

1                   A bill to be entitled  
2           An act relating to a high-quality education  
3           system; amending s. 229.0535, F.S.; revising  
4           provisions relating to the authority of the  
5           State Board of Education to enforce school  
6           improvement; creating s. 229.0537, F.S.;  
7           providing findings and intent language;  
8           requiring private school opportunity  
9           scholarships to be provided to certain public  
10          school students; providing student eligibility  
11          requirements; providing school district  
12          requirements; providing an alternative to  
13          accepting a state opportunity scholarship;  
14          providing private school eligibility criteria;  
15          providing student attendance requirements;  
16          providing parental involvement requirements;  
17          providing a district reporting requirement;  
18          providing for calculation of the amount and  
19          distribution of state opportunity scholarship  
20          funds; authorizing the adoption of rules;  
21          amending s. 229.512, F.S.; revising provisions  
22          relating to the authority of the Commissioner  
23          of Education regarding the implementation of  
24          the program of school improvement and education  
25          accountability; amending s. 229.555, F.S.,  
26          relating to educational planning and  
27          information systems; revising to conform;  
28          amending s. 229.565, F.S.; eliminating the  
29          requirement that the Commissioner of Education  
30          designate program categories and grade levels  
31          for which performance standards are to be

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; revising provisions relating to  
26 the probation of certain employees; amending s.  
27 231.546, F.S.; specifying duties of the  
28 Education Standards Commission; amending s.  
29 231.600, F.S.; prescribing the responsibilities  
30 of school district professional-development  
31 programs; amending s. 236.08106, F.S.; revising

1 provisions of the Excellent Teaching Program;  
2 providing for withholding of wages to repay the  
3 certification fee subsidy owed the state by an  
4 employee who defaults; providing exceptions;  
5 authorizing the State Board of Education to  
6 adopt rules; amending s. 240.529, F.S.;  
7 requiring the Commissioner to appoint a Teacher  
8 Preparation Program Committee to recommend core  
9 curricula for state-approved teacher  
10 preparation programs and requiring the State  
11 Board of Education to adopt rules establishing  
12 uniform core curricula; revising criteria for  
13 initial and continuing approval of  
14 teacher-preparation programs; increasing the  
15 requirements for a student to enroll in and  
16 graduate from a teacher-education program;  
17 requiring preservice field experience programs  
18 to include supervised contact with lower  
19 achieving students; requiring annual reports of  
20 program performance; creating s. 231.6135,  
21 F.S.; establishing a statewide system for  
22 in-service professional development;  
23 authorizing professional development academies  
24 to meet human resource development and  
25 education instruction training needs of  
26 educators, schools, and school districts;  
27 providing for organization and operation by  
28 public and private partners; providing for  
29 funding; specifying duties of the Commissioner  
30 of Education; repealing s. 231.601, F.S.,  
31 relating to purpose of inservice training for



1 instructional personnel; amending s. 230.23,  
2 F.S.; requiring school improvement plans to  
3 include additional issues; amending s.  
4 230.2316, F.S.; specifying the elements of  
5 dropout prevention and academic intervention  
6 programs; revising the intent of the program;  
7 revising student eligibility and program  
8 criteria; revising reporting requirements for  
9 district evaluation; providing for applications  
10 by school districts to the Department of  
11 Education for grants to operate second chance  
12 schools; establishing grant and program  
13 requirements; providing for the generation of  
14 operating funds through programs of the Florida  
15 Education Finance Program; providing new  
16 requirements for students seeking to reenter  
17 traditional schools; amending s. 231.085, F.S.;  
18 requiring principals to ensure the accuracy and  
19 timeliness of school reports; requiring  
20 principals to provide staff training  
21 opportunities; creating s. 232.001, F.S.;  
22 allowing certain district school boards to  
23 implement pilot projects to raise the  
24 compulsory age of attendance for children;  
25 providing requirements for school boards that  
26 choose to participate in pilot projects;  
27 providing for the applicability of state law  
28 and State Board of Education rule; providing an  
29 exception from the provisions relating to a  
30 declaration of intent to terminate school  
31 enrollment; requiring a study; amending s.

1 232.09, F.S.; clarifying scope of reference to  
2 term "criminal prosecution"; amending s.  
3 232.17, F.S.; providing legislative findings;  
4 placing responsibility on school district  
5 superintendents for enforcing attendance;  
6 establishing requirements for school board  
7 policies; revising the current steps for  
8 enforcing regular school attendance; requiring  
9 public schools to follow the steps;  
10 establishing the requirements for school  
11 principals, primary teachers, child study  
12 teams, and parents; providing for parents to  
13 appeal; allowing the superintendent to seek  
14 criminal prosecution for parental  
15 noncompliance; requiring the parent or guardian  
16 or the superintendent to file certain petitions  
17 involving ungovernable children in certain  
18 circumstances; requiring the superintendent to  
19 provide the court with certain evidence;  
20 allowing for court enforcement for children who  
21 refuse to comply; revising the notice  
22 requirements to parents, guardians, or others;  
23 eliminating a current condition for notice;  
24 eliminating the option for referral to case  
25 staffing committees; requiring the  
26 superintendent to take steps to bring about  
27 criminal prosecution and requiring related  
28 notice; authorizing superintendents to file  
29 truancy petitions; allowing for the return of  
30 absent children to additional locations;  
31 requiring parental notification; deleting

1 certain provisions relating to escalating  
2 series of truancy activities; amending s.  
3 232.19, F.S., relating to habitual truancy;  
4 authorizing superintendents to file truancy  
5 petitions; requiring that a court order for  
6 school attendance be obtained as a part of  
7 services; revising the requirements that must  
8 be met prior to filing a petition; amending s.  
9 236.081, F.S.; amending procedures that must be  
10 followed in determining the annual allocation  
11 to each school district for operation;  
12 requiring the average daily attendance of the  
13 student membership to be calculated by school  
14 and by district; requiring the district's FTE  
15 membership to be adjusted by multiplying by the  
16 average daily attendance factor; amending s.  
17 240.529, F.S.; providing the criteria for  
18 continued program approval; providing for the  
19 requirements for instructors in postsecondary  
20 teacher preparation programs who instruct or  
21 supervise preservice field experience courses  
22 or internships; eliminating the requirement  
23 related to a commitment to teaching in the  
24 public schools for a period of time; providing  
25 additional requirements for school district and  
26 instructional personnel who supervise or direct  
27 certain teacher preparation students; amending  
28 s. 984.03, F.S.; redefining the term "habitual  
29 truant"; requiring the state attorney or the  
30 appropriate jurisdictional agency to file a  
31 child-in-need-of-services petition in certain

1 circumstances; eliminating the requirement for  
2 referral for evaluation; providing definitions  
3 for "truancy court" and "truancy petition";  
4 creating s. 984.151, F.S.; providing procedure  
5 for truancy petitions; providing for truancy  
6 hearings and penalties; reenacting s.  
7 24.121(5)(b) and (c), F.S., relating to the  
8 Educational Enhancement Trust Fund, s.  
9 120.81(1)(b), F.S., relating to tests, test  
10 scoring criteria, or testing procedures, s.  
11 228.056(9)(e), F.S., relating to charter  
12 schools, s. 228.0565(6)(b), (c), and (d), F.S.,  
13 relating to deregulated public schools, s.  
14 228.301(1), F.S., relating to test security, s.  
15 229.551(1)(c) and (3), F.S., relating to  
16 educational management, s. 230.03(4), F.S.,  
17 relating to school district management,  
18 control, operation, administration, and  
19 supervision, s. 230.2316(4)(b), F.S., relating  
20 to dropout prevention, s. 231.24(3)(a), F.S.,  
21 relating to the process for renewal of  
22 professional certificates, s. 231.36(3)(e) and  
23 (f), F.S., relating to contracts with  
24 instructional staff, supervisors, and  
25 principals, s. 232.2454(1), F.S., relating to  
26 district student performance standards,  
27 instruments, and assessment procedures, s.  
28 232.246(5)(a) and (b), F.S., relating to  
29 general requirements for high school  
30 graduation, s. 232.248, F.S., relating to  
31 confidentiality of assessment instruments, s.

1 232.2481(1), F.S., relating to graduation and  
2 promotion requirements for publicly operated  
3 schools, s. 233.09(4), F.S., relating to duties  
4 of instructional materials committees, s.  
5 233.165(1)(b), F.S., relating to the selection  
6 of instructional materials, s. 233.25(3)(b),  
7 F.S., relating to publishers and manufacturers  
8 of instructional materials, s. 236.08106(2)(a)  
9 and (c), F.S., relating to the Excellent  
10 Teaching Program, s. 236.685(6), F.S., relating  
11 to educational funding accountability, s.  
12 239.101(7), F.S., relating to career education,  
13 s. 239.229(1) and (3), F.S., relating to  
14 vocational standards, s. 240.118(4), F.S.,  
15 relating to postsecondary feedback of  
16 information to high schools, s. 240.529(1),  
17 F.S., relating to approval of teacher  
18 preparation programs, to incorporate  
19 references; providing rulemaking authority for  
20 the State Board of Education to ensure access  
21 for nonprofit professional teacher  
22 associations; providing for severability;  
23 providing effective dates.

24  
25 WHEREAS, providing a system of high-quality public  
26 education for children is an important goal of this state, and

27 WHEREAS, Floridians reemphasized their aspiration to  
28 provide for a system of high-quality public education for  
29 children in this state by amending Section 1 of Article IX of  
30 the State Constitution in the November 1998 General Election,  
31 and

1           WHEREAS, the Legislature recognizes that it has an  
2 important but not exclusive role in providing children with  
3 the opportunity to obtain a high-quality education in this  
4 state, and

5           WHEREAS, success in obtaining a high-quality education  
6 depends upon many influences, and

7           WHEREAS, among the most prominent influences on the  
8 educational success of children are the positive influences of  
9 parents on their children's lives and on their children's  
10 desire to learn and the active involvement of parents in the  
11 education of their children, and

12           WHEREAS, the presence of those influences is  
13 indispensable to successfully providing a system that allows  
14 students to obtain a high-quality education, and

15           WHEREAS, children will have the best opportunity to  
16 obtain a high-quality education in the public education system  
17 of this state and that system can best be enhanced when  
18 positive parental influences are present, when we allocate  
19 resources efficiently and concentrate resources to enhance a  
20 safe, secure, and disciplined classroom learning environment,  
21 when we support teachers, when we reinforce shared high  
22 academic expectations, and when we promptly reward success and  
23 promptly identify failure, as well as promptly appraise the  
24 public of both successes and failures, NOW, THEREFORE,

25  
26 Be It Enacted by the Legislature of the State of Florida:

27  
28           Section 1. Section 229.0535, Florida Statutes, is  
29 amended to read:

30           229.0535 Authority to enforce school improvement.--It  
31 is the intent of the Legislature that all public schools be

1 held accountable for ~~ensuring that~~ students performing perform  
 2 at acceptable levels. A system of school improvement and  
 3 accountability that assesses student performance by school,  
 4 identifies schools in which students are not making not  
 5 ~~providing~~ adequate progress toward state standards, and  
 6 institutes appropriate measures for enforcing improvement, and  
 7 provides rewards and sanctions based on performance shall be  
 8 the responsibility of the State Board of Education.

9 (1) Pursuant to Art. IX of the State Constitution  
 10 prescribing the duty of the State Board of Education to  
 11 supervise Florida's public school system and notwithstanding  
 12 any other statutory provisions to the contrary, the State  
 13 Board of Education shall ~~have the authority to~~ intervene in  
 14 the operation of a district school system when in cases where  
 15 one or more schools in the a school district have failed to  
 16 make adequate progress for 2 3~~consecutive~~ school years in any  
 17 4-year period. The state board may determine that the school  
 18 district or and/or school has not taken steps sufficient for  
 19 ~~to ensure that~~ students in the school to be academically in  
 20 ~~question are~~ well served. Considering recommendations of the  
 21 Commissioner of Education, the state board shall is~~authorized~~  
 22 ~~to~~ recommend action to a district school board ~~that is~~  
 23 intended to improve ~~ensure improved~~ educational services to  
 24 students in each school that is designated as performance  
 25 grade category "F" the low-performing schools in question.  
 26 Recommendations for actions to be taken in the school district  
 27 shall be made only after thorough consideration of the unique  
 28 characteristics of a school, which shall also include student  
 29 mobility rates, and the number and type of exceptional  
 30 students enrolled in the school, and whether or not the  
 31 students in the school have available options for improved

1 educational services. The state board shall adopt by rule  
2 steps to follow in this process. Such steps shall provide  
3 ~~ensure that~~ school districts ~~have~~ sufficient time to improve  
4 student performance in schools and ~~have had~~ the opportunity to  
5 present evidence of assistance and interventions that the  
6 school board has implemented.

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

12 (a) Provide additional resources, change certain  
13 practices, and provide additional assistance if the state  
14 board determines the causes of inadequate progress to be  
15 related to school district policy or practice;

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

18 (c) Contract for the educational services of the  
19 school, or reorganize the school at the end of the school year  
20 under a new principal who is authorized to hire new staff and  
21 implement a plan that addresses the causes of inadequate  
22 progress; or

23 ~~(d) Allow parents of students in the school to send~~  
24 ~~their children to another district school of their choice, if~~  
25 ~~appropriate; or~~

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

28 (3) In recommending actions to school boards, the  
29 State Board of Education shall specify the length of time  
30 available to implement the recommended action. The state  
31 board may adopt rules to further specify how it may respond in



1 specific circumstances. No action taken by the state board  
2 shall relieve a school from state accountability requirements.

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

15 Section 2. Section 229.0537, Florida Statutes, is  
16 created to read:

17 229.0537 Opportunity Scholarship Program.--

18 (1) FINDINGS AND INTENT.--The purpose of this section  
19 is to provide enhanced opportunity for students in this state  
20 to gain the knowledge and skills necessary for postsecondary  
21 education, a technical education, or the world of work. The  
22 Legislature recognizes that the voters of the State of  
23 Florida, in the November 1998 general election, amended  
24 Article IX, Section 1, of the Florida Constitution so as to  
25 make education a paramount duty of the state. The Legislature  
26 finds that the State Constitution requires the state to  
27 provide the opportunity to obtain a high-quality education.  
28 The Legislature further finds that a student should not be  
29 compelled, against the wishes of the student's parent or  
30 guardian, to remain in a school found by the state to be  
31 failing for 2 years. The Legislature shall make available

1 opportunity scholarships in order to give parents and  
2 guardians the opportunity for their children to attend a  
3 public school that is performing satisfactorily or to attend  
4 an eligible private school when the parent or guardian chooses  
5 to apply the equivalent of the public education funds  
6 generated by his or her child to the cost of tuition in the  
7 eligible private school as provided in paragraph (6)(a).  
8 Eligibility of a private school shall include the control and  
9 accountability requirements which, coupled with the exercise  
10 of parental choice, are reasonably necessary to secure the  
11 educational public purpose, as delineated in subsection (4).

12 (2) OPPORTUNITY SCHOLARSHIP ELIGIBILITY.--A public  
13 school student's parent or guardian may request and receive  
14 from the state an opportunity scholarship for the child to  
15 enroll in and attend a private school in accordance with the  
16 provisions of this section if:

17 (a) By assigned school attendance area or by special  
18 assignment, the student has spent the prior school year in  
19 attendance at a public school that has been designated  
20 pursuant to s. 229.57 as performance grade category "F,"  
21 failing to make adequate progress, and that has had 2 school  
22 years of such low performance in any 4-year period, and the  
23 student's attendance occurred during a school year in which  
24 such designation was in effect; or the parent or guardian of a  
25 student who has been in attendance elsewhere in the public  
26 school system or who is entering kindergarten or first grade  
27 has been notified that the student has been assigned to such  
28 school for the next school year;

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

30 (c) The parent or guardian has obtained acceptance for  
31 admission of the student to a private school eligible for the

1 program pursuant to subsection (4), and has notified the  
2 Department of Education and the school district of the request  
3 for an opportunity scholarship no later than July 1 of the  
4 first year in which the student intends to use the  
5 scholarship.

6  
7 The provisions of this section shall not apply to a student  
8 who is enrolled in a school operating for the purpose of  
9 providing educational services to youth in Department of  
10 Juvenile Justice commitment programs. For purposes of  
11 continuity of educational choice, the opportunity to continue  
12 attending a private school shall remain in force until the  
13 student graduates from high school or reenters the public  
14 school system. However, at any time upon reasonable notice to  
15 the Department of Education and the school district, the  
16 student's parent or guardian may remove the student from the  
17 private school and place the student in a public school, as  
18 provided in subparagraph (3)(a)2.

19 (3) SCHOOL DISTRICT OBLIGATIONS.--

20 (a) A school district shall, for each student enrolled  
21 in or assigned to a school that has been designated as  
22 performance grade category "F" for 2 school years in any  
23 4-year period:

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

27 2. Offer that student's parent or guardian an  
28 opportunity to enroll the student in the public school within  
29 the district closest to the student's residence that has been  
30 designated by the state pursuant to s. 229.67 as a school  
31 performing higher than that in which the student is currently

1 enrolled or to which the student has been assigned, but not  
2 less than performance grade category "C." The parent or  
3 guardian is not required to accept this offer in lieu of  
4 requesting a state opportunity scholarship to a private  
5 school. The opportunity to continue attending a higher  
6 performing public school shall remain in force until the  
7 student graduates from high school; and

8 3. Timely notify the parent or guardian of the student  
9 who is assigned or formerly attended the school during the  
10 designation as soon as the designation of performance grade  
11 category "F" has been removed.

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

21 (c) For students in the district who are participating  
22 in the state opportunity scholarship program, the district  
23 shall provide locations and times to take all statewide  
24 assessments required pursuant to s. 229.57.

25 (d) Students with disabilities who are eligible to  
26 receive services from the school district under federal or  
27 state law, and who participate in this program, remain  
28 eligible to receive services from the school district as  
29 provided by federal or state law.

30 (e) If for any reason a qualified private school is  
31 not available for the student or if the parent or guardian

1 chooses to request that the student be enrolled in the higher  
2 performing public school, rather than choosing to request the  
3 state opportunity scholarship, transportation costs to the  
4 higher performing public school shall be the responsibility of  
5 the school district. The district may utilize state  
6 categorical transportation funds or state-appropriated public  
7 school choice incentive funds for this purpose.

8 (4) PRIVATE SCHOOL ELIGIBILITY.--To be eligible to  
9 participate in the opportunity scholarship program, a private  
10 school must be a Florida private school, may be sectarian or  
11 nonsectarian, and must:

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

20 (b) Comply with the antidiscrimination provisions of  
21 42 U.S.C. section 2000d.

22 (c) Meet state and local health and safety laws and  
23 codes.

24 (d) Accept scholarship students on an entirely random  
25 and religious-neutral basis without regard to the student's  
26 past academic history; however, the private school may give  
27 preference in accepting applications to siblings of students  
28 who have already been accepted on a random and  
29 religious-neutral basis.

30 (e) Be subject to instruction, curriculum, and  
31 attendance criteria adopted by an appropriate non-public

1 school accrediting body and be academically accountable to the  
2 parent or guardian as meeting the educational needs of the  
3 student. Upon the parent's or guardian's request, the school  
4 shall furnish the parent or guardian with a school profile  
5 that includes student performance information.

6 (f) Comply with qualifications for school personnel  
7 consistent with s. 231.02(2) and s. 231.045.

8 (g) Comply with all state statutes relating to private  
9 schools.

10 (h) Accept as full tuition and fees the amount  
11 provided by the state for each student.

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

15 (5) OBLIGATION OF PROGRAM PARTICIPATION.--

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

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

26 (c) The parent or guardian shall ensure that the  
27 student participating in the opportunity scholarship program  
28 takes all statewide assessments required pursuant to s.  
29 229.57. Students participating in the opportunity scholarship  
30 program may take such tests at a location and at a time  
31 provided by the school district.

1           (6) OPPORTUNITY SCHOLARSHIP FUNDING AND PAYMENT.--  
2           (a)1. The maximum opportunity scholarship granted for  
3 an eligible student shall be a calculated amount equivalent to  
4 the base student allocation multiplied by the weighted cost  
5 factor for the educational program provided for the student in  
6 the district multiplied by the district cost differential. In  
7 addition, the calculated amount shall include the per student  
8 share of instructional materials funding, technology funding,  
9 and other categorical funds as provided for this purpose in  
10 the General Appropriations Act. The amount of the opportunity  
11 scholarship shall be the calculated amount or the amount of  
12 the private school's tuition and fees, whichever is less.  
13 Fees eligible shall include textbook fees, lab fees, and other  
14 fees related to instruction, including transportation. The  
15 district shall report all students who are attending a private  
16 school under this program. The students attending private  
17 schools on opportunity scholarships shall be reported  
18 separately from those students reported for purposes of the  
19 Florida Education Finance Program. The public or private  
20 school that provides services to students with disabilities  
21 shall receive the weighted funding for such services at the  
22 appropriate funding level consistent with the provisions of s.  
23 236.025.  
24           2. For purposes of calculating the opportunity  
25 scholarship, a student will be eligible for the amount of the  
26 appropriate basic cost factor if:  
27           a. The student currently participates in a Group I  
28 program funded at the basic cost factor and is not  
29 subsequently identified as having a disability; or  
30           b. The student currently participates in a Group II  
31 program and the parent or guardian has chosen a private school

1 that does not provide the additional services funded by the  
2 Group II program.

3 3. Following annual notification on July 1 of the  
4 number of participants, the Department of Education shall  
5 transfer from each school district's appropriated funds the  
6 calculated amount from the Florida Education Finance Program  
7 and authorized categorical accounts to a separate account for  
8 the Opportunity Scholarship Program for quarterly disbursement  
9 to the parents or guardians of participating students.

10 (b) Upon proper documentation, the Comptroller shall  
11 make opportunity scholarship payments in four equal amounts no  
12 later than August 1, November 1, February 1, and April 1 of  
13 each academic year in which the opportunity scholarship is in  
14 force. The initial payment shall be made after verification of  
15 admission acceptance. Subsequent payments shall be made upon  
16 verification of continued enrollment and attendance at the  
17 private school. Payment must be by individual warrant made  
18 payable to the student's parent or guardian. The warrant shall  
19 be sent directly to the eligible private school chosen by the  
20 parent or guardian and the parent or guardian shall  
21 restrictively endorse the warrant to the private school.

22 (7) LIABILITY.--No liability shall arise on the part  
23 of the state based on any grant or use of an opportunity  
24 scholarship.

25 (8) RULES.--The State Board of Education may adopt  
26 rules pursuant to ss. 120.536(1) and 120.54 to implement the  
27 provisions of this section. Rules shall include penalties for  
28 noncompliance with subsections (3) and (5). However, the  
29 inclusion of eligible private schools within options available  
30 to Florida public school students does not expand the  
31 regulatory authority of the state, its officers, or any school



1 district to impose any additional regulation of private  
2 schools beyond those reasonably necessary to enforce  
3 requirements expressly set forth in this section.

4 Section 3. Subsection (14) of section 229.512, Florida  
5 Statutes, is amended, subsections (15) and (16) are renumbered  
6 as subsections (18) and (19), respectively, and new  
7 subsections (15), (16), and (17) are added to said section to  
8 read:

9 229.512 Commissioner of Education; general powers and  
10 duties.--The Commissioner of Education is the chief  
11 educational officer of the state, and has the following  
12 general powers and duties:

13 (14) To implement a program of school improvement and  
14 education accountability designed to provide all students the  
15 opportunity to make adequate learning gains in each year of  
16 school as provided by statute and State Board of Education  
17 rule ~~which is~~ based upon the achievement of the state  
18 education goals, recognizing the State Board of Education as  
19 the body corporate responsible for the supervision of the  
20 system of public education, the school board as responsible  
21 for school and student performance, and the individual school  
22 as the unit for education accountability.†

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

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

30  
31

1           **(b) To prepare and publish annually reports giving**  
2 **statistics and other useful information pertaining to the**  
3 **opportunity scholarship program.**

4           **(17)** To have printed copies of school laws, forms,  
5 instruments, instructions, and regulations of the State Board  
6 of Education and ~~to provide for their the distribution of the~~  
7 ~~same.~~

8           Section 4. Section 229.555, Florida Statutes, is  
9 amended to read:

10           229.555 Educational planning and information  
11 systems.--

12           (1) EDUCATIONAL PLANNING.--

13           (a) The commissioner shall be responsible for all  
14 planning functions for the department, including collection,  
15 analysis, and interpretation of all data, information, test  
16 results, evaluations, and other indicators that are used to  
17 formulate policy, identify areas of concern and need, and  
18 serve as the basis for short-range and long-range planning.  
19 Such planning shall include assembling data, conducting  
20 appropriate studies and surveys, and sponsoring research and  
21 development activities designed to provide information about  
22 educational needs and the effect of alternative educational  
23 practices.

24           (b) Each district school board shall maintain a  
25 continuing system of planning and budgeting ~~which shall be~~  
26 designed to aid in identifying and meeting the educational  
27 needs of students and the public. Provision shall be made for  
28 coordination between district school boards and community  
29 college district boards of trustees concerning the planning  
30 for vocational and adult educational programs. The major  
31 emphasis of the system shall be upon locally determined goals

1 and objectives, the state plan for education, and the Sunshine  
 2 State minimum performance Standards developed by the  
 3 Department of Education and adopted by the State Board of  
 4 Education. The district planning and budgeting system must  
 5 include consideration of student achievement data obtained  
 6 pursuant to s. 229.57. The system shall be structured to meet  
 7 the specific management needs of the district and to align-  
 8 ~~The system of planning and budgeting shall ensure that the~~  
 9 budget adopted by the district school board with ~~reflect~~ the  
 10 plan the board has also adopted. Each district school board  
 11 shall utilize its system of planning and budgeting to  
 12 emphasize a system of school-based management in which  
 13 individual school centers become the principal planning units  
 14 and ~~eventually~~ to integrate planning and budgeting at the  
 15 school level.

16 (2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.--The  
 17 commissioner shall develop and implement an integrated  
 18 information system for educational management. The system must  
 19 be designed to collect, via electronic transfer, all student  
 20 and school performance data required to ascertain the degree  
 21 to which schools and school districts are meeting state  
 22 performance standards, and must be capable of producing data  
 23 for a comprehensive annual report on school and district  
 24 performance. In addition, the system shall support, as  
 25 feasible, the management decisions to be made in each division  
 26 of the department and at the individual school and district  
 27 levels. Similar data elements among divisions and levels  
 28 shall be compatible. The system shall be based on an overall  
 29 conceptual design; the information needed for such decisions,  
 30 including fiscal, student, program, personnel, facility,  
 31 community, evaluation, and other relevant data; and the

1 relationship between cost and effectiveness. The system shall  
2 be managed and administered by the commissioner and shall  
3 include a district subsystem component to be administered at  
4 the district level, with input from the reports-and-forms  
5 control management committees. Each district school system  
6 with a unique management information system shall assure that  
7 compatibility exists between its unique system and the  
8 district component of the state system so to the extent that  
9 all data required as input to the state system is ~~shall be~~  
10 made available via electronic transfer and in the appropriate  
11 input format.

12 (a) The specific responsibilities of the commissioner  
13 shall include:

14 1. Consulting with school district representatives in  
15 the development of the system design model and implementation  
16 plans for the management information system for public school  
17 education management;

18 2. Providing operational definitions for the proposed  
19 system;

20 3. Determining the information and specific data  
21 elements required for the management decisions made at each  
22 educational level, recognizing that the primary unit for  
23 information input is ~~shall be~~ the individual school and  
24 recognizing that time and effort of instructional personnel  
25 expended in collection and compilation of data should be  
26 minimized;

27 4. Developing standardized terminology and procedures  
28 to be followed at all levels of the system;

29 5. Developing a standard transmittal format to be used  
30 for collection of data from the various levels of the system;

31

1           6. Developing appropriate computer programs to assure  
2 integration of the various information components dealing with  
3 students, personnel, facilities, fiscal, program, community,  
4 and evaluation data;

5           7. Developing the necessary programs to provide  
6 statistical analysis of the integrated data provided in  
7 subparagraph 6. in such a way that required reports may be  
8 disseminated, comparisons may be made, and relationships may  
9 be determined in order to provide the necessary information  
10 for making management decisions at all levels;

11           8. Developing output report formats which will provide  
12 district school systems with information for making management  
13 decisions at the various educational levels;

14           9. Developing a phased plan for distributing computer  
15 services equitably among all public schools and school  
16 districts in the ~~this~~ state as rapidly as possible. The plan  
17 shall describe alternatives available to the state in  
18 providing such computing services and shall contain estimates  
19 of the cost of each alternative, together with a  
20 recommendation for action. In developing the ~~such~~ plan, the  
21 feasibility of shared use of computing hardware and software  
22 by school districts, community colleges, and universities  
23 shall be examined. Laws or administrative rules regulating  
24 procurement of data processing equipment, communication  
25 services, or data processing services by state agencies shall  
26 not be construed to apply to local agencies which share  
27 computing facilities with state agencies;

28           10. Assisting the district school systems in  
29 establishing their subsystem components and assuring  
30 compatibility with current district systems;

31

1           11. Establishing procedures for continuous evaluation  
2 of system efficiency and effectiveness;

3           12. Initiating a reports-management and  
4 forms-management system to ascertain that duplication in  
5 collection of data does not exist and that forms and reports  
6 for reporting under state and federal requirements and other  
7 forms and reports are prepared in a logical and uncomplicated  
8 format, resulting in a reduction in the number and complexity  
9 of required reports, particularly at the school level; and

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

- 15           a. The purpose of the reporting requirement;  
16           b. The origination of the reporting requirement;  
17           c. The date of origin of the reporting requirement;

18 and

- 19           d. The date of repeal of the reporting requirement.

20          (b) The specific responsibilities of each district  
21 school system shall include:

22           1. Establishing, at the district level, a  
23 reports-control and forms-control management system committee  
24 composed of school administrators and classroom teachers. The  
25 district school board shall appoint school administrator  
26 members and classroom teacher members; or, in school districts  
27 where appropriate, the classroom teacher members shall be  
28 appointed by the bargaining agent. Teachers shall constitute a  
29 majority of the committee membership. The committee shall  
30 periodically recommend procedures to the district school board  
31 for eliminating, reducing, revising, and consolidating

1 paperwork and data collection requirements and shall submit to  
2 the district school board an annual report of its findings.

3 2. With assistance from the commissioner, developing  
4 systems compatibility between the state management information  
5 system and unique local systems.

6 3. Providing, with the assistance of the department,  
7 inservice training dealing with management information system  
8 purposes and scope, a method of transmitting input data, and  
9 the use of output report information.

10 4. Establishing a plan for continuous review and  
11 evaluation of local management information system needs and  
12 procedures.

13 5. Advising the commissioner of all district  
14 management information needs.

15 6. Transmitting required data input elements to the  
16 appropriate processing locations in accordance with guidelines  
17 established by the commissioner.

18 7. Determining required reports, comparisons, and  
19 relationships to be provided to district school systems by the  
20 system output reports, continuously reviewing these reports  
21 for usefulness and meaningfulness, and submitting recommended  
22 additions, deletions, and change requirements in accordance  
23 with the guidelines established by the commissioner.

24 8. Being responsible for the accuracy of all data  
25 elements transmitted to the department.

26 (c) It is the intent of the Legislature that the  
27 expertise in the state system of public education, as well as  
28 contracted services, be utilized to hasten the plan for full  
29 implementation of a comprehensive management information  
30 system.

31

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

3           229.565 Educational evaluation procedures.--

4           (1) STUDENT PERFORMANCE STANDARDS.--

5           (a) The State Board of Education shall approve student  
6 performance standards in key academic subject areas and ~~the~~  
7 ~~various program categories and chronological~~ grade levels  
8 ~~which the Commissioner of Education designates as necessary~~  
9 ~~for maintaining a good educational system~~. The standards must  
10 apply, without limitation, to language arts, mathematics,  
11 science, social studies, the arts, health and physical  
12 education, foreign language, reading, writing, history,  
13 government, geography, economics, and computer literacy. The  
14 commissioner shall obtain opinions and advice from citizens,  
15 educators, and members of the business community in developing  
16 the standards. For purposes of this section, the term "student  
17 performance standard" means a statement describing a skill or  
18 competency students are expected to learn.

19           (b) The student performance standards must address the  
20 skills and competencies that a student must learn in order to  
21 graduate from high school. The commissioner shall also develop  
22 performance standards for students who learn a higher level of  
23 skills and competencies.

24           Section 6. Section 229.57, Florida Statutes, 1998  
25 Supplement, is amended to read:

26           229.57 Student assessment program.--

27           (1) PURPOSE.--The primary purposes ~~purpose~~ of the  
28 statewide assessment program are is to provide information  
29 needed to improve for the improvement of the public schools by  
30 maximizing the learning gains of all students and to inform

31



1 parents of the educational progress of their public school  
2 children. The program must be designed to:

3 (a) Assess the annual learning gains of each student  
4 toward achieving the Sunshine State Standards appropriate for  
5 the student's grade level.

6 (b) Provide data for making decisions regarding school  
7 accountability and recognition.

8 (c)(a) Identify the educational strengths and needs of  
9 students and the readiness of students to be promoted to the  
10 next grade level or to graduate from high school with a  
11 standard high school diploma.

12 (d)(b) Assess how well educational goals and  
13 performance standards are met at the school, district, and  
14 state levels.

15 (e)(c) Provide information to aid in the evaluation  
16 and development of educational programs and policies.

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

19 (2) NATIONAL EDUCATION COMPARISONS.--It is Florida's  
20 intent to participate in the measurement of national  
21 educational goals ~~set by the President and governors of the~~  
22 ~~United States.~~ The Commissioner of Education shall direct  
23 ~~Florida is directed to provide for~~ school districts to  
24 participate in the administration of the National Assessment  
25 of Educational Progress, or a similar national assessment  
26 program, both for the national sample and for any  
27 state-by-state comparison programs which may be initiated.  
28 Such assessments must be conducted using the data collection  
29 procedures, the student surveys, the educator surveys, and  
30 other instruments included in the National Assessment of  
31 Educational Progress or a similar program. The results of

1 these assessments shall be included in the annual report of  
2 the Commissioner of Education specified in this section. The  
3 administration of the National Assessment of Educational  
4 Progress or a similar program shall be in addition to and  
5 separate from the administration of the statewide assessment  
6 program ~~otherwise described in this section.~~

7 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner  
8 shall ~~is directed to~~ design and implement a statewide program  
9 of educational assessment that provides information for the  
10 improvement of the operation and management of the public  
11 schools. ~~The program must be designed, as far as possible, so~~  
12 ~~as not to conflict with ongoing district assessment programs~~  
13 ~~and so as to use information obtained from district programs.~~  
14 Pursuant to the statewide assessment program, the commissioner  
15 shall:

16 (a) Submit to the state board a list that specifies  
17 student skills and competencies to which the goals for  
18 education specified in the state plan apply, including, but  
19 not limited to, reading, writing, and mathematics. The skills  
20 and competencies must include problem-solving and higher-order  
21 skills as appropriate and shall be known as the Sunshine State  
22 Standards. The commissioner shall select such skills and  
23 competencies after receiving recommendations from educators,  
24 citizens, and members of the business community. The  
25 commissioner shall submit to the state board revisions to the  
26 list of student skills and competencies in order to maintain  
27 continuous progress toward improvements in student  
28 proficiency.

29 (b) Develop and implement a uniform system of  
30 indicators to describe the performance of public school  
31 students and the characteristics of the public school

1 districts and the public schools. These indicators must  
2 include, without limitation, information gathered by the  
3 comprehensive management information system created pursuant  
4 to s. 229.555 and student achievement information obtained  
5 pursuant to this section.

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

12 1. The tests measure student skills and competencies  
13 adopted by the state board as specified in paragraph (a). The  
14 tests must measure and report student proficiency levels in  
15 reading, writing, and mathematics. Other content areas may be  
16 included as directed by the commissioner. The commissioner  
17 shall provide for the tests to be developed or obtained, as  
18 appropriate, through contracts and project agreements with  
19 private vendors, public vendors, public agencies,  
20 postsecondary institutions, or school districts. The  
21 commissioner shall obtain input with respect to the design and  
22 implementation of the testing program from state educators and  
23 the public.

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

29 3. Each testing program, whether at the elementary,  
30 middle, or high school level, includes a test of writing in  
31

1 which students are required to produce writings which are then  
2 scored by appropriate methods.

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

7 5. Except as provided in subparagraph 6., all 11th  
8 grade students take a high school competency test developed by  
9 the state board to test minimum student performance skills and  
10 competencies in reading, writing, and mathematics. The test  
11 must be based on the skills and competencies adopted by the  
12 state board pursuant to paragraph (a). Upon recommendation of  
13 the commissioner, the state board shall designate a passing  
14 score for each part of the high school competency test. In  
15 establishing passing scores, the state board shall consider  
16 any possible negative impact of the test on minority students.  
17 The commissioner may establish criteria whereby a student who  
18 successfully demonstrates proficiency in either reading or  
19 mathematics or both may be exempted from taking the  
20 corresponding section of the high school competency test or  
21 the college placement test. A student must earn a passing  
22 score or have been exempted from each part of the high school  
23 competency test in order to qualify for a regular high school  
24 diploma. The school districts shall provide appropriate  
25 remedial instruction to students who do not pass part of the  
26 competency test.

27 6. Students who enroll in grade 9 in the fall of 1999  
28 and thereafter must earn a passing score on the grade 10  
29 assessment test described in this paragraph instead of the  
30 high school competency test described in subparagraph 5. Such  
31 students must earn a passing score in reading, writing, and

1 mathematics to qualify for a regular high school diploma. Upon  
2 recommendation of the commissioner, the state board shall  
3 designate a passing score for each part of the grade 10  
4 assessment test. In establishing passing scores, the state  
5 board shall consider any possible negative impact of the test  
6 on minority students.

7 ~~7.6.~~ Participation in the testing program is mandatory  
8 for all students, except as otherwise prescribed by the  
9 commissioner. The commissioner shall recommend rules to the  
10 state board for the provision of test adaptations and  
11 modifications of procedures as necessary for students in  
12 exceptional education programs and for students who have  
13 limited English proficiency.

14 ~~8.7.~~ A student seeking an adult high school diploma  
15 must meet the same testing requirements that a regular high  
16 school student must meet.

17 9. School districts must provide instruction to  
18 prepare students to demonstrate proficiency on the skills and  
19 competencies necessary for successful grade-to-grade  
20 progression and high school graduation. The commissioner shall  
21 conduct studies as necessary to verify that the required  
22 skills and competencies are part of the district instructional  
23 programs.

24  
25 The commissioner may design and implement student testing  
26 programs for any grade level and subject area, based on  
27 procedures designated by the commissioner to monitor  
28 educational achievement in the state.

29 (d) Obtain or develop a career planning assessment to  
30 be administered to students, at their option, in grades 7 and  
31 10 to assist them in preparing for further education or

1 entering the workforce. ~~The statewide student assessment~~  
2 ~~program must include career planning assessment.~~

3 (e) Conduct ongoing research to develop improved  
4 methods of assessing student performance, including, without  
5 limitation, the use of technology to administer tests, the use  
6 of electronic transfer of data, the development of  
7 work-product assessments, and the development of process  
8 assessments.

9 (f) Conduct ongoing research and analysis of student  
10 achievement data, including, without limitation, monitoring  
11 trends in student achievement, identifying school programs  
12 that are successful, and analyzing correlates of school  
13 achievement.

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

17 (4) DISTRICT TESTING PROGRAMS.--Each district shall  
18 periodically assess student performance and achievement within  
19 each school of the district. The assessment programs must be  
20 based upon local goals and objectives that are compatible with  
21 the state plan for education and that supplement the skills  
22 and competencies adopted by the State Board of Education. All  
23 school districts must participate in the state assessment  
24 program designed to measure annual student learning and school  
25 performance. All school districts shall report assessment  
26 results as required by the management information system.~~In~~  
27 ~~grades 4 and 8, each district shall administer a nationally~~  
28 ~~normed achievement test selected from a list approved by the~~  
29 ~~state board; the data resulting from these tests must be~~  
30 ~~provided to the Department of Education according to~~  
31 ~~procedures specified by the commissioner. The commissioner~~

1 ~~may request achievement data for other grade levels as~~  
2 ~~necessary.~~

3 (5) SCHOOL TESTING PROGRAMS.--Each public school,  
4 unless specifically exempted by state board rule based on  
5 servng a specialized population for which standardized  
6 testing is not appropriate, shall participate in the state  
7 assessment program. Student performance data shall be analyzed  
8 and reported to parents, the community, and the state. Student  
9 performance data shall be used in developing objectives of the  
10 school improvement plan, evaluation of instructional  
11 personnel, evaluation of administrative personnel, assignment  
12 of staff, allocation of resources, acquisition of  
13 instructional materials and technology, and promotion and  
14 assignment of students into educational programs administering  
15 ~~an achievement test, whether at the elementary, middle, or~~  
16 ~~high school level, and each public school administering the~~  
17 ~~high school competency test, shall prepare an analysis of the~~  
18 ~~resultant data after each administration. The analysis of~~  
19 student performance data also must identify strengths and  
20 needs in the educational program and trends over time. The  
21 analysis must be used in conjunction with the budgetary  
22 planning processes developed pursuant to s. 229.555 and the  
23 development of the programs of remediation described in s.  
24 233.051.

25 (6) ANNUAL REPORTS.--The commissioner shall prepare  
26 annual reports of the results of the statewide assessment  
27 program which describe student achievement in the state, each  
28 district, and each school. The commissioner shall prescribe  
29 the design and content of these reports which must include,  
30 without limitation, descriptions of the performance of all  
31 schools participating in the assessment program and all of

1 their major student populations as determined by the  
2 Commissioner of Education, and must also include the median  
3 scores of all eligible students who scored at or in the lowest  
4 25th percentile of the state in the previous school year  
5 ~~students at both low levels and exemplary levels, as well as~~  
6 ~~the performance of students scoring in the middle 50 percent~~  
7 ~~of the test population. Until such time as annual assessments~~  
8 prescribed in this section are fully implemented, annual  
9 reports shall include student performance data based on  
10 existing assessments.

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

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

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

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

19 (d) "D," schools making less than satisfactory  
20 progress.

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

22  
23 Beginning in the 1999-2000 school year, each school designated  
24 in performance grade category "A," making excellent progress,  
25 or as having improved at least two performance grade  
26 categories, shall have greater authority over the allocation  
27 of the school's total budget generated from the FEFP, state  
28 categoricals, lottery funds, grants, and local funds, as  
29 specified in state board rule.



1           (8) DESIGNATION OF SCHOOL PERFORMANCE GRADE  
2 CATEGORIES.--School performance grade category designations  
3 itemized in subsection (7) shall be based on the following:  
4           (a) Timeframes.--  
5           1. School performance grade category designations  
6 shall be based on one school year of performance.  
7           2. In school years 1998-1999 and 1999-2000, a school's  
8 performance grade category designation shall be determined by  
9 the student achievement levels on the FCAT, and on other  
10 appropriate performance data, including, but not limited to,  
11 attendance, dropout rate, school discipline data, and student  
12 readiness for college, in accordance with state board rule.  
13           3. Beginning with the 2000-2001 school year, a  
14 school's performance grade category designation shall be based  
15 on a combination of student achievement scores as measured by  
16 the FCAT, on the degree of measured learning gains of the  
17 students, and on other appropriate performance data,  
18 including, but not limited to, attendance, dropout rate,  
19 school discipline data, and student readiness for college.  
20           4. Beginning with the 2001-2002 school year and  
21 thereafter, a school's performance grade category designation  
22 shall be based on student learning gains as measured by annual  
23 FCAT assessments in grades 3 through 10, and on other  
24 appropriate performance data, including, but not limited to,  
25 attendance, dropout rate, school discipline data, and student  
26 readiness for college.  
27  
28 For the purpose of implementing ss. 229.0535 and 229.0537,  
29 each school identified as critically low performing based on  
30 both 1996-1997 and 1997-1998 school performance data and state  
31 board-adopted criteria, and that receives a performance grade

1 category designation of "F" based on 1998-1999 school  
2 performance data pursuant to this section, shall be considered  
3 as having failed to make adequate progress for 2 years in a  
4 4-year period. All other schools that receive a performance  
5 grade category designation of "F" based on 1998-1999 school  
6 performance data shall be considered as having failed to make  
7 adequate progress for 1 year.

8 (b) Student assessment data.--Student assessment data  
9 used in determining school performance grade categories shall  
10 include:

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

13 2. The median scores of all students enrolled in the  
14 school who have been assessed on the FCAT and who have scored  
15 at or in the lowest 25th percentile of students in the state  
16 who have been assessed on the FCAT in the previous school  
17 year.

18  
19 The state board shall adopt appropriate criteria for each  
20 school performance grade category so as to ensure that school  
21 performance grade category designations reflect each school's  
22 accountability for the learning of all students in the school.  
23 The criteria must also give added weight to student  
24 achievement in reading. Schools designated as performance  
25 grade category "C," making satisfactory progress, shall be  
26 required to demonstrate that adequate progress has been made  
27 by students who have scored at or in the lowest 25 percent of  
28 students in the state as well as by the overall population of  
29 students in the school.

30 (9) SCHOOL IMPROVEMENT RATINGS.--Beginning with the  
31 1999-2000 school year's student and school performance data,

1 the annual report shall identify each school's performance as  
2 having improved, remained the same, or declined. This school  
3 improvement rating shall be based on a comparison of the  
4 current year's and previous year's student and school  
5 performance data. Schools that improve at least one  
6 performance grade category are eligible for school recognition  
7 awards pursuant to s. 231.2905.

8 (10) SCHOOL PERFORMANCE GRADE CATEGORY AND IMPROVEMENT  
9 RATING REPORTS.--School performance grade category  
10 designations and improvement ratings shall apply to each  
11 school's performance for the year in which performance is  
12 measured. Each school's designation and rating shall be  
13 published annually by the Department of Education and the  
14 school district. Parents and guardians shall be entitled to an  
15 easy-to-read report card about the designation and rating of  
16 the school in which their child is enrolled.

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

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

26 (b) Assessments shall be capable of measuring the  
27 annual progress each student makes in mastering the Sunshine  
28 State Standards.

29 (c) Assessments shall include measures in reading and  
30 mathematics in each grade level and must include writing in  
31 grades 4, 8, and 10.

1           (d) Assessments shall be designed to protect the  
2 integrity of the data and prevent score inflation.

3           (e) The assessment system shall use measures of  
4 student learning to determine student, classroom, school, and  
5 district statistical distributions.

6           (f) These distributions shall be determined using  
7 available data from the FCAT, and other data collection as  
8 deemed appropriate by the Department of Education, to measure  
9 the differences in student prior year achievement against the  
10 current year achievement or lack thereof, such that the  
11 effects of instruction to a student by a teacher, school, and  
12 school district may be estimated on a per student and constant  
13 basis.

14           (g) To the extent possible, these distributions shall  
15 be able to be expressed in linear scales such that the effects  
16 of ceiling and floor dispersions are minimized.

17           (h) The statistical system shall provide for an  
18 approach which provides for best linear unbiased prediction  
19 for the teacher, school, and school district effects on pupil  
20 progress. These estimates should adequately be able to  
21 determine effects of and compare teachers who teach multiple  
22 subjects to the same groups of students, and team teaching  
23 situations where teachers teach a single subject to multiple  
24 groups of students, or other teaching situations as  
25 appropriate.

26           1. The department, in consultation with the Office of  
27 Program Policy Analysis and Government Accountability, and  
28 other sources as appropriate, shall use recognized approaches  
29 to statistical variance and estimating random effects.  
30  
31

1           2. The approach used by the department shall be  
2 approved by the State Board of Education before implementation  
3 for pupil progression assessment.

4           (i) The assessment system must provide diagnostic  
5 information on appropriate measures of student learning gains  
6 at the student, classroom, school, and district levels to  
7 isolate various subpopulations based on previous achievement  
8 levels in order to provide diagnostic information for  
9 teachers, principals, administrators, and other appropriate  
10 persons.

11           (j) Assessments shall include a norm-referenced  
12 subtest that allows for comparisons of Florida students with  
13 the performance of students nationally.

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

28           (l) Assessments shall be implemented statewide no  
29 later than the spring of the 2000-2001 school year.

30           (12) LOCAL ASSESSMENTS.--Measurement of the learning  
31 gains of students in all subjects and grade levels other than

1 subjects and grade levels required for the state assessment  
2 program is the responsibility of the school districts.

3 (13)(7) APPLICABILITY OF TESTING STANDARDS.--A student  
4 must meet the testing requirements for high school graduation  
5 which were in effect at the time the student entered 9th  
6 grade, provided the student's enrollment was continuous.

7 (14)(8) RULES.--The State Board of Education shall  
8 adopt rules pursuant to ss. 120.536(1) and 120.54 ~~as necessary~~  
9 to implement the provisions of this section.

10 (15) PERFORMANCE-BASED FUNDING.--The Legislature may  
11 factor in the performance of schools in calculating any  
12 performance-based funding policy that is provided for in the  
13 annual General Appropriations Act.

14 Section 7. Section 229.58, Florida Statutes, 1998  
15 Supplement, is amended to read:

16 229.58 District and school advisory councils.--

17 (1) ESTABLISHMENT.--

18 (a) The school board shall establish an advisory  
19 council for each school in the district, and shall develop  
20 procedures for the election and appointment of advisory  
21 council members. Each school advisory council shall include in  
22 its name the words "school advisory council." The school  
23 advisory council shall be the sole body responsible for final  
24 decisionmaking at the school relating to implementation of the  
25 provisions of ss. 229.591, 229.592, and 230.23(16). A majority  
26 of the members of each school advisory council must be persons  
27 who are not employed by the school. Each advisory council  
28 shall be composed of the principal and an appropriately  
29 balanced number of teachers, education support employees,  
30 students, parents, and other business and community citizens  
31 who are representative of the ethnic, racial, and economic

1 community served by the school. Vocational-technical center  
2 and high school advisory councils shall include students, and  
3 middle and junior high school advisory councils may include  
4 students. School advisory councils of vocational-technical  
5 and adult education centers are not required to include  
6 parents as members. Council members representing teachers,  
7 education support employees, students, and parents shall be  
8 elected by their respective peer groups at the school in a  
9 fair and equitable manner as follows:

- 10 1. Teachers shall be elected by teachers.
- 11 2. Education support employees shall be elected by  
12 education support employees.
- 13 3. Students shall be elected by students.
- 14 4. Parents shall be elected by parents.

15  
16 The school board shall establish procedures for use by schools  
17 in selecting business and community members. Such procedures  
18 shall include means of ensuring wide notice of vacancies and  
19 for taking input on possible members from local business,  
20 chambers of commerce, community and civic organizations and  
21 groups, and the public at large. The school board shall review  
22 the membership composition of each advisory council. Should  
23 the school board determine that the membership elected by the  
24 school is not representative of the ethnic, racial, and  
25 economic community served by the school, the board shall  
26 appoint additional members to achieve proper representation.

27 The Commissioner of Florida Commission on Education Reform and  
28 Accountability shall ~~serve as a review body~~ to determine if  
29 schools have maximized their efforts to include on their  
30 advisory councils minority persons and persons of lower  
31 socioeconomic status. Although schools should be strongly

1 encouraged to establish school advisory councils, any school  
2 district that has a student population of 10,000 or fewer may  
3 establish a district advisory council which shall include at  
4 least one duly elected teacher from each school in the  
5 district. For the purposes of school advisory councils and  
6 district advisory councils, the term "teacher" shall include  
7 classroom teachers, certified student services personnel, and  
8 media specialists. For purposes of this paragraph, "education  
9 support employee" means any person employed by a school who is  
10 not defined as instructional or administrative personnel  
11 pursuant to s. 228.041 and whose duties require 20 or more  
12 hours in each normal working week.

13 (b) The school board may establish a district advisory  
14 council representative of the district and composed of  
15 teachers, students, parents, and other citizens or a district  
16 advisory council which may be comprised of representatives of  
17 each school advisory council. Recognized schoolwide support  
18 groups which meet all criteria established by law or rule may  
19 function as school advisory councils.

20 (2) DUTIES.--Each advisory council shall perform such  
21 functions as are prescribed by regulations of the school  
22 board; however, no advisory council shall have any of the  
23 powers and duties now reserved by law to the school board.  
24 Each school advisory council shall assist in the preparation  
25 and evaluation of the school improvement plan required  
26 pursuant to s. 230.23(16). By the 1999-2000 academic year,  
27 with technical assistance from the Department of Education,  
28 each school advisory council shall assist in the preparation  
29 of the school's annual budget and plan as required by s.  
30 229.555(1). A portion of funds provided in the annual General  
31



1 Appropriations Act for use by school advisory councils must be  
2 used for implementing the school improvement plan.

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

5 229.591 Comprehensive revision of Florida's system of  
6 school improvement and education accountability.--

7 (1) INTENT.--The Legislature recognizes that the  
8 children and youth of the state are its future and its most  
9 precious resource. To provide these developing citizens with  
10 the sound education needed to grow to a satisfying and  
11 productive adulthood, the Legislature intends that, ~~by the~~  
12 ~~year 2000,~~ Florida establish a system of school improvement  
13 and education accountability based on the performance of  
14 students and educational programs. The intent of the  
15 Legislature is to provide clear guidelines for achieving this  
16 purpose and for returning the responsibility for education to  
17 those closest to the students, their ~~that is the~~ schools,  
18 teachers, and parents. The Legislature recognizes, however,  
19 its ultimate responsibility and that of the Governor, the  
20 Commissioner of Education, and the State Board of Education  
21 and other state policymaking bodies in providing the strong  
22 leadership needed to forge a new concept of school improvement  
23 and in making adequate provision by law ~~provisions~~ for a  
24 uniform, efficient, safe, secure, and high-quality system of  
25 free public schools as required by s. 1, Art. IX of the State  
26 Constitution. It is further the intent of the Legislature to  
27 build upon the foundation established by the Educational  
28 Accountability Act of 1976 and to implement a program of  
29 education accountability and school improvement based upon the  
30 achievement of state goals, recognizing the State Board of  
31 Education as the body corporate responsible for the

1 supervision of the system of public education, the district  
2 school board as responsible for school and student  
3 performance, and the individual school as the unit for  
4 education accountability.

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

7 (a) Establish state and local educational goals.

8 (b) Increase the use of educational outcomes over  
9 educational processes in assessing educational programs.

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

13 (d) Provide methods for measuring, and public  
14 reporting of, state, school district, and individual school  
15 progress toward the education goals.

16 (e) Recognize successful schools.

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

23 (g) Provide that parents or guardians are not required  
24 to send their children to schools that have been designated in  
25 performance grade category "F," failing to make adequate  
26 progress, as defined in state board rule, for two school years  
27 in a 4-year period.

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

30 (a) Readiness to start school.--Communities and  
31 schools collaborate in a statewide comprehensive school

1 readiness program to prepare children and families for  
2 children's success in school.

3 (b) Graduation rate and readiness for postsecondary  
4 education and employment.--Students graduate and are prepared  
5 to enter the workforce and postsecondary education.

6 (c) Student performance.--Students make annual  
7 learning gains sufficient to acquire the knowledge, skills,  
8 and competencies needed to master state standards,  
9 successfully compete at the highest levels nationally and  
10 internationally, and be ~~are~~ prepared to make well-reasoned,  
11 thoughtful, and healthy lifelong decisions.

12 (d) Learning environment.--School boards provide a  
13 learning environment conducive to teaching and learning, in  
14 which education programs are based on student performance  
15 data, and which strive to eliminate achievement gaps by  
16 improving the learning of all students.

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

20 (f) Teachers and staff.--The schools, district, all  
21 postsecondary institutions, and state work collaboratively to  
22 provide ~~ensure~~ professional teachers and staff who possess the  
23 competencies and demonstrate the performance needed to  
24 maximize learning among all students.

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

29 (h) Parental, family, and community  
30 involvement.--Communities, school boards, and schools provide  
31 opportunities for involving parents, families, ~~and~~ guardians,

1 and other community stakeholders as collaborative active  
2 partners in achieving school improvement and education  
3 accountability. ~~The State Board of Education shall adopt~~  
4 ~~standards for indicating progress toward this state education~~  
5 ~~goal by January 1, 1997.~~

6 Section 9. Section 229.592, Florida Statutes, 1998  
7 Supplement, is amended to read:

8 229.592 Implementation of state system of school  
9 improvement and education accountability.--

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

25 (2) ~~ESTABLISHMENT.--Based upon the recommendations of~~  
26 ~~the Florida Commission on Education Reform and Accountability,~~  
27 ~~the Legislature may enact such laws as it considers necessary~~  
28 ~~to establish and maintain a state system of school improvement~~  
29 ~~and accountability. If, after considering the recommendations~~  
30 ~~of the commission, the Legislature determines an adequate~~  
31 ~~system of accountability to be in place to protect the public~~

1 ~~interest, the Legislature may repeal or revise laws, including~~  
2 ~~fiscal policies, deemed to stand in the way of school~~  
3 ~~improvement.~~

4 (2)~~(3)~~ COMMISSIONER.--The commissioner shall be  
5 responsible for implementing and maintaining a system of  
6 intensive school improvement and stringent education  
7 accountability, which shall include policies and programs to-

8 ~~(a) Based on the recommendations of The Florida~~  
9 ~~Commission on Education Reform and Accountability, the~~  
10 ~~commissioner shall develop and implement the following~~  
11 ~~programs and procedures:~~

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

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

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

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

29 (3)~~(b)~~ The commissioner shall be held responsible for  
30 the implementation and maintenance of the system of school  
31 improvement and education accountability outlined in this

1 section ~~subsection~~. There shall be an annual determination of  
2 whether adequate progress is being made toward implementing  
3 and maintaining a system of school improvement and education  
4 accountability.

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

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

16 ~~(6)(e) As co-chair of the Florida Commission on~~  
17 ~~Education Reform and Accountability,~~ The commissioner shall  
18 ~~appear before the appropriate committees of the Legislature~~  
19 ~~annually in October to report to the Legislature~~ and recommend  
20 changes in state policy necessary to foster school improvement  
21 and education accountability. ~~The report shall reflect the~~  
22 ~~recommendations of the Florida Commission on Education Reform~~  
23 ~~and Accountability.~~ Included in the report shall be a list of  
24 the schools for which school boards have developed assistance  
25 and intervention plans and an analysis of the various  
26 strategies used by the school boards. School reports shall be  
27 distributed pursuant to this paragraph and s. 230.23(16)(e)  
28 according to guidelines adopted by the State Board of  
29 Education.

30 ~~(7)(4)~~ DEPARTMENT.--  
31

1           (a) The Department of Education shall implement a  
2 training program to develop among state and district educators  
3 a cadre of facilitators of school improvement. These  
4 facilitators shall assist schools and districts to conduct  
5 needs assessments and develop and implement school improvement  
6 plans to meet state goals.

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

17           (c) Pursuant to s. 24.121(5)(d), the department shall  
18 not release funds from the Educational Enhancement Trust Fund  
19 to any district in which a school does not have an approved  
20 school improvement plan, pursuant to s. 230.23(16), after 1  
21 full school year of planning and development, or does not  
22 comply with school advisory council membership composition  
23 requirements pursuant to s. 229.58(1). The department shall  
24 send a technical assistance team to each school without an  
25 approved plan to develop such school improvement plan or to  
26 each school without appropriate school advisory council  
27 membership composition to develop a strategy for corrective  
28 action. The department shall release the funds upon approval  
29 of the plan or upon establishment of a plan of corrective  
30 action. Notice shall be given to the public of the  
31 department's intervention and shall identify each school

1 without a plan or without appropriate school advisory council  
2 membership composition.

3 (8)~~(5)~~ STATE BOARD.--The State Board of Education  
4 shall adopt rules pursuant to ss. 120.536(1) and 120.54  
5 necessary to implement a state system of school improvement  
6 and education accountability and shall specify required annual  
7 reports by schools and school districts. ~~Such rules must be~~  
8 ~~based on recommendations of the Commission on Education Reform~~  
9 ~~and Accountability and must include, but need not be limited~~  
10 ~~to, a requirement that each school report identify the annual~~  
11 ~~Education Enhancement Trust Fund allocations to the district~~  
12 ~~and the school and how those allocations were used for~~  
13 ~~educational enhancement and supporting school improvement.~~

14 (9)~~(6)~~ EXCEPTIONS TO LAW.--To facilitate innovative  
15 practices and to allow local selection of educational methods,  
16 the commissioner may waive, upon the request of a school  
17 board, requirements of chapters 230 through 239 of the Florida  
18 School Code that relate to instruction and school operations,  
19 except those pertaining to civil rights, and student health,  
20 safety, and welfare. The Commissioner of Education is not  
21 authorized to grant waivers for any provisions of law  
22 pertaining to the allocation and appropriation of state and  
23 local funds for public education; the election, compensation,  
24 and organization of school board members and superintendents;  
25 graduation and state accountability standards; financial  
26 reporting requirements; reporting of out-of-field teaching  
27 assignments under s. 231.095; public meetings; public records;  
28 or due process hearings governed by chapter 120. Prior to  
29 approval, the commissioner shall report pending waiver  
30 requests to the state board on a monthly basis, and shall,  
31 upon request of any state board member, bring a waiver request



1 to the state board for consideration. If, within 2 weeks of  
2 receiving the report, no member requests that a waiver be  
3 considered by the state board, the commissioner may act on the  
4 original waiver request. No later than January 1 of each year,  
5 the commissioner shall report to the President and Minority  
6 Leader of the Senate and the Speaker and Minority Leader of  
7 the House of Representatives all approved waiver requests in  
8 the preceding year.

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

24 1. A school board may originate a request for waiver  
25 and submit the request to the commissioner if such a waiver is  
26 required to implement districtwide improvements.

27 2. A school board may submit a request to the  
28 commissioner for a waiver if such request is presented to the  
29 school board by a school advisory council established pursuant  
30 to s. 229.58 and if such a waiver is required to implement a  
31 school improvement plan required by s. 230.23(16). The school

1 board shall report annually to the Commissioner of Florida  
2 ~~Commission on Education Reform and Accountability~~, in  
3 conjunction with the feedback report required pursuant to this  
4 section subsection (3), the number of waivers requested by  
5 school advisory councils, the number of such waiver requests  
6 approved and submitted to the commissioner, and the number of  
7 such waiver requests not approved and not submitted to the  
8 commissioner. For each waiver request not approved, the school  
9 board shall report the statute or rule for which the waiver  
10 was requested, the rationale for the school advisory council  
11 request, and the reason the request was not approved.

12 3. When approved by the commissioner, a waiver  
13 requested under this paragraph is effective for a 5-year  
14 period.

15 (b) Notwithstanding the provisions of chapter 120 and  
16 for the purpose of implementing this subsection, the  
17 commissioner may waive State Board of Education rules if the  
18 school board has submitted a written request to the  
19 commissioner for approval pursuant to this subsection.

20 (c) The written request for waiver of statute or rule  
21 must indicate at least how ~~the general statutory purpose will~~  
22 ~~be met, how~~ granting the waiver will assist schools in  
23 improving student outcomes related to the student performance  
24 standards adopted by the state board ~~pursuant to subsection~~  
25 ~~(5)~~, and how student improvement will be evaluated and  
26 reported. ~~In considering any waiver,~~The commissioner shall  
27 not grant any waiver that would impair the ensure protection  
28 of the health, safety, welfare, or ~~and~~ civil rights of the  
29 students or the ~~and~~ protection of the public interest.

30 (d) Upon denying a request for a waiver, the  
31 commissioner must state with particularity the grounds or

1 basis for the denial. The commissioner shall report the  
2 specific statutes and rules for which waivers are requested  
3 and the number and disposition of such requests to the  
4 Legislature and the State Board of Education Florida  
5 Commission on Education Reform and Accountability for use in  
6 determining which statutes and rules stand in the way of  
7 school improvement.

8 (e)1. Schools designated in performance grade category  
9 "A," making excellent progress, shall, upon the request of the  
10 school, be given deregulated status as specified in s.  
11 228.0565(5), (7), (8), (9), and (10).

12 2. Schools that have improved at least two performance  
13 grade categories and that meet the criteria of the Florida  
14 School Recognition Program pursuant to s. 231.2905 may be  
15 given deregulated status as specified in s. 228.0565(5), (7),  
16 (8), (9), and (10).

17 Section 10. Section 229.593, Florida Statutes, 1998  
18 Supplement, is repealed.

19 Section 11. Section 229.594, Florida Statutes, is  
20 repealed.

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

23 229.595 Implementation of state system of education  
24 accountability for school-to-work transition.--

25 (5) Prior to each student's graduation from high  
26 school, the school shall ~~Any assessment required for student~~  
27 ~~receipt of a high school diploma shall include items designed~~  
28 ~~to assess the student's student~~ preparation to enter the  
29 workforce and provide the student and the student's parent or  
30 guardian with the results of such assessment. The Commissioner  
31 of Florida Commission on Education Reform and Accountability

1 shall identify the employability skills associated with  
2 successful entry into the workforce from which such items  
3 shall be derived.

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

10 230.23 Powers and duties of school board.--The school  
11 board, acting as a board, shall exercise all powers and  
12 perform all duties listed below:

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

18 (c) Compensation and salary schedules.--Adopt a salary  
19 schedule or salary schedules designed to furnish incentives  
20 for improvement in training and for continued efficient  
21 service to be used as a basis for paying all school employees,  
22 ~~such schedules to be arranged, insofar as practicable, so as~~  
23 ~~to furnish incentive for improvement in training and for~~  
24 ~~continued and efficient service~~ and fix and authorize the  
25 compensation of school employees on the basis thereof ~~of such~~  
26 ~~schedules~~. A district school board, in determining the salary  
27 schedule for instructional personnel, must base a portion of  
28 each employee's compensation on performance demonstrated under  
29 s. 231.29 and must consider the prior teaching experience of a  
30 person who has been designated state teacher of the year by  
31 any state in the United States. In developing the salary

1 schedule, the school board shall seek input from parents,  
2 teachers, and representatives of the business community.

3 (g) Awards and incentives.--Provide for recognition of  
4 district employees, students, school volunteers, and ~~or~~  
5 advisory committee members who have contributed outstanding  
6 and meritorious service in their fields or service areas.

7 After considering recommendations of the superintendent, the  
8 board shall adopt rules establishing and regulating the  
9 meritorious service awards necessary for the efficient

10 operation of the program. An award or incentive granted under  
11 this paragraph may not be considered in determining the salary  
12 schedules required by paragraph (c). Monetary awards shall be

13 limited to persons who propose procedures or ideas ~~which are~~  
14 adopted by the board ~~and~~ which will result in eliminating or  
15 reducing school board expenditures or improving district or

16 school center operations. Nonmonetary awards shall include,  
17 but are ~~need not be~~ limited to, certificates, plaques, medals,  
18 ribbons, and photographs. The school board may ~~is authorized~~

19 ~~to~~ expend funds for such recognition and awards. No award  
20 granted under ~~the provisions of~~ this paragraph shall exceed  
21 \$2,000 or 10 percent of the first year's gross savings,  
22 whichever is greater.

23 (7) COURSES OF STUDY AND OTHER INSTRUCTIONAL  
24 AIDS.--Provide adequate instructional aids for all children as  
25 follows and in accordance with the requirements of chapter  
26 233.

27 (b) Textbooks.--Provide for proper requisitioning,  
28 distribution, accounting, storage, care, and use of all  
29 instructional materials ~~textbooks and other books~~ furnished by  
30 the state and furnish such other instructional materials  
31 ~~textbooks and library books~~ as may be needed. The school board

1 is responsible for assuring that instructional materials used  
2 in the district are consistent with the district goals and  
3 objectives and the curriculum frameworks approved by the State  
4 Board of Education, as well as with the state and district  
5 performance standards provided for in ss. 229.565 and  
6 232.2454.

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

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

28 (b) Approval process.--Develop a process for approval  
29 of a school improvement plan presented by an individual school  
30 and its advisory council. In the event a board does not  
31 approve a school improvement plan after exhausting this

1 process, the Department of Education ~~Florida Commission on~~  
2 ~~Education Reform and Accountability~~ shall be notified of the  
3 need for assistance.

4 (c) Assistance and intervention.--Develop a 2-year  
5 ~~3-year~~ plan of increasing individualized assistance and  
6 intervention for each school in danger of ~~that does~~ not  
7 meeting state standards ~~meet~~ or making ~~make~~ adequate progress,  
8 ~~based upon the recommendations of the commission,~~ as defined  
9 pursuant to statute and State Board of Education rule, toward  
10 meeting the goals and standards of its approved school  
11 improvement plan. A school that is identified as being in  
12 performance grade category "D" pursuant to s. 229.57 is in  
13 danger of failing and must be provided assistance and  
14 intervention.

15 (d) After 2 ~~3~~ years.--Notify the Commissioner of  
16 ~~Florida Commission on Education Reform and Accountability~~ and  
17 the State Board of Education in the event any school does not  
18 make adequate progress toward meeting the goals and standards  
19 of a school improvement plan by the end of 2 ~~3~~ consecutive  
20 years of failing to make adequate progress in any 4-year  
21 period ~~district assistance and intervention~~ and proceed  
22 according to guidelines developed pursuant to statute and  
23 State Board of Education rule. School districts shall provide  
24 intervention and assistance to schools in danger of being  
25 designated as performance grade category "F," failing to make  
26 adequate progress.

27 (e) Public disclosure.--Provide information regarding  
28 performance of students and educational programs as required  
29 pursuant to ~~ss.s.~~ 229.555 and 229.57(5) and implement a  
30 system of school reports as required by statute and State  
31 Board of Education rule. Annual public disclosure reports

1 shall be in an easy-to-read report card format, and shall  
2 include the school's student and school performance grade  
3 category designation and performance data as specified in  
4 state board rule.

5 (f) School improvement funds.--Provide funds to  
6 schools for developing and implementing school improvement  
7 plans. Such funds shall include those funds appropriated for  
8 the purpose of school improvement pursuant to s. 24.121(5)(c).

9 (17) LOCAL-LEVEL DECISIONMAKING.--

10 (a) Adopt policies that clearly encourage and enhance  
11 maximum decisionmaking appropriate to the school site. Such  
12 policies must include guidelines for schools in the adoption  
13 and purchase of district and school site instructional  
14 materials and technology, staff training, school advisory  
15 council member training, student support services, budgeting,  
16 and the allocation of staff resources.

17 (b) Adopt waiver process policies to enable all  
18 schools to exercise maximum flexibility and notify advisory  
19 councils of processes to waive school district and state  
20 policies.

21 (c) Develop policies for periodically monitoring the  
22 membership composition of school advisory councils to ensure  
23 compliance with requirements established in s. 229.58.

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

28 (18) OPPORTUNITY SCHOLARSHIPS.--Adopt policies  
29 allowing students attending schools that have been designated  
30 as performance grade category "F," failing to make adequate  
31 progress, for 2 school years in any 4-year period to attend a



1 higher performing school in the district or an adjoining  
2 district or be granted a state opportunity scholarship to a  
3 private school, in conformance with s. 229.0537 and state  
4 board rule.

5 ~~(19)(18)~~ ADOPT RULES.--Adopt rules pursuant to ss.  
6 120.536(1) and 120.54 to implement ~~the provisions of this~~  
7 section.

8 Section 14. Paragraph (a) of subsection (3) of section  
9 231.29, Florida Statutes, 1998 Supplement, is amended to read:

10 231.29 Assessment procedures and criteria.--

11 (3) The assessment procedure for instructional  
12 personnel shall comply with, but shall not be limited to, the  
13 following requirements:

14 (a) An assessment shall be conducted for each employee  
15 at least once a year. The assessment shall be based upon sound  
16 educational principles and contemporary research in effective  
17 educational practices. Beginning with the full implementation  
18 of an annual assessment of learning gains,the assessment must  
19 primarily use data and indicators of improvement in student  
20 performance assessed annually as specified in s. 229.57 and  
21 may consider results of peer reviews in evaluating the  
22 employee's performance. The assessment criteria must include,  
23 but are not limited to, indicators that relate to the  
24 following:

- 25 1. Ability to maintain appropriate discipline.
- 26 2. Knowledge of subject matter. The district school  
27 board shall make special provisions for evaluating teachers  
28 who are assigned to teach out-of-field.
- 29 3. Ability to plan and deliver instruction.
- 30 4. Ability to evaluate instructional needs.
- 31 5. Ability to communicate with parents.

1           6. Other professional competencies, responsibilities,  
2 and requirements as established by rules of the State Board of  
3 Education and policies of the district school board.

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

7           231.2905 Florida School Recognition Program.--

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

21           ~~(a)~~ Initial criteria for identification of schools  
22 must rely on the school's data and statewide data and must  
23 include, but is not ~~be~~ limited to:

24           ~~(a)1.~~ (a)1. Improvement in the school's student achievement  
25 data.

26           ~~(b)2.~~ (b)2. Statewide student achievement data.

27           ~~(c)~~ (c) Student learning gains when such data becomes  
28 available.

29           ~~(d)3.~~ (d)3. Readiness for postsecondary education data.

30           ~~(e)4.~~ (e)4. Dropout rates.

31           ~~(f)5.~~ (f)5. Attendance rates.

1           ~~(b) After a pool of eligible schools has been~~  
2 ~~identified, schools must apply for final recognition and~~  
3 ~~financial awards based on established criteria. Criteria must~~  
4 ~~include, but not be limited to:~~

5           ~~1. School climate, including rates of school violence~~  
6 ~~and crime.~~

7           ~~2. Indicators of innovation in teaching and learning.~~

8           ~~3. Indicators of successful challenging school~~  
9 ~~improvement plans.~~

10           ~~4. Parent, community, and student involvement in~~  
11 ~~learning.~~

12           ~~(c) After identification of schools for final~~  
13 ~~recognition and financial awards, awards must be distributed~~  
14 ~~based on employee performance criteria established in district~~  
15 ~~school board policy.~~

16           (3) The School Recognition Program shall utilize the  
17 school performance grade category designations in s. 229.57.

18           Section 16. Section 232.245, Florida Statutes, is  
19 amended to read:

20           232.245 Pupil progression; remedial instruction;  
21 reporting requirements.--

22           (1) It is the intent of the Legislature that each  
23 student's progression from one grade to another be determined,  
24 in part, upon proficiency in reading, writing, and  
25 mathematics; that school district policies facilitate such  
26 proficiency; and that each student and his or her parent or  
27 legal guardian be informed of that student's academic  
28 progress.

29           (2) Each district school board shall establish a  
30 comprehensive program for pupil progression which must  
31 include:

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

4 (b) Specific levels of performance in reading,  
5 writing, and mathematics for each grade level, including the  
6 levels of performance on statewide assessments ~~at selected~~  
7 ~~grade levels in elementary school, middle school, and high~~  
8 ~~school~~ as defined by the Commissioner of Education, below  
9 which a student must receive remediation, or ~~and may~~ be  
10 retained with an intensive program that is different from the  
11 previous year's program and that takes into account the  
12 student's learning style. No student may be assigned to a  
13 grade level based solely on age or other factors that  
14 constitute social promotion. School boards shall allocate  
15 remedial and supplemental instruction resources first to  
16 students who fail to meet achievement performance levels  
17 required for promotion. The state board shall adopt rules to  
18 prescribe limited circumstances in which a student may be  
19 promoted without meeting the specific assessment performance  
20 levels prescribed by the district's pupil progression plan.

21 (3) Each student must participate in the statewide  
22 assessment tests required by s. 229.57. Each student who does  
23 not meet specific levels of performance ~~as determined by the~~  
24 ~~district school board~~ in reading, writing, and mathematics for  
25 each grade level, or who does not meet specific levels of  
26 performance, determined by the Commissioner of Education, on  
27 statewide assessments at selected grade levels, must be  
28 provided with additional diagnostic assessments to determine  
29 the nature of the student's difficulty and areas of academic  
30 need. The school in which the student is enrolled must  
31 develop, in consultation with the student's parent or legal

1 guardian, and must implement an academic improvement plan  
2 designed to assist the student in meeting state and district  
3 expectations for proficiency. Each plan must include the  
4 provision of intensive remedial instruction in the areas of  
5 weakness ~~through one or more of the following activities, as~~  
6 ~~considered appropriate by the school administration:~~

7 (a) ~~Summer school coursework;~~

8 (b) ~~Extended day services;~~

9 (c) ~~Parent tutorial programs;~~

10 (d) ~~Contracted academic services;~~

11 (e) ~~Exceptional education services; or~~

12 (f) ~~Suspension of curriculum other than reading,~~

13 ~~writing, and mathematics.~~ Remedial instruction provided during  
14 high school may not be in lieu of English and mathematics  
15 credits required for graduation.

16  
17 Upon subsequent evaluation, if the documented deficiency has  
18 not been corrected in accordance with the academic improvement  
19 plan, the student shall ~~may~~ be retained. Each student who does  
20 not meet the minimum performance expectations defined by the  
21 Commissioner of Education for the statewide assessment tests  
22 in reading, writing, and mathematics must ~~retake the state~~  
23 ~~assessment test in the subject area of deficiency and must~~  
24 continue remedial or supplemental instruction until the  
25 expectations are met or the student graduates from high school  
26 or is not subject to compulsory school attendance.

27 (4) Any student who exhibits substantial deficiency in  
28 reading skills, based on locally determined assessments  
29 conducted before the end of grade 1 or ~~grade 2, and grade 3,~~  
30 or based on teacher recommendation, must be given intensive  
31 reading instruction immediately following the identification

1 of the reading deficiency. The student's reading proficiency  
2 must be reassessed by locally determined assessment or based  
3 on teacher recommendation at the beginning of the grade  
4 following the intensive reading instruction, and the student  
5 must continue to be given intensive reading instruction until  
6 the reading deficiency is remedied. If the student's reading  
7 deficiency, as determined by the locally determined  
8 assessment at grades 1 and 2 or by the statewide assessment at  
9 grade 3, is not remedied by the end of grade 4, and 2 or grade  
10 3, or if the student scores below the specific level of  
11 performance, ~~determined by the local school board,~~ on the  
12 statewide assessment test in reading ~~and writing given in~~  
13 ~~elementary school~~, the student must be retained. The local  
14 school board may exempt a student from mandatory retention for  
15 good cause.

16 ~~(5) Beginning with the 1997-1998 school year, any~~  
17 ~~student who exhibits substantial deficiency in reading skills,~~  
18 ~~based on locally determined assessments conducted at the~~  
19 ~~beginning of grade 2, grade 3, and grade 4, or based on~~  
20 ~~teacher recommendation, must be given intensive reading~~  
21 ~~instruction immediately following the identification of the~~  
22 ~~reading deficiency. The student's reading proficiency must be~~  
23 ~~reassessed by locally determined assessment or based on~~  
24 ~~teacher recommendation at the beginning of the grade following~~  
25 ~~the intensive reading instruction, and the student must~~  
26 ~~continue to be given intensive reading instruction until the~~  
27 ~~reading deficiency is remedied. If the student's reading~~  
28 ~~deficiency is not remedied by the end of grade 5, the student~~  
29 ~~may be retained.~~

30 (5)(6) Each district must annually report to the  
31 parent or legal guardian of each student the progress of the

1 student towards achieving state and district expectations for  
2 proficiency in reading, writing, and mathematics. The district  
3 must report to the parent or legal guardian the student's  
4 results on each statewide assessment test. The evaluation of  
5 each student's progress must be based upon the student's  
6 classroom work, observations, tests, district and state  
7 assessments, and other relevant information. Progress  
8 reporting must be provided to the parent or legal guardian in  
9 writing in a format adopted by the district school board.

10 (6)~~(7)~~ The Commissioner of Education shall adopt rules  
11 pursuant to ss. 120.536(1) and 120.54 ~~necessary~~ for the  
12 administration of this section.

13 (7)~~(8)~~ The Department of Education shall provide  
14 technical assistance as needed to aid school districts in  
15 administering this section.

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

18 228.053 Developmental research schools.--

19 (3) MISSION.--The mission of a developmental research  
20 school shall be the provision of a vehicle for the conduct of  
21 research, demonstration, and evaluation regarding management,  
22 teaching, and learning. Programs to achieve the mission of a  
23 developmental research school shall embody the goals and  
24 standards of ~~"Blueprint 2000"~~ established pursuant to ss.  
25 229.591 and 229.592 and shall ensure an appropriate education  
26 for its students.

27 (a) Each developmental research school shall emphasize  
28 mathematics, science, computer science, and foreign languages.  
29 The primary goal of a developmental research school is to  
30 enhance instruction and research in such specialized subjects  
31 by using the resources available on a state university campus,

1 while also providing an education in nonspecialized subjects.  
2 Each developmental research school shall provide sequential  
3 elementary and secondary instruction where appropriate. A  
4 developmental research school may not provide instruction at  
5 grade levels higher than grade 12 without authorization from  
6 the State Board of Education. Each developmental research  
7 school shall develop and implement a school improvement plan  
8 pursuant to s. 230.23(16).

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

12 (c) Research, demonstration, and evaluation conducted  
13 at a developmental research school may be generated by the  
14 Education Standards Commission. Such research shall respond to  
15 the needs of the education community at large, rather than the  
16 specific needs of the affiliated college.

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

21 (e) The exceptional education programs offered at a  
22 developmental research school shall be determined by the  
23 research and evaluation goals and the availability of students  
24 for efficiently sized programs. The fact that a developmental  
25 research school offers an exceptional education program in no  
26 way lessens the general responsibility of the local school  
27 district to provide exceptional education programs.

28 (8) ADVISORY BOARDS.--~~"Blueprint 2000" provisions and~~  
29 ~~intent specify that~~ Each public school in the state shall  
30 establish a school advisory council that is reflective of the  
31 population served by the school, pursuant to s. 229.58, and is



1 responsible for the development and implementation of the  
2 school improvement plan pursuant to s. 230.23(16).

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

5 (a) Two advisory bodies.--Each developmental research  
6 school may:

7 1. Establish an advisory body pursuant to the  
8 provisions and requirements of s. 229.58 to be responsible for  
9 the development and implementation of the school improvement  
10 plan, pursuant to s. 230.23(16).

11 2. Establish an advisory board to provide general  
12 oversight and guidance. The dean of the affiliated college of  
13 education shall be a standing member of the board, and the  
14 president of the university shall appoint three faculty  
15 members from the college of education, one layperson who  
16 resides in the county in which the school is located, and two  
17 parents or legal guardians of students who attend the  
18 developmental research school to serve on the advisory board.  
19 The term of each member shall be for 2 years, and any vacancy  
20 shall be filled with a person of the same classification as  
21 his or her predecessor for the balance of the unexpired term.  
22 The president shall stagger the terms of the initial  
23 appointees in a manner that results in the expiration of terms  
24 of no more than two members in any year. The president shall  
25 call the organizational meeting of the board. The board shall  
26 annually elect a chair and a vice chair. There shall be no  
27 limitation on successive appointments to the board or  
28 successive terms that may be served by a chair or vice chair.  
29 The board shall adopt internal organizational procedures or  
30 bylaws necessary for efficient operation as provided in  
31 chapter 120. Board members shall not receive per diem or

1 travel expenses for the performance of their duties. The  
2 board shall:

- 3 a. Meet at least quarterly.
- 4 b. Monitor the operations of the school and the  
5 distribution of moneys allocated for such operations.
- 6 c. Establish necessary policy, program, and  
7 administration modifications.
- 8 d. Evaluate biennially the performance of the director  
9 and principal and recommend corresponding action to the dean  
10 of the college of education.
- 11 e. Annually review evaluations of the school's  
12 operation and research findings.

13 (b) One advisory body.--Each developmental research  
14 school may establish an advisory body responsible for the  
15 development and implementation of the school improvement plan,  
16 pursuant to s. 230.23(16), in addition to general oversight  
17 and guidance responsibilities. The advisory body shall reflect  
18 the membership composition requirements established in s.  
19 229.58, but may also include membership by the dean of the  
20 college of education and additional members appointed by the  
21 president of the university that represent faculty members  
22 from the college of education, the university, or other bodies  
23 deemed appropriate for the mission of the school.

24 (12) EXCEPTIONS TO LAW.--To encourage innovative  
25 practices and facilitate the mission of the developmental  
26 research schools, in addition to the exceptions to law  
27 specified in s. 229.592(6), the following exceptions shall be  
28 permitted for developmental research schools:

- 29 (a) The methods and requirements of the following  
30 statutes shall be held in abeyance: ss. 230.01; 230.02;  
31 230.03; 230.04; 230.05; 230.061; 230.08; 230.10; 230.105;

1 230.11; 230.12; 230.15; 230.16; 230.17; 230.173; 230.18;  
2 230.19; 230.201; 230.202; 230.21; 230.22; 230.2215; 230.2318;  
3 230.232; 230.24; 230.241; 230.26; 230.28; 230.30; 230.303;  
4 230.31; 230.32; 230.321; 230.33; 230.35; 230.39; 230.63;  
5 230.64; 230.643; 234.01; 234.021; 234.112; 236.25; 236.261;  
6 236.29; 236.31; 236.32; 236.35; 236.36; 236.37; 236.38;  
7 236.39; 236.40; 236.41; 236.42; 236.43; 236.44; 236.45;  
8 236.46; 236.47; 236.48; 236.49; 236.50; 236.51; 236.52;  
9 236.55; 236.56; 237.051; 237.071; 237.091; 237.201; 237.40;  
10 and 316.75. With the exception of subsection (16) of s.  
11 230.23, s. 230.23 shall be held in abeyance. Reference to  
12 school boards in s. 230.23(16) shall mean the president of the  
13 university or the president's designee.

14 (b) The following statutes or related rules may be  
15 waived for any developmental research school so requesting,  
16 provided the general statutory purpose of each section is met  
17 and the developmental research school has submitted a written  
18 request to the Joint Developmental Research School Planning,  
19 Articulation, and Evaluation Committee for approval pursuant  
20 to this subsection: ss. 229.555; 231.291; 232.2462; 232.36;  
21 233.34; 237.01; 237.02; 237.031; 237.041; 237.061; 237.081;  
22 237.111; 237.121; 237.131; 237.141; 237.151; 237.161; 237.162;  
23 237.171; 237.181; 237.211; and 237.34. Notwithstanding  
24 reference to the responsibilities of the superintendent or  
25 school board in chapter 237, developmental research schools  
26 shall follow the policy intent of the chapter and shall, at  
27 least, adhere to the general state agency accounting  
28 procedures established in s. 11.46.

29 1. Two or more developmental research schools may  
30 jointly originate a request for waiver and submit the request  
31 to the committee if such waiver is approved by the school

1 advisory council of each developmental research school  
2 desiring the waiver.

3           2. A developmental research school may submit a  
4 request to the committee for a waiver if such request is  
5 presented by a school advisory council established pursuant to  
6 s. 229.58, if such waiver is required to implement a school  
7 improvement plan required by s. 230.23(16), and if such  
8 request is made using forms established pursuant to s.  
9 229.592~~(6)~~. The Joint Developmental Research School Planning,  
10 Articulation, and Evaluation Committee shall monitor the  
11 waiver activities of all developmental research schools and  
12 shall report annually to the department ~~and the Florida~~  
13 ~~Commission on Education Reform and Accountability~~, in  
14 conjunction with the feedback report required pursuant to s.  
15 229.592~~(3)~~, the number of waivers requested and submitted to  
16 the committee by developmental research schools, and the  
17 number of such waiver requests not approved. For each waiver  
18 request not approved, the committee shall report the statute  
19 or rule for which the waiver was requested, the rationale for  
20 the developmental research school request, and the reason the  
21 request was not approved.

22           (c) The written request for waiver of statute or rule  
23 shall indicate at least how the general statutory purpose will  
24 be met, how granting the waiver will assist schools in  
25 improving student outcomes related to the student performance  
26 standards adopted pursuant to s. 229.592~~(5)~~, and how student  
27 improvement will be evaluated and reported. In considering any  
28 waiver, the committee shall ensure protection of the health,  
29 safety, welfare, and civil rights of the students and  
30 protection of the public interest.

31

1           (d) ~~The procedure established in s. 229.592(6)(f)~~  
2 ~~shall be followed for any request for a waiver which is not~~  
3 ~~denied, or for which a request for additional information is~~  
4 ~~not issued.~~Notwithstanding the request provisions of s.  
5 229.592(6), developmental research schools shall request all  
6 waivers through the Joint Developmental Research School  
7 Planning, Articulation, and Evaluation Committee, as  
8 established in s. 228.054. The committee shall approve or  
9 disapprove said requests pursuant to this subsection and s.  
10 229.592(6); however, the Commissioner of Education shall have  
11 standing to challenge any decision of the committee should it  
12 adversely affect the health, safety, welfare, or civil rights  
13 of the students or public interest. The department shall  
14 immediately notify the committee and developmental research  
15 school of the decision and provide a rationale therefor.

16           Section 18. Paragraph (e) of subsection (2) of section  
17 228.054, Florida Statutes, is amended to read:

18           228.054 Joint Developmental Research School Planning,  
19 Articulation, and Evaluation Committee.--

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

22           (e) Provide assistance to schools in the waiver  
23 process established under s. 228.053(12), review and approve  
24 or disapprove waivers requested pursuant to ss. 228.053(12)  
25 and 229.592(6), and annually review, identify, and report to  
26 the Legislature additional barriers and statutes that hinder  
27 the implementation of s. 228.053.

28           Section 19. Paragraph (f) of subsection (9) of section  
29 228.056, Florida Statutes, 1998 Supplement, is amended to  
30 read:

31           228.056 Charter schools.--

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

6 (f) Upon receipt of the annual report required by  
7 paragraph (d), the Department of Education shall provide to  
8 the State Board of Education, the Commissioner of Education,  
9 the President of the Senate, and the Speaker of the House of  
10 Representatives an analysis and comparison of the overall  
11 performance of charter school students, to include all  
12 students whose scores are counted as part of the state  
13 assessment program ~~norm-referenced assessment tests~~, versus  
14 comparable public school students in the district as  
15 determined by state assessment program ~~norm-referenced~~  
16 ~~assessment tests~~ currently administered in the school  
17 district, and, as appropriate, the Florida Writes Assessment  
18 Test, the High School Competency Test, and other assessments  
19 administered pursuant to s. 229.57(3).

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

22 233.17 Term of adoption for instructional materials.--

23 (3) The department shall publish annually an official  
24 schedule of subject areas to be called for adoption for each  
25 of the succeeding 2 years, and a tentative schedule for years  
26 3, 4, 5, and 6. If extenuating circumstances warrant, the  
27 Commissioner of Education may order the department to add one  
28 or more subject areas to the official schedule, in which event  
29 the commissioner shall develop criteria for such additional  
30 subject area or areas pursuant to s. 229.512(18)~~(15)~~ and make  
31 them available to publishers as soon as practicable.

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

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

11 236.685 Educational funding accountability.--

12 (6) The annual school public accountability report  
13 required by ss. 229.592~~(5)~~ and 230.23~~(18)~~(16) must include a  
14 school financial report. The purpose of the school financial  
15 report is to better inform parents and the public concerning  
16 how revenues were spent to operate the school during the prior  
17 fiscal year. Each school's financial report must follow a  
18 uniform, districtwide format that is easy to read and  
19 understand.

20 (a) Total revenue must be reported at the school,  
21 district, and state levels. The revenue sources that must be  
22 addressed are state and local funds, other than lottery funds;  
23 lottery funds; federal funds; and private donations.

24 (b) Expenditures must be reported as the total  
25 expenditures per unweighted full-time equivalent student at  
26 the school level and the average expenditures per full-time  
27 equivalent student at the district and state levels in each of  
28 the following categories and subcategories:

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

- 1 a. Basic programs;
- 2 b. Students-at-risk programs;
- 3 c. Special programs for exceptional students;
- 4 d. Career education programs; and
- 5 e. Adult programs.
- 6 2. Substitute teachers.
- 7 3. Other instructional personnel, including
- 8 school-based instructional specialists and their assistants.
- 9 4. Contracted instructional services, including
- 10 training for instructional staff and other contracted
- 11 instructional services.
- 12 5. School administration, including school-based
- 13 administrative personnel and school-based education support
- 14 personnel.
- 15 6. The following materials, supplies, and operating
- 16 capital outlay:
  - 17 a. Textbooks;
  - 18 b. Computer hardware and software;
  - 19 c. Other instructional materials;
  - 20 d. Other materials and supplies; and
  - 21 e. Library media materials.
- 22 7. Food services.
- 23 8. Other support services.
- 24 9. Operation and maintenance of the school plant.
- 25 (c) The school financial report must also identify the
- 26 types of district-level expenditures that support the school's
- 27 operations. The total amount of these district-level
- 28 expenditures must be reported and expressed as total
- 29 expenditures per full-time equivalent student.
- 30
- 31



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

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

5 20.15 Department of Education.--There is created a  
6 Department of Education.

7 (6) COUNCILS AND COMMITTEES.--Notwithstanding anything  
8 contained in law to the contrary, the Commissioner of  
9 Education shall appoint all members of all councils and  
10 committees of the Department of Education, except the Board of  
11 Regents, the State Board of Community Colleges, the community  
12 college district boards of trustees, the Postsecondary  
13 Education Planning Commission, the Education Practices  
14 Commission, the Education Standards Commission, the State  
15 Board of Independent Colleges and Universities, ~~the Florida~~  
16 ~~Commission on Education Reform and Accountability,~~and the  
17 State Board of Nonpublic Career Education.

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

20 236.08104 Supplemental academic instruction;  
21 categorical fund.--

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

26 (2) Categorical funds for supplemental academic  
27 instruction shall be allocated annually to each school  
28 district in the amount provided in the General Appropriations  
29 Act. These funds shall be in addition to the funds  
30 appropriated on the basis of full-time equivalent student  
31 (FTE) membership in the Florida Education Finance Program and

1 shall be included in the total potential funds of each  
2 district. These funds shall be used only to provide  
3 supplemental academic instruction to students enrolled in K-12  
4 programs. Supplemental instruction may include methods such as  
5 lowering class size, providing after-school tutoring, holding  
6 Saturday morning sessions, and other methods for improving  
7 student achievement and may be provided to a student in any  
8 manner and at any time during or beyond the regular 180-day  
9 term identified by the school as being the most effective and  
10 efficient way to best help that student progress from grade to  
11 grade and to graduate.

12 (3) Effective with the 1999-2000 fiscal year, funding  
13 on the basis of FTE membership beyond the 180-day regular term  
14 shall be provided in the FEFP only for students enrolled  
15 pursuant to s. 236.013(2)(c)2. Funding for instruction beyond  
16 the regular 180-day school year for all other K-12 students  
17 shall be provided through the supplemental academic  
18 instruction categorical fund and other state, federal, and  
19 local fund sources with ample flexibility for schools to  
20 provide supplemental instruction to assist students in  
21 progressing from grade to grade and graduating.

22 (4) The Florida State University School (FSUS), as a  
23 developmental research school, is authorized to expend from  
24 its FEFP or Lottery Enhancement Trust Fund allocation the cost  
25 to the student of remediation in reading, writing, or  
26 mathematics for any graduate who requires remediation at a  
27 postsecondary institution.

28 (5) Beginning in the 1999-2000 school year, dropout  
29 prevention programs as defined in s. 230.2316(3)(a), (b), and  
30 (c) shall be included in Group 1 programs under s.  
31 236.081(1)(d)3.

1           (6) Each school district receiving funds from the  
2 Supplemental Academic Achievement Categorical Fund shall  
3 submit to the Department of Education a plan which identifies  
4 the students to be served and the scope of supplemental  
5 academic instruction to be provided. Districts shall also  
6 submit information through the department's database  
7 documenting the district's progress in the areas of academic  
8 improvement, graduation rate, dropout rate, attendance rate,  
9 and retention/promotion rate. The department shall compile  
10 this information into an annual report which shall be  
11 submitted to the presiding officers of the Legislature by  
12 February 15.

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

16           236.013 Definitions.--Notwithstanding the provisions  
17 of s. 228.041, the following terms are defined as follows for  
18 the purposes of this act:

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

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

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

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

29           (I) A full-time student, except a postsecondary or  
30 adult student or a senior high school student enrolled in  
31 adult education when such courses are required for high school

1 graduation, in a combination of programs listed in s.  
2 236.081(1)(c) shall be a fraction of a full-time equivalent  
3 membership in each special program equal to the number of net  
4 hours per school year for which he or she is a member, divided  
5 by the appropriate number of hours set forth in subparagraph  
6 (a)1. or subparagraph (a)2.; the difference between that  
7 fraction or sum of fractions and the maximum value as set  
8 forth in subsection (5) for each full-time student is presumed  
9 to be the balance of the student's time not spent in such  
10 special education programs and shall be recorded as time in  
11 the appropriate basic program.

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

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

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

1 ~~number of hours set forth in subparagraph (a)1. or~~  
2 ~~subparagraph (a)2.~~

3 ~~(V) A postsecondary or adult student or a senior high~~  
4 ~~school student enrolled in adult education when such courses~~  
5 ~~are required for high school graduation is a portion of a~~  
6 ~~full-time equivalent membership in each special program equal~~  
7 ~~to the net hours or major fraction thereof per fiscal year for~~  
8 ~~which he or she is a member, divided by the appropriate number~~  
9 ~~of hours set forth in subparagraph (a)1. or subparagraph (a)2.~~

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

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

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

26 a. Support level III, IV, and V ~~Special~~ programs for  
27 exceptional students;

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

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

30 b.d. ~~Dropout prevention programs as defined in s.~~  
31 ~~230.2316 for students in residential programs operated by the~~

1 ~~Department of Children and Family Services;~~ Day treatment and  
2 residential programs operated by or under contract and quality  
3 assurance review with the Department of Juvenile Justice  
4 pursuant to ~~as defined in s. 230.23161~~ in which students  
5 receive educational services; ~~or teenage parent programs as~~  
6 ~~defined in s. 230.23166 for students who are in need of such~~  
7 ~~additional instruction;~~

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

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

17 ~~g. Programs which modify the school year to~~  
18 ~~accommodate the needs of children who have moved with their~~  
19 ~~parents for the purpose of engaging in the farm labor or fish~~  
20 ~~industries, provided such programs are approved by the~~  
21 ~~commissioner.~~

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

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

31 239.101 Legislative intent.--

1           (7) The Legislature finds that career education is a  
2 crucial component of the educational programs conducted within  
3 school districts and community colleges. Accordingly, career  
4 education must be represented in accountability processes  
5 undertaken for educational institutions. It is the intent of  
6 the Legislature that the vocational standards articulated in  
7 s. 239.229(2) be considered in the development of  
8 accountability measures for public schools pursuant to ss.  
9 229.591, 229.592, ~~229.593, 229.594~~, and 230.23(16) and for  
10 community colleges pursuant to s. 240.324.

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

13           239.229 Vocational standards.--

14           (1) The purpose of career education is to enable  
15 students who complete vocational programs to attain and  
16 sustain employment and realize economic self-sufficiency. The  
17 purpose of this section is to identify issues related to  
18 career education for which school boards and community college  
19 boards of trustees are accountable. It is the intent of the  
20 Legislature that the standards articulated in subsection (2)  
21 be considered in the development of accountability standards  
22 for public schools pursuant to ss. 229.591, 229.592, ~~229.593,~~  
23 ~~229.594~~, and 230.23(16) and for community colleges pursuant to  
24 s. 240.324.

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

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

29           (1) INTENT.--The Legislature recognizes that skilled  
30 teachers make an ~~the most~~ important contribution to a ~~quality~~  
31 ~~educational~~ system that allows students to obtain a

1 high-quality education ~~and that competent teachers are~~  
2 ~~produced by effective and accountable teacher preparation~~  
3 ~~programs~~. The intent of the Legislature is to establish a  
4 system for development and approval of teacher preparation  
5 programs that will free postsecondary teacher preparation  
6 institutions to employ varied and innovative teacher  
7 preparation techniques while being held accountable for  
8 producing teachers with the competencies and skills for  
9 achieving the state education goals and sustaining the state  
10 system of school improvement and education accountability  
11 established pursuant to ss. 229.591 and 229.592, ~~and 229.593~~.

12 Section 28. Section 231.002, Florida Statutes, is  
13 created to read:

14 231.002 Teacher quality; legislative findings and  
15 purpose.--

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

30 (2) The purpose of this act is to raise standards for  
31 certifying professional educators; establish a statewide



1 system for in-service professional development; increase  
2 accountability for postsecondary programs that prepare future  
3 educators; and increase accountability for administrators who  
4 evaluate teacher performance. To further this initiative, the  
5 Department of Education must review the provisions of chapter  
6 231, Florida Statutes, and related administrative rules  
7 governing the certification of individuals who must hold state  
8 certification as a condition of employment in any district  
9 school system. The purpose of the review is to identify ways  
10 to make the certification process more efficient and  
11 responsive to the needs of district school systems and  
12 educators; to maintain rigorous standards for initial and  
13 continuing certification; and to provide more alternative  
14 certification options for individuals who have specific  
15 subject-area expertise but have not completed a standard  
16 teacher preparation program. The department must evaluate the  
17 rigor of the assessment instruments and passing scores  
18 required for certification and should consider components of  
19 more rigorous and efficient certification systems in other  
20 states. The department may request assistance from the  
21 Education Standards Commission. By January 1, 2000, the  
22 department must submit its findings and recommendations for  
23 revision of statutes and administrative rules to the presiding  
24 officers of the Senate, the House of Representatives, and the  
25 State Board of Education.

26           Section 29. Paragraph (d) of subsection (5) of section  
27 24.121, Florida Statutes, 1998 Supplement, is amended to read:  
28           24.121 Allocation of revenues and expenditure of funds  
29 for public education.--

30           (5)

31

1 (d) No funds shall be released for any purpose from  
2 the Educational Enhancement Trust Fund to any school district  
3 in which one or more schools do not have an approved school  
4 improvement plan pursuant to s. 230.23(16) or do not comply  
5 with school advisory council membership composition  
6 requirements pursuant to s. 229.58(1). Effective July 1, 2002,  
7 the Commissioner of Education shall withhold disbursements  
8 from the trust fund to any school district that fails to adopt  
9 and implement the performance pay policy required by s.  
10 230.23(5).

11 Section 30. Paragraph (c) of subsection (5) of section  
12 230.23, Florida Statutes, 1998 Supplement, is amended to read:

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

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

21 (c) Compensation and salary schedules.--Adopt a salary  
22 schedule or salary schedules to be used as a basis for paying  
23 all school employees, such schedules to be arranged, insofar  
24 as practicable, so as to furnish incentive for improvement in  
25 training and for continued and efficient service and fix and  
26 authorize the compensation of school employees on the basis of  
27 such schedules. A district school board, in determining the  
28 salary schedule for instructional personnel, must base a  
29 portion of each employee's compensation on performance  
30 demonstrated under s. 231.29 and must consider the prior  
31 teaching experience of a person who has been designated state

1 teacher of the year by any state in the United States. In  
2 developing the salary schedule, the school board shall seek  
3 input from parents, teachers, and representatives of the  
4 business community. By June 30, 2002, the salary schedule  
5 adopted by the school board must base at least 5 percent of  
6 the salary of school administrators and instructional  
7 personnel on annual performance measured under s. 231.29. The  
8 district's performance-pay policy is subject to negotiation as  
9 provided in chapter 447; however, the adopted salary schedule  
10 must allow employees who demonstrate outstanding performance  
11 to earn 5 percent of their individual salary. The Commissioner  
12 of Education shall determine whether the board's adopted  
13 salary schedule complies with the requirement for  
14 performance-based pay. If the board fails to comply by June  
15 30, 2002, the commissioner shall withhold disbursements from  
16 the Education Enhancement Trust Fund to the district until  
17 compliance is verified.

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

20 231.02 Qualifications of personnel.--

21 (1) To be eligible for appointment in any position in  
22 any district school system, a person shall be of good moral  
23 character; shall have attained the age of 18 years, if he or  
24 she is to be employed in an instructional capacity; and shall,  
25 when required by law, hold a certificate or license issued  
26 under rules of the State Board of Education or the Department  
27 of Health ~~and Rehabilitative Services~~, except when employed  
28 pursuant to s. 231.15 or under the emergency provisions of s.  
29 236.0711. Previous residence in this state shall not be  
30 required in any school of the state as a prerequisite for any  
31

1 person holding a valid Florida certificate or license to serve  
2 in an instructional capacity.

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

5 231.0861 Principals and assistant principals;  
6 selection.--

7 (2) ~~By July 1, 1986,~~Each district school board shall  
8 adopt and implement an objective-based process for the  
9 screening, selection, and appointment of assistant principals  
10 and principals in the public schools of this state which meets  
11 the criteria approved by the State Board of Education ~~Florida~~  
12 ~~Council on Educational Management~~. Each school district may  
13 contract with other local school districts, agencies,  
14 associations, private entities, or universities to conduct the  
15 assessments, evaluations, and training programs required under  
16 this section.

17 Section 33. Section 231.085, Florida Statutes, is  
18 amended to read:

19 231.085 Duties of principals.--A district school board  
20 shall employ, through written contract, public school  
21 principals who shall supervise the operation and management of  
22 the schools and property as the board determines necessary.  
23 Each principal is responsible for the performance of all  
24 personnel employed by the school board and assigned to the  
25 school to which the principal is assigned. The principal shall  
26 faithfully and effectively apply the personnel-assessment  
27 system approved by the school board pursuant to s. 231.29.  
28 Each principal shall perform such duties as may be assigned by  
29 the superintendent pursuant to the rules of the school board.  
30 Such rules shall include, but not be limited to, rules  
31 relating to administrative responsibility, instructional

1 leadership in implementing the Sunshine State Standards and of  
2 the overall educational program of the school to which the  
3 principal is assigned, submission of personnel recommendations  
4 to the superintendent, administrative responsibility for  
5 records and reports, administration of corporal punishment,  
6 and student suspension. Each principal shall provide  
7 leadership in the development or revision and implementation  
8 of a school improvement plan pursuant to s. 230.23(16).

9 Section 34. Paragraph (a) of subsection (5) of section  
10 231.087, Florida Statutes, is amended, and subsection (7) is  
11 added to that section, to read:

12 231.087 Management Training Act; Florida Council on  
13 Educational Management; Florida Academy for School Leaders;  
14 Center for Interdisciplinary Advanced Graduate Study.--

15 (5) DISTRICT MANAGEMENT TRAINING PROGRAMS.--

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

30 (7) REPEAL AND REVIEW OF MANAGEMENT ACT.--The Office  
31 of Program Policy Analysis and Governmental Accountability, in

1 consultation with the Department of Education, shall conduct a  
2 comprehensive review of the Management Training Act to  
3 determine its effectiveness and by January 1, 2000, shall make  
4 recommendations to the presiding officers of the Legislature  
5 for the repeal, revision, or reauthorization of the act. This  
6 section is repealed effective June 30, 2000.

7 Section 35. Section 231.09, Florida Statutes, is  
8 amended to read:

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

26 Section 36. Section 231.096, Florida Statutes, 1998  
27 Supplement, is amended to read:

28 231.096 Teacher teaching out-of-field;  
29 assistance.--Each ~~school~~ district school board shall adopt and  
30 implement ~~have~~ a plan to assist any teacher teaching  
31 out-of-field, and priority consideration in professional

1 development activities shall be given to teachers who are  
2 teaching out-of-field. The school board shall require that  
3 such teachers participate in a certification,  
4 staff-development, or peer assistance program designed to  
5 ensure that the teacher has the competencies required for the  
6 assigned duties. The cost of the program must be funded by  
7 the school board. The board-approved assistance plan must  
8 include duties of administrative personnel and other  
9 instructional personnel to help the out-of-field teacher  
10 ensure that students receive high-quality instructional  
11 services.

12 Section 37. Section 231.145, Florida Statutes, is  
13 amended to read:

14 231.145 Purpose of instructional personnel  
15 certification.--It is the intent of the Legislature that  
16 school personnel certified in this state possess the  
17 credentials, knowledge, and skills necessary to provide a  
18 high-quality ~~quality~~ education in the public schools. The  
19 purpose of school personnel certification is to protect the  
20 educational interests of students, parents, and the public at  
21 large by assuring that teachers in this state are  
22 professionally qualified. In fulfillment of its duty to the  
23 citizens of this state, the Legislature has established  
24 certification requirements to assure that educational  
25 personnel in public schools possess appropriate skills in  
26 reading, writing, and mathematics, and adequate pedagogical  
27 knowledge and relevant subject matter competence so as to ~~and~~  
28 ~~can~~ demonstrate an acceptable level of professional  
29 performance. Further, the Legislature has established a  
30 certificate renewal process which promotes the continuing  
31

1 professional improvement of school personnel, thereby  
2 enhancing public education in all areas of the state.

3 Section 38. Section 231.15, Florida Statutes, 1998  
4 Supplement, is amended to read:

5 231.15 Positions for which certificates required.--

6 (1) The State Board of Education shall classify school  
7 services, designate the certification subject areas, establish  
8 competencies and certification requirements for all  
9 school-based personnel, and prescribe rules in accordance with  
10 which the professional, temporary, and part-time certificates  
11 shall be issued by the Department of Education to applicants  
12 who meet the standards prescribed by such rules for their  
13 class of service. The rules must allow the holder of a valid  
14 professional certificate to add an area of certification  
15 without completing the associated course requirements if the  
16 certificateholder attains a passing score on an examination of  
17 competency in the subject area to be added and provides  
18 evidence of at least 2 years of satisfactory performance  
19 evaluations that considered the performance of students taught  
20 by the certificateholder. The rules must allow individuals who  
21 have specific subject area expertise but who have not  
22 completed a standard teacher preparation program to  
23 participate in a state-designed alternative certification  
24 program for a professional certificate. This program must  
25 provide for demonstration of the following competency areas in  
26 lieu of completion of a specific number of college course  
27 credit hours:

28 (a) Assessment.

29 (b) Communication.

30 (c) Critical thinking.

31 (d) Human development and learning.



- 1        (e) Classroom management.
- 2        (f) Planning.
- 3        (g) Technology.
- 4        (h) Diversity.
- 5        (i) Teacher responsibility.
- 6        (j) Code of ethics.
- 7        (k) Continuous professional improvement.

8

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

31

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

7           (3) Each person employed as a school nurse shall hold  
8 a license to practice nursing in the state, and each person  
9 employed as a school physician shall hold a license to  
10 practice medicine in the state. ~~The provisions of this~~  
11 ~~subsection shall not apply to any athletic coach who renders~~  
12 ~~service in a voluntary capacity and who is not employed by any~~  
13 ~~public school of any district in this state.~~

14           (4)~~(2)~~ A commissioned or noncommissioned military  
15 officer who is an instructor of junior reserve officer  
16 training shall be exempt from requirements for teacher  
17 certification, except for the filing of fingerprints pursuant  
18 to s. 231.02, if he or she meets the following qualifications:

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

23           (b) Satisfies criteria established by the appropriate  
24 military service for certification by the service as a junior  
25 reserve officer training instructor.

26           (c) Has an exemplary military record.

27  
28 If such instructor is assigned instructional duties other than  
29 junior reserve officer training, he or she shall hold the  
30 certificate required by law and rules of the state board for  
31 the type of service rendered.

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

4           231.17 Official statements of eligibility and  
5 certificates granted on application to those meeting  
6 prescribed requirements.--

7           (3) TEMPORARY CERTIFICATE.--

8           (c) To qualify for a temporary certificate, the  
9 applicant must:

10           1. File a written statement under oath that the  
11 applicant subscribes to and will uphold the principles  
12 incorporated in the Constitutions of the United States and of  
13 the State of Florida.

14           2. Be at least 18 years of age.

15           3. Document receipt of a bachelor's or higher degree  
16 from an accredited institution of higher learning, as defined  
17 by state board rule. Credits and degrees awarded by a newly  
18 created Florida state institution that is part of the State  
19 University System shall be considered as granted by an  
20 accredited institution of higher learning during the first 2  
21 years of course offerings while accreditation is gained.  
22 Degrees from foreign institutions, or degrees from other  
23 institutions of higher learning that are in the accreditation  
24 process, may be validated by a process established in state  
25 board rule. Once accreditation is gained, the institution  
26 shall be considered as accredited beginning with the 2-year  
27 period prior to the date of accreditation. The bachelor's or  
28 higher degree may not be required in areas approved in rule by  
29 the State Board of Education as nondegreed areas. Each  
30 applicant seeking initial certification must have attained at  
31 least a 2.5 overall grade point average on a 4.0 scale in the

1 applicant's major field of study. The applicant may document  
2 the required education by submitting official transcripts from  
3 institutions of higher education or by authorizