 unknown, to prevent the development of patterns of
16 nonattendance. The Legislature finds that early intervention
17 in school attendance matters is the most effective way of
18 producing good attendance habits that will lead to improved
19 student learning and achievement. Each public school shall
20 implement the following steps to enforce regular school
21 attendance:

22 (1) CONTACT, REFER, AND ENFORCE.--

23 (a) Upon each unexcused absence, or absence for which
24 the reason is unknown, the school principal or his or her
25 designee shall contact the home to determine the reason for
26 the absence. If the absence is an excused absence, as defined
27 by school board policy, the school shall provide opportunities
28 for the student to make up assigned work and not receive an
29 academic penalty unless the work is not made up within a
30 reasonable time.

31

1 (b) If a student has had at least five unexcused
2 absences, or absences for which the reason is unknown, within
3 a calendar month or ten unexcused absences, or absences for
4 which the reason is unknown, within a 90 calendar day period,
5 the student's primary teacher shall report to the school
6 principal or his or her designee that the student may be
7 exhibiting a pattern of nonattendance. The principal shall,
8 unless there is clear evidence that the absences are not a
9 pattern of nonattendance, refer the case to the school's child
10 study team to determine if early patterns of truancy are
11 developing. If the child study team finds that a pattern of
12 nonattendance is developing, whether the absences are excused
13 or not, a meeting with the parent must be scheduled to
14 identify potential remedies.

15 (c) If an initial meeting does not resolve the
16 problem, the child study team shall implement interventions
17 that best address the problem. The interventions may include,
18 but need not be limited to:

- 19 1. Frequent communication between the teacher and the
20 family;
- 21 2. Changes in the learning environment;
- 22 3. Mentoring;
- 23 4. Student counseling;
- 24 5. Tutoring, including peer tutoring;
- 25 6. Placement into different classes;
- 26 7. Evaluation for alternative education programs;
- 27 8. Attendance contracts;
- 28 9. Referral to other agencies for family services; or
- 29 10. Other interventions.

30 (d) The child study team shall be diligent in
31 facilitating intervention services and shall report the case

1 to the superintendent only when all reasonable efforts to
2 resolve the nonattendance behavior are exhausted.

3 (e) If the parent, guardian, or other person in charge
4 of the child refuses to participate in the remedial strategies
5 because he or she believes that those strategies are
6 unnecessary or inappropriate, the parent, guardian, or other
7 person in charge of the child may appeal to the school board.
8 The school board may provide a hearing officer and the hearing
9 officer shall make a recommendation for final action to the
10 board. If the board's final determination is that the
11 strategies of the child study team are appropriate, and the
12 parent, guardian, or other person in charge of the child still
13 refuses to participate or cooperate, the superintendent may
14 seek criminal prosecution for noncompliance with compulsory
15 school attendance.

16 (f) If the parent, guardian, or other person in charge
17 of the child reports to the child study team or other
18 designated school representative that the child subject to
19 compulsory school attendance is ungovernable and will not
20 comply with attempts to enforce school attendance, then the
21 superintendent shall file a child-in-need-of-services petition
22 or family-in-need-of-services petition seeking services from
23 the Department of Juvenile Justice and a court order to attend
24 school. The superintendent shall provide evidence to the court
25 that the school system is prepared to provide a learning
26 environment for the student that is responsive to the
27 student's learning needs and that all reasonable efforts to
28 resolve the nonattendance behavior have been exhausted. The
29 court may enforce a contempt of court order if the child
30 refuses to comply.~~Pursuant to procedures established by the~~
31 ~~district school board, a designated school representative must~~

1 ~~complete activities designed to determine the cause and~~
2 ~~attempt the remediation of truant behavior, as provided in~~
3 ~~this section.~~

4 ~~(1) INVESTIGATE NONENROLLMENT AND UNEXCUSED~~
5 ~~ABSENCES.--A designated school representative shall~~
6 ~~investigate cases of nonenrollment and unexcused absences from~~
7 ~~school of all children subject to compulsory school~~
8 ~~attendance.~~

9 (2) GIVE WRITTEN NOTICE.--

10 (a) Under the direction of the superintendent, a
11 designated school representative shall give written notice, in
12 person or by return-receipt mail, to the parent, guardian, or
13 other person having control when no valid reason is found for
14 a child's nonenrollment in school which requires ~~or when the~~
15 ~~child has a minimum of 3 but fewer than 6 unexcused absences~~
16 ~~within 90 calendar days, requiring enrollment and or~~
17 attendance within 3 days after the date of notice. If the
18 notice and requirement are ignored, the designated school
19 representative shall report the case to the superintendent,
20 and ~~may refer the case to the case staffing committee,~~
21 ~~established pursuant to s. 984.12, if the conditions of s.~~
22 ~~232.19(3) have been met.~~the superintendent shall ~~may~~ take
23 such steps as are necessary to bring criminal prosecution
24 against the parent, guardian, or other person having control.

25 (b) Subsequent to the activities required under
26 subsection (1), the superintendent or his or her designee
27 shall give written notice in person or by return-receipt mail
28 to the parent, guardian, or other person in charge of the
29 child that criminal prosecution is being sought for
30 nonattendance. The superintendent may file a truancy petition
31

1 in truancy court, as defined in s. 984.03, following the
2 procedures outlined in s. 984.151.

3 (3) RETURN CHILD TO PARENT.--A designated school
4 representative shall visit the home or place of residence of a
5 child and any other place in which he or she is likely to find
6 any child who is required to attend school when such child is
7 not enrolled or is absent from school during school hours
8 without an excuse, and, when the child is found, shall return
9 the child to his or her parent or to the principal or teacher
10 in charge of the school, or to the private tutor from whom
11 absent, or to the juvenile assessment center or other location
12 established by the school board to receive students who are
13 absent from school. Upon receipt of the student, the parent
14 shall be immediately notified.

15 (4) REPORT TO THE DIVISION OF JOBS AND BENEFITS.--A
16 designated school representative shall report to the Division
17 of Jobs and Benefits of the Department of Labor and Employment
18 Security or to any person acting in similar capacity who may
19 be designated by law to receive such notices, all violations
20 of the Child Labor Law that may come to his or her knowledge.

21 (5) RIGHT TO INSPECT.--A designated school
22 representative shall have the same right of access to, and
23 inspection of, establishments where minors may be employed or
24 detained as is given by law to the Division of Jobs and
25 Benefits only for the purpose of ascertaining whether children
26 of compulsory school age are actually employed there and are
27 actually working there regularly. The designated school
28 representative shall, if he or she finds unsatisfactory
29 working conditions or violations of the Child Labor Law,
30 report his or her findings to the Division of Jobs and
31 Benefits or its agents.

1 ~~(6) RESUMING SERIES.--If a child repeats a pattern of~~
2 ~~nonattendance within one school year, the designated school~~
3 ~~representative shall resume the series of escalating~~
4 ~~activities at the point at which he or she had previously left~~
5 ~~off.~~

6 Section 54. Subsection (3) of section 232.19, Florida
7 Statutes, 1998 Supplement, is amended to read:

8 232.19 Court procedure and penalties.--The court
9 procedure and penalties for the enforcement of the provisions
10 of this chapter, relating to compulsory school attendance,
11 shall be as follows:

12 (3) HABITUAL TRUANCY CASES.--The superintendent is
13 authorized to file a truancy petition in truancy court, as
14 defined in s. 984.03, following the procedures outlined in s.
15 984.151. If the superintendent chooses not to file a truancy
16 petition, procedures for filing a child-in-need-of-services
17 petition shall be commenced pursuant to this subsection. In
18 accordance with procedures established by the district school
19 board, the designated school representative shall refer a
20 student who is habitually truant and the student's family to
21 the children-in-need-of-services and
22 families-in-need-of-services provider or the case staffing
23 committee, established pursuant to s. 984.12, as determined by
24 the cooperative agreement required in this section. The case
25 staffing committee may request the Department of Juvenile
26 Justice or its designee to file a child-in-need-of-services
27 petition based upon the report and efforts of the school
28 district or other community agency or may seek to resolve the
29 truant behavior through the school or community-based
30 organizations or agencies. Prior to and subsequent to the
31 filing of a child-in-need-of-services petition due to habitual

1 truancy, the appropriate governmental agencies must allow a
2 reasonable time to complete actions required by this
3 subsection to remedy the conditions leading to the truant
4 behavior. However, a court order requiring school attendance
5 shall be obtained as a necessary part of such services.~~The~~
6 ~~following criteria must be met and documented in writing~~ Prior
7 ~~to the filing of a petition,~~ the school district must have
8 complied with the requirements of s. 232.17, and those efforts
9 must have been unsuccessful.+

10 (a) ~~The child must have 15 unexcused absences within~~
11 ~~90 calendar days with or without the knowledge or consent of~~
12 ~~the child's parent or legal guardian, must be subject to~~
13 ~~compulsory school attendance, and must not be exempt under s.~~
14 ~~232.06, s. 232.09, or any other exemption specified by law or~~
15 ~~the rules of the State Board of Education.~~

16 (b) ~~In addition to the actions described in s. 232.17,~~
17 ~~the school administration must have completed the following~~
18 ~~activities to determine the cause, and to attempt the~~
19 ~~remediation, of the child's truant behavior:~~

20 1. ~~After a minimum of 3 and prior to 6 unexcused~~
21 ~~absences within 90 calendar days, one or more meetings must~~
22 ~~have been held, either in person or by phone, between a~~
23 ~~designated school representative, the child's parent or~~
24 ~~guardian, and the child, if necessary, to report and to~~
25 ~~attempt to solve the truancy problem. However, if the~~
26 ~~designated school representative has documented the refusal of~~
27 ~~the parent or guardian to participate in the meetings, this~~
28 ~~requirement has been met.~~

29 2. ~~Educational counseling must have been provided to~~
30 ~~determine whether curriculum changes would help solve the~~
31 ~~truancy problem, and, if any changes were indicated, such~~

1 ~~changes must have been instituted but proved unsuccessful in~~
2 ~~remediating the truant behavior. Such curriculum changes may~~
3 ~~include enrollment of the child in a dropout prevention~~
4 ~~program that meets the specific educational and behavioral~~
5 ~~needs of the child, including a second chance school, as~~
6 ~~provided for in s. 230.2316, designed to resolve truant~~
7 ~~behavior.~~

8 3. ~~Educational evaluation, which may include~~
9 ~~psychological evaluation, must have been provided to assist in~~
10 ~~determining the specific condition, if any, that is~~
11 ~~contributing to the child's nonattendance. The evaluation~~
12 ~~must have been supplemented by specific efforts by the school~~
13 ~~to remedy any diagnosed condition.~~

14
15 ~~If a child who is subject to compulsory school attendance is~~
16 ~~responsive to the interventions described in this paragraph~~
17 ~~and has completed the necessary requirements to pass the~~
18 ~~current grade as indicated in the district pupil progression~~
19 ~~plan, the child shall be passed.~~

20 Section 55. Effective July 1, 1999, paragraph (a) of
21 subsection (1) of section 236.081, Florida Statutes, 1998
22 Supplement, is amended to read:

23 236.081 Funds for operation of schools.--If the annual
24 allocation from the Florida Education Finance Program to each
25 district for operation of schools is not determined in the
26 annual appropriations act or the substantive bill implementing
27 the annual appropriations act, it shall be determined as
28 follows:

29 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
30 OPERATION.--The following procedure shall be followed in
31

1 determining the annual allocation to each district for
2 operation:

3 (a) Determination of full-time equivalent
4 membership.--During each of several school weeks, including
5 scheduled intersessions of a year-round school program during
6 the fiscal year, a program membership survey of each school
7 shall be made by each district by aggregating the full-time
8 equivalent student membership of each program by school and by
9 district. The department shall establish the number and
10 interval of membership calculations, except that for basic and
11 special programs such calculations shall not exceed nine for
12 any fiscal year. The district's full-time equivalent
13 membership shall be computed and currently maintained in
14 accordance with regulations of the commissioner. Beginning
15 with school year 1999-2000, each school district shall also
16 document the daily attendance of each student in membership by
17 school and by district. An average daily attendance factor
18 shall be computed by dividing the total daily attendance of
19 all students by the total number of students in membership and
20 then by the number of days in the regular school year.
21 Beginning with school year 2001-2002, the district's full-time
22 equivalent membership shall be adjusted by multiplying by the
23 average daily attendance factor.

24 Section 56. Paragraph (b) of subsection (4), and
25 paragraphs (a) and (b) of subsection (5) of section 240.529,
26 Florida Statutes, are amended to read:

27 240.529 Public accountability and state approval for
28 teacher preparation programs.--

29 (4) CONTINUED PROGRAM APPROVAL.--Notwithstanding
30 subsection (3), failure by a public or nonpublic teacher
31 preparation program to meet the criteria for continued program

1 approval shall result in loss of program approval. The
2 Department of Education, in collaboration with the departments
3 and colleges of education, shall develop procedures for
4 continued program approval which document the continuous
5 improvement of program processes and graduates' performance.
6 (b) Additional criteria for continued program approval
7 for public institutions may be developed by the Education
8 Standards Commission and approved by the State Board of
9 Education. Such criteria must emphasize outcome measures of
10 student performance in the areas of classroom management and
11 improving the performance of students who have traditionally
12 failed to meet student achievement goals and have been
13 overrepresented in school suspensions and other disciplinary
14 actions,and may include, but need not be limited to, program
15 graduates' satisfaction with training and the unit's
16 responsiveness to local school districts. Additional criteria
17 for continued program approval for nonpublic institutions
18 shall be developed in the same manner as for public
19 institutions; however, such criteria must be based upon
20 significant, objective, and quantifiable graduate performance
21 measures. Responsibility for collecting data on outcome
22 measures through survey instruments and other appropriate
23 means shall be shared by the institutions of higher education,
24 the Board of Regents, the State Board of Independent Colleges
25 and Universities, and the Department of Education. By January
26 1 of each year, the Department of Education, in cooperation
27 with the Board of Regents and the State Board of Independent
28 Colleges and Universities, shall report this information for
29 each postsecondary institution that has state-approved
30 programs of teacher education to the Governor, the
31 Commissioner of Education, the Chancellor of the State

1 University System, the President of the Senate, the Speaker of
2 the House of Representatives, all Florida postsecondary
3 teacher preparation programs, and interested members of the
4 public. This report must analyze the data and make
5 recommendations for improving teacher preparation programs in
6 the state.

7 (5) PRESERVICE FIELD EXPERIENCE.--All postsecondary
8 instructors, school district personnel and instructional
9 personnel, and school sites preparing instructional personnel
10 through preservice field experience courses and internships
11 shall meet special requirements.

12 (a) All instructors in postsecondary teacher
13 preparation programs who instruct or supervise preservice
14 field experience courses or internships shall have at least
15 one of the following: specialized training in clinical
16 supervision; a valid professional teaching certificate
17 pursuant to ss. 231.17 and 231.24; or at least 3 years of
18 successful teaching experience in prekindergarten through
19 grade 12; ~~or a commitment to spend periods of time specified~~
20 ~~by State Board of Education rule teaching in the public~~
21 ~~schools.~~

22 (b) All school district personnel and instructional
23 personnel who supervise or direct teacher preparation students
24 during field experience courses or internships must have
25 evidence of "clinical educator" training. The Education
26 Standards Commission shall recommend, and the state board
27 shall approve, the training requirements.

28 Section 57. Subsection (29) of section 984.03, Florida
29 Statutes, 1998 Supplement, is amended, subsection (57) of said
30 section is renumbered as subsection (59), and new subsections
31 (57) and (58) are added to said section, to read:

1 984.03 Definitions.--When used in this chapter, the
2 term:

3 (29) "Habitually truant" means that:

4 (a) The child has 15 unexcused absences within 90
5 calendar days with or without the knowledge or justifiable
6 consent of the child's parent or legal guardian, is subject to
7 compulsory school attendance under s. 232.01, and is not
8 exempt under s. 232.06, s. 232.09, or any other exemptions
9 specified by law or the rules of the State Board of Education.

10 (b) ~~Escalating~~ Activities to determine the cause, and
11 to attempt the remediation, of the child's truant behavior
12 under ss. 232.17 and 232.19 have been completed.

13
14 If a child who is subject to compulsory school attendance is
15 responsive to the interventions described in ss. 232.17 and
16 232.19 and has completed the necessary requirements to pass
17 the current grade as indicated in the district pupil
18 progression plan, the child shall not be determined to be
19 habitually truant and shall be passed. If a child within the
20 compulsory school attendance age has 15 unexcused absences
21 within 90 calendar days or fails to enroll in school, the
22 State Attorney shall ~~may~~ file a child-in-need-of-services
23 petition unless. ~~Prior to filing a petition, the child must~~
24 ~~be referred to the appropriate agency for evaluation. after~~
25 ~~consulting with the evaluating agency, the State Attorney~~
26 determines that another alternative placement is preferable
27 ~~may elect to file a child-in-need-of-services petition.~~

28 (c) A school representative, designated according to
29 school board policy, and a juvenile probation officer of the
30 Department of Juvenile Justice have jointly investigated the
31 truancy problem or, if that was not feasible, have performed

1 separate investigations to identify conditions that may be
2 contributing to the truant behavior; and if, after a joint
3 staffing of the case to determine the necessity for services,
4 such services were determined to be needed, the persons who
5 performed the investigations met jointly with the family and
6 child to discuss any referral to appropriate community
7 agencies for economic services, family or individual
8 counseling, or other services required to remedy the
9 conditions that are contributing to the truant behavior.

10 (d) The failure or refusal of the parent or legal
11 guardian or the child to participate, or make a good faith
12 effort to participate, in the activities prescribed to remedy
13 the truant behavior, or the failure or refusal of the child to
14 return to school after participation in activities required by
15 this subsection, or the failure of the child to stop the
16 truant behavior after the school administration and the
17 Department of Juvenile Justice have worked with the child as
18 described in s. 232.19(3) and (4) shall be handled as
19 prescribed in s. 232.19.

20 (57) "Truancy court" means the circuit court's chosen
21 delegation of the authority to hear a truancy petition to a
22 hearing officer who shall have all the authority of the
23 circuit court for the purpose of hearing the truancy petition
24 and ordering sanctions under s. 984.151.

25 (58) "Truancy petition" means a petition filed by the
26 school superintendent alleging that a student subject to
27 compulsory school attendance has had more than 15 unexcused
28 absences in a 90 calendar day period. A truancy petition is
29 filed in truancy court and processed under s. 984.151.

30 Section 58. Section 984.151, Florida Statutes, is
31 created to read:

1 984.151 Truancy court; petition; prosecution;
2 disposition.--

3 (1) If the school determines that a student subject to
4 compulsory school attendance has had more than 15 unexcused
5 absences in a 90 calendar day period, the superintendent may
6 file a truancy petition in truancy court.

7 (2) The petition shall be filed in the circuit where
8 the student is enrolled in school.

9 (3) Original jurisdiction to hear a truancy petition
10 shall be in the circuit court; however, the circuit court may
11 choose to delegate this authority to a special hearing master
12 trained in truancy issues.

13 (4) The petition shall contain the following: name,
14 age, and address of the student, name and address of the
15 student's parent or guardian; school where the student is
16 enrolled; what efforts the school has made to get the student
17 to attend school; number of out-of-school contacts between the
18 school system and student's parent or guardian; number of days
19 and dates of days the student has missed school. The petition
20 shall be sworn to by the superintendent or his or her
21 designee.

22 (5) Once the petition is filed, the truancy court
23 shall hear the petition within 30 days.

24 (6) The student and the student's parent or guardian
25 shall attend the hearing.

26 (7) If the court determines that the student did miss
27 any of the alleged days, the court shall order the student to
28 attend school and the parent to ensure that the student
29 attends school, and may order any of the following: the
30 student to participate in alternative sanctions to include
31 mandatory attendance at alternative classes to be followed by

1 mandatory community services hours for a period up to 6
2 months; the student and the student's parent or guardian to
3 participate in homemaker or parent aide services; the student
4 or the student's parent or guardian to participate in
5 intensive crisis counseling; the student or the student's
6 parent or guardian to participate in community mental health
7 services if available and applicable; the student and the
8 student's parent or guardian to participate in service
9 provided by voluntary or community agencies as available; the
10 student or the student's parent or guardian to participate in
11 vocational, job training, or employment services.

12 (8) If the student does not successfully complete the
13 sanctions ordered in subsection (7), the case shall be
14 referred to the case staffing committee under s. 984.12 with a
15 recommendation to file a child-in-need-of-services petition
16 under s. 984.15.

17 Section 59. For the purpose of incorporating
18 amendments to sections or subdivisions of the Florida Statutes
19 included in sections 1 through 16 of this act in references
20 thereto, the sections or subdivisions of Florida Statutes or
21 Florida Statutes, 1998 Supplement, set forth below are
22 reenacted to read:

23 24.121 Allocation of revenues and expenditure of funds
24 for public education.--

25 (5)

26 (b) Except as provided in paragraphs (c), (d), and
27 (e), the Legislature shall equitably apportion moneys in the
28 trust fund among public schools, community colleges, and
29 universities.

30 (c) A portion of such net revenues, as determined
31 annually by the Legislature, shall be distributed to each

1 school district and shall be made available to each public
2 school in the district for enhancing school performance
3 through development and implementation of a school improvement
4 plan pursuant to s. 230.23(16). A portion of these moneys, as
5 determined annually in the General Appropriations Act, must be
6 allocated to each school in an equal amount for each student
7 enrolled. These moneys may be expended only on programs or
8 projects selected by the school advisory council or by a
9 parent advisory committee created pursuant to this paragraph.
10 If a school does not have a school advisory council, the
11 district advisory council must appoint a parent advisory
12 committee composed of parents of students enrolled in that
13 school, which committee is representative of the ethnic,
14 racial, and economic community served by the school, to advise
15 the school's principal on the programs or projects to be
16 funded. A principal may not override the recommendations of
17 the school advisory council or the parent advisory committee.
18 These moneys may not be used for capital improvements, nor may
19 they be used for any project or program that has a duration of
20 more than 1 year; however, a school advisory council or parent
21 advisory committee may independently determine that a program
22 or project formerly funded under this paragraph should receive
23 funds in a subsequent year.

24 120.81 Exceptions and special requirements; general
25 areas.--

26 (1) EDUCATIONAL UNITS.--

27 (b) Notwithstanding s. 120.52(15), any tests, test
28 scoring criteria, or testing procedures relating to student
29 assessment which are developed or administered by the
30 Department of Education pursuant to s. 229.57, s. 232.245, s.

31

1 232.246, or s. 232.247, or any other statewide educational
2 tests required by law, are not rules.

3 228.056 Charter schools.--

4 (9) CHARTER.--The major issues involving the operation
5 of a charter school shall be considered in advance and written
6 into the charter. The charter shall be signed by the governing
7 body of the charter school and the sponsor, following a public
8 hearing to ensure community input.

9 (e) A sponsor shall ensure that the charter is
10 innovative and consistent with the state education goals
11 established by s. 229.591.

12 228.0565 Deregulated public schools.--

13 (6) ELEMENTS OF THE PROPOSAL.--The major issues
14 involving the operation of a deregulated public school shall
15 be considered in advance and written into the proposal.

16 (b) The school shall make annual progress reports to
17 the district, which upon verification shall be forwarded to
18 the Commissioner of Education at the same time as other annual
19 school accountability reports. The report shall contain at
20 least the following information:

21 1. The school's progress towards achieving the goals
22 outlined in its proposal.

23 2. The information required in the annual school
24 report pursuant to s. 229.592.

25 3. Financial records of the school, including revenues
26 and expenditures.

27 4. Salary and benefit levels of school employees.

28 (c) A school district shall ensure that the proposal
29 is innovative and consistent with the state education goals
30 established by s. 229.591.

31

1 (d) Upon receipt of the annual report required by
2 paragraph (b), the Department of Education shall provide to
3 the State Board of Education, the Commissioner of Education,
4 the President of the Senate, and the Speaker of the House of
5 Representatives with a copy of each report and an analysis and
6 comparison of the overall performance of students, to include
7 all students in deregulated public schools whose scores are
8 counted as part of the norm-referenced assessment tests,
9 versus comparable public school students in the district as
10 determined by norm-referenced assessment tests currently
11 administered in the school district, and, as appropriate, the
12 Florida Writes Assessment Test, the High School Competency
13 Test, and other assessments administered pursuant to s.
14 229.57(3).

15 228.301 Test security.--

16 (1) It is unlawful for anyone knowingly and willfully
17 to violate test security rules adopted by the State Board of
18 Education or the Commissioner of Education for mandatory tests
19 administered by or through the State Board of Education or the
20 Commissioner of Education to students, educators, or
21 applicants for certification or administered by school
22 districts pursuant to s. 229.57, or, with respect to any such
23 test, knowingly and willfully to:

24 (a) Give examinees access to test questions prior to
25 testing;

26 (b) Copy, reproduce, or use in any manner inconsistent
27 with test security rules all or any portion of any secure test
28 booklet;

29 (c) Coach examinees during testing or alter or
30 interfere with examinees' responses in any way;

31 (d) Make answer keys available to examinees;

1 (e) Fail to follow security rules for distribution and
2 return of secure test as directed, or fail to account for all
3 secure test materials before, during, and after testing;

4 (f) Fail to follow test administration directions
5 specified in the test administration manuals; or

6 (g) Participate in, direct, aid, counsel, assist in,
7 or encourage any of the acts prohibited in this section.

8 229.551 Educational management.--

9 (1) The department is directed to identify all
10 functions which under the provisions of this act contribute
11 to, or comprise a part of, the state system of educational
12 accountability and to establish within the department the
13 necessary organizational structure, policies, and procedures
14 for effectively coordinating such functions. Such policies
15 and procedures shall clearly fix and delineate
16 responsibilities for various aspects of the system and for
17 overall coordination of the total system. The commissioner
18 shall perform the following duties and functions:

19 (c) Development of database definitions and all other
20 items necessary for full implementation of a comprehensive
21 management information system as required by s. 229.555;

22 (3) As a part of the system of educational
23 accountability, the department shall:

24 (a) Develop minimum performance standards for various
25 grades and subject areas, as required in ss. 229.565 and
26 229.57.

27 (b) Administer the statewide assessment testing
28 program created by s. 229.57.

29 (c) Develop and administer an educational evaluation
30 program, including the provisions of the Plan for Educational
31

1 Assessment developed pursuant to s. 9, chapter 70-399, Laws of
2 Florida, and adopted by the State Board of Education.
3 (d) Review the school advisory councils of each
4 district as required by s. 229.58.
5 (e) Conduct the program evaluations required by s.
6 229.565.
7 (f) Maintain a listing of college-level communication
8 and computation skills defined by the Articulation
9 Coordinating Committee as being associated with successful
10 student performance through the baccalaureate level and submit
11 the same to the State Board of Education for approval.
12 (g) Maintain a listing of tests and other assessment
13 procedures which measure and diagnose student achievement of
14 college-level communication and computation skills and submit
15 the same to the State Board of Education for approval.
16 (h) Maintain for the information of the State Board of
17 Education and the Legislature a file of data compiled by the
18 Articulation Coordinating Committee to reflect achievement of
19 college-level communication and computation competencies by
20 students in state universities and community colleges.
21 (i) Develop or contract for, and submit to the State
22 Board of Education for approval, tests which measure and
23 diagnose student achievement of college-level communication
24 and computation skills. Any tests and related documents
25 developed are exempt from the provisions of s. 119.07(1). The
26 commissioner shall maintain statewide responsibility for the
27 administration of such tests and may assign administrative
28 responsibilities for the tests to any public university or
29 community college. The state board, upon recommendation of
30 the commissioner, is authorized to enter into contracts for
31 such services beginning in one fiscal year and continuing into

1 the next year which are paid from the appropriation for either
2 or both fiscal years.

3 (j) Perform any other functions that may be involved
4 in educational planning, research, and evaluation or that may
5 be required by the commissioner, the State Board of Education,
6 or law.

7 230.03 Management, control, operation, administration,
8 and supervision.--The district school system must be managed,
9 controlled, operated, administered, and supervised as follows:

10 (4) PRINCIPAL OR HEAD OF SCHOOL.--Responsibility for
11 the administration of any school or schools at a given school
12 center, for the supervision of instruction therein, and for
13 providing leadership in the development or revision and
14 implementation of a school improvement plan required pursuant
15 to s. 230.23(16) shall be delegated to the principal or head
16 of the school or schools as hereinafter set forth and in
17 accordance with rules established by the school board.

18 230.2316 Dropout prevention.--

19 (4) PROGRAM IMPLEMENTATION.--

20 (b) Each school that establishes or continues a
21 dropout prevention program at that school site shall reflect
22 that program in the school improvement plan as required under
23 s. 230.23(16).

24 231.24 Process for renewal of professional
25 certificates.--

26 (3) For the renewal of a professional certificate, the
27 following requirements must be met:

28 (a) The applicant must earn a minimum of 6 college
29 credits or 120 inservice points or a combination thereof. For
30 each area of specialization to be retained on a certificate,
31 the applicant must earn at least 3 of the required credit

1 hours or equivalent inservice points in the specialization
2 area. Education in "clinical educator" training pursuant to s.
3 240.529(5)(b) and credits or points that provide training in
4 the area of exceptional student education, normal child
5 development, and the disorders of development may be applied
6 toward any specialization area. Credits or points that provide
7 training in the areas of drug abuse, child abuse and neglect,
8 strategies in teaching students having limited proficiency in
9 English, or dropout prevention, or training in areas
10 identified in the educational goals and performance standards
11 adopted pursuant to ss. 229.591(3) and 229.592 may be applied
12 toward any specialization area. Credits or points earned
13 through approved summer institutes may be applied toward the
14 fulfillment of these requirements. Inservice points may also
15 be earned by participation in professional growth components
16 approved by the State Board of Education and specified
17 pursuant to s. 236.0811 in the district's approved master plan
18 for inservice educational training, including, but not limited
19 to, serving as a trainer in an approved teacher training
20 activity, serving on an instructional materials committee or a
21 state board or commission that deals with educational issues,
22 or serving on an advisory council created pursuant to s.
23 229.58.

24 231.36 Contracts with instructional staff,
25 supervisors, and principals.--

26 (3)

27 (e) A professional service contract shall be renewed
28 each year unless the superintendent, after receiving the
29 recommendations required by s. 231.29, charges the employee
30 with unsatisfactory performance and notifies the employee of
31 performance deficiencies as required by s. 231.29. An employee

1 who holds a professional service contract on July 1, 1997, is
2 subject to the procedures set forth in paragraph (f) during
3 the term of the existing professional service contract. The
4 employee is subject to the procedures set forth in s.
5 231.29(3)(d) upon the next renewal of the professional service
6 contract; however, if the employee is notified of performance
7 deficiencies before the next contract renewal date, the
8 procedures of s. 231.29(3)(d) do not apply until the
9 procedures set forth in paragraph (f) have been exhausted and
10 the professional service contract is subsequently renewed.

11 (f) The superintendent shall notify an employee who
12 holds a professional service contract on July 1, 1997, in
13 writing, no later than 6 weeks prior to the end of the
14 postschool conference period, of performance deficiencies
15 which may result in termination of employment, if not
16 corrected during the subsequent year of employment (which
17 shall be granted for an additional year in accordance with the
18 provisions in subsection (1)). Except as otherwise hereinafter
19 provided, this action shall not be subject to the provisions
20 of chapter 120, but the following procedures shall apply:

21 1. On receiving notice of unsatisfactory performance,
22 the employee, on request, shall be accorded an opportunity to
23 meet with the superintendent or the superintendent's designee
24 for an informal review of the determination of unsatisfactory
25 performance.

26 2. An employee notified of unsatisfactory performance
27 may request an opportunity to be considered for a transfer to
28 another appropriate position, with a different supervising
29 administrator, for the subsequent year of employment.

30 3. During the subsequent year, the employee shall be
31 provided assistance and inservice training opportunities to

1 help correct the noted performance deficiencies. The employee
2 shall also be evaluated periodically so that he or she will be
3 kept apprised of progress achieved.

4 4. Not later than 6 weeks prior to the close of the
5 postschool conference period of the subsequent year, the
6 superintendent, after receiving and reviewing the
7 recommendation required by s. 231.29, shall notify the
8 employee, in writing, whether the performance deficiencies
9 have been corrected. If so, a new professional service
10 contract shall be issued to the employee. If the performance
11 deficiencies have not been corrected, the superintendent may
12 notify the school board and the employee, in writing, that the
13 employee shall not be issued a new professional service
14 contract; however, if the recommendation of the superintendent
15 is not to issue a new professional service contract, and if
16 the employee wishes to contest such recommendation, the
17 employee will have 15 days from receipt of the
18 superintendent's recommendation to demand, in writing, a
19 hearing. In such hearing, the employee may raise as an issue,
20 among other things, the sufficiency of the superintendent's
21 charges of unsatisfactory performance. Such hearing shall be
22 conducted at the school board's election in accordance with
23 one of the following procedures:

24 a. A direct hearing conducted by the school board
25 within 60 days of receipt of the written appeal. The hearing
26 shall be conducted in accordance with the provisions of ss.
27 120.569 and 120.57. A majority vote of the membership of the
28 school board shall be required to sustain the superintendent's
29 recommendation. The determination of the school board shall
30 be final as to the sufficiency or insufficiency of the grounds
31 for termination of employment; or

1 b. A hearing conducted by an administrative law judge
2 assigned by the Division of Administrative Hearings of the
3 Department of Management Services. The hearing shall be
4 conducted within 60 days of receipt of the written appeal in
5 accordance with chapter 120. The recommendation of the
6 administrative law judge shall be made to the school board. A
7 majority vote of the membership of the school board shall be
8 required to sustain or change the administrative law judge's
9 recommendation. The determination of the school board shall be
10 final as to the sufficiency or insufficiency of the grounds
11 for termination of employment.

12 232.2454 District student performance standards,
13 instruments, and assessment procedures.--

14 (1) School districts are required to obtain or develop
15 and implement assessments of student achievement as necessary
16 to accurately measure student progress and to report this
17 progress to parents or legal guardians according to s.
18 232.245. Each school district shall implement the assessment
19 program pursuant to the procedures it adopts.

20 232.246 General requirements for high school
21 graduation.--

22 (5) Each district school board shall establish
23 standards for graduation from its schools, and these standards
24 must include:

25 (a) Earning passing scores on the high school
26 competency test defined in s. 229.57(3)(c).

27 (b) Completion of all other applicable requirements
28 prescribed by the district school board pursuant to s.
29 232.245.

30 232.248 Confidentiality of assessment
31 instruments.--All examination and assessment instruments,

1 including developmental materials and workpapers directly
2 related thereto, which are prepared, prescribed, or
3 administered pursuant to ss. 229.57, 232.245, 232.246, and
4 232.247 shall be confidential and exempt from the provisions
5 of s. 119.07(1) and from ss. 229.781 and 230.331. Provisions
6 governing access, maintenance, and destruction of such
7 instruments and related materials shall be prescribed by rules
8 of the state board.

9 232.2481 Graduation and promotion requirements for
10 publicly operated schools.--

11 (1) Each state or local public agency, including the
12 Department of Health and Rehabilitative Services, the
13 Department of Corrections, the Board of Regents, boards of
14 trustees of community colleges, and the Board of Trustees of
15 the Florida School for the Deaf and the Blind, which agency is
16 authorized to operate educational programs for students at any
17 level of grades kindergarten through 12 shall be subject to
18 all applicable requirements of ss. 232.245, 232.246, 232.247,
19 and 232.248. Within the content of these cited statutes each
20 such state or local public agency shall be considered a
21 "district school board."

22 233.09 Duties of each state instructional materials
23 committee.--The duties of each state instructional materials
24 committee shall be:

25 (4) EVALUATION OF INSTRUCTIONAL MATERIALS.--To
26 evaluate carefully all instructional materials submitted, to
27 ascertain which instructional materials, if any, submitted for
28 consideration best implement the selection criteria developed
29 by the Commissioner of Education and those curricular
30 objectives included within applicable performance standards
31 provided for in s. 229.565.

1 (a) When recommending instructional materials for use
2 in the schools, each committee shall include only
3 instructional materials that accurately portray the ethnic,
4 socioeconomic, cultural, and racial diversity of our society,
5 including men and women in professional, vocational, and
6 executive roles, and the role and contributions of the
7 entrepreneur and labor in the total development of this state
8 and the United States.

9 (b) When recommending instructional materials for use
10 in the schools, each committee shall include only materials
11 which accurately portray, whenever appropriate, humankind's
12 place in ecological systems, including the necessity for the
13 protection of our environment and conservation of our natural
14 resources and the effects on the human system of the use of
15 tobacco, alcohol, controlled substances, and other dangerous
16 substances.

17 (c) When recommending instructional materials for use
18 in the schools, each committee shall require such materials as
19 it deems necessary and proper to encourage thrift, fire
20 prevention, and humane treatment of people and animals.

21 (d) When recommending instructional materials for use
22 in the schools, each committee shall require, when appropriate
23 to the comprehension of pupils, that materials for social
24 science, history, or civics classes contain the Declaration of
25 Independence and the Constitution of the United States. No
26 instructional materials shall be recommended by any committee
27 for use in the schools which contain any matter reflecting
28 unfairly upon persons because of their race, color, creed,
29 national origin, ancestry, gender, or occupation.

30 (e) All instructional materials recommended by each
31 committee for use in the schools shall be, to the satisfaction

1 of each committee, accurate, objective, and current and suited
2 to the needs and comprehension of pupils at their respective
3 grade levels. Instructional materials committees shall
4 consider for adoption materials developed for academically
5 talented students such as those enrolled in advanced placement
6 courses.

7 (f) When recommending instructional materials for use
8 in the schools, each committee shall have the recommendations
9 of all districts which submit evaluations on the materials
10 submitted for adoption in that particular subject area
11 aggregated and presented to the members to aid them in the
12 selection process; however, such aggregation shall be weighted
13 in accordance with the full-time equivalent student percentage
14 of each district. Each committee shall prepare an additional
15 aggregation, unweighted, with each district recommendation
16 given equal consideration. No instructional materials shall
17 be evaluated or recommended for adoption unless each of the
18 district committees shall have been loaned the specified
19 number of samples.

20 (g) In addition to relying on statements of publishers
21 or manufacturers of instructional material, any committee may
22 conduct, or cause to be conducted, an independent
23 investigation as to the compliance of submitted materials with
24 the requirements of this section.

25 233.165 Standards for selection.--

26 (1) In the selection of instructional materials,
27 library books, and other reading material used in the public
28 school system, the standards used to determine the propriety
29 of the material shall include:

30 (b) The educational purpose to be served by the
31 material. In considering instructional materials for classroom

1 use, priority shall be given to the selection of materials
2 which encompass the state and district performance standards
3 provided for in ss. 229.565 and 232.2454 and which include the
4 instructional objectives contained within the curriculum
5 frameworks approved by the State Board of Education, to the
6 extent that appropriate curriculum frameworks have been
7 approved by the board.

8 233.25 Duties, responsibilities, and requirements of
9 publishers and manufacturers of instructional
10 materials.--Publishers and manufacturers of instructional
11 materials, or their representatives, shall:

12 (3) Submit, at a time designated in s. 233.14, the
13 following information:

14 (b) Written proof that the publisher has provided
15 written correlations to appropriate curricular objectives
16 included within applicable performance standards provided for
17 in s. 229.565.

18 236.08106 Excellent Teaching Program.--

19 (2) The Excellent Teaching Program is created to
20 provide categorical funding for monetary incentives and
21 bonuses for teaching excellence. The Department of Education
22 shall allocate and distribute to each school district an
23 amount as prescribed annually by the Legislature for the
24 Excellent Teaching Program. Unless otherwise provided in the
25 General Appropriations Act, each school district's annual
26 allocation shall be the sum of the amounts earned for the
27 following incentives and bonuses:

28 (a) A fee subsidy to be paid by the school district to
29 the NBPTS on behalf of each individual who is an employee of
30 the district school board or a public school within that
31 school district, who is certified by the district to have

1 demonstrated satisfactory teaching performance pursuant to s.
2 231.29 and who satisfies the prerequisites for participating
3 in the NBPTS certification program, and who agrees, in
4 writing, to pay 10 percent of the NBPTS participation fee and
5 to participate in the NBPTS certification program during the
6 school year for which the fee subsidy is provided. The fee
7 subsidy for each eligible participant shall be an amount equal
8 to 90 percent of the fee charged for participating in the
9 NBPTS certification program, but not more than \$1,800 per
10 eligible participant. The fee subsidy is a one-time award and
11 may not be duplicated for any individual.

12 (c) An annual bonus equal to 10 percent of the prior
13 fiscal year's statewide average salary for classroom teachers
14 to be paid to each individual who holds NBPTS certification
15 and is employed by the district school board or by a public
16 school within that school district. The district school board
17 shall distribute the annual bonus to each individual who meets
18 the requirements of this paragraph and who is certified
19 annually by the district to have demonstrated satisfactory
20 teaching performance pursuant to s. 231.29. The annual bonus
21 may be paid as a single payment or divided into not more than
22 three payments.

23 236.685 Educational funding accountability.--

24 (6) The annual school public accountability report
25 required by ss. 229.592(5) and 230.23(18) must include a
26 school financial report. The purpose of the school financial
27 report is to better inform parents and the public concerning
28 how revenues were spent to operate the school during the prior
29 fiscal year. Each school's financial report must follow a
30 uniform, districtwide format that is easy to read and
31 understand.

1 (a) Total revenue must be reported at the school,
2 district, and state levels. The revenue sources that must be
3 addressed are state and local funds, other than lottery funds;
4 lottery funds; federal funds; and private donations.

5 (b) Expenditures must be reported as the total
6 expenditures per unweighted full-time equivalent student at
7 the school level and the average expenditures per full-time
8 equivalent student at the district and state levels in each of
9 the following categories and subcategories:

10 1. Teachers, excluding substitute teachers, and
11 teacher aides who provide direct classroom instruction to
12 students enrolled in programs classified by s. 236.081 as:

- 13 a. Basic programs;
- 14 b. Students-at-risk programs;
- 15 c. Special programs for exceptional students;
- 16 d. Career education programs; and
- 17 e. Adult programs.

18 2. Substitute teachers.

19 3. Other instructional personnel, including
20 school-based instructional specialists and their assistants.

21 4. Contracted instructional services, including
22 training for instructional staff and other contracted
23 instructional services.

24 5. School administration, including school-based
25 administrative personnel and school-based education support
26 personnel.

27 6. The following materials, supplies, and operating
28 capital outlay:

- 29 a. Textbooks;
- 30 b. Computer hardware and software;
- 31 c. Other instructional materials;

- 1 d. Other materials and supplies; and
- 2 e. Library media materials.
- 3 7. Food services.
- 4 8. Other support services.
- 5 9. Operation and maintenance of the school plant.
- 6 (c) The school financial report must also identify the
- 7 types of district-level expenditures that support the school's
- 8 operations. The total amount of these district-level
- 9 expenditures must be reported and expressed as total
- 10 expenditures per full-time equivalent student.

11

12 As used in this subsection, the term "school" means a "school
13 center" as defined by s. 228.041.

14 239.101 Legislative intent.--

15 (7) The Legislature finds that career education is a
16 crucial component of the educational programs conducted within
17 school districts and community colleges. Accordingly, career
18 education must be represented in accountability processes
19 undertaken for educational institutions. It is the intent of
20 the Legislature that the vocational standards articulated in
21 s. 239.229(2) be considered in the development of
22 accountability measures for public schools pursuant to ss.
23 229.591, 229.592, 229.593, 229.594, and 230.23(16) and for
24 community colleges pursuant to s. 240.324.

25 239.229 Vocational standards.--

26 (1) The purpose of career education is to enable
27 students who complete vocational programs to attain and
28 sustain employment and realize economic self-sufficiency. The
29 purpose of this section is to identify issues related to
30 career education for which school boards and community college
31 boards of trustees are accountable. It is the intent of the

1 Legislature that the standards articulated in subsection (2)
2 be considered in the development of accountability standards
3 for public schools pursuant to ss. 229.591, 229.592, 229.593,
4 229.594, and 230.23(16) and for community colleges pursuant to
5 s. 240.324.

6 (3) Each area technical center operated by a school
7 board shall establish a center advisory council pursuant to s.
8 229.58. The center advisory council shall assist in the
9 preparation and evaluation of center improvement plans
10 required pursuant to s. 230.23(16) and may provide assistance,
11 upon the request of the center director, in the preparation of
12 the center's annual budget and plan as required by s.
13 229.555(1).

14 240.118 Postsecondary feedback of information to high
15 schools.--

16 (4) As a part of the school improvement plan pursuant
17 to s. 229.592, the State Board of Education shall ensure that
18 each school district and high school develops strategies to
19 improve student readiness for the public postsecondary level
20 based on annual analysis of the feedback report data.

21 240.529 Public accountability and state approval for
22 teacher preparation programs.--

23 (1) INTENT.--The Legislature recognizes that skilled
24 teachers make the most important contribution to a quality
25 educational system and that competent teachers are produced by
26 effective and accountable teacher preparation programs. The
27 intent of the Legislature is to establish a system for
28 development and approval of teacher preparation programs that
29 will free postsecondary teacher preparation institutions to
30 employ varied and innovative teacher preparation techniques
31 while being held accountable for producing teachers with the

1 competencies and skills for achieving the state education
2 goals and sustaining the state system of school improvement
3 and education accountability established pursuant to ss.
4 229.591, 229.592, and 229.593.

5 Section 60. If any provision of this act or the
6 application thereof to any person or circumstance is held
7 invalid, the invalidity shall not affect other provisions or
8 applications of the act which can be given effect without the
9 invalid provision or application, and to this end the
10 provisions of this act are declared severable.

11 Section 61. Except as otherwise provided herein, this
12 act shall take effect upon becoming a law.

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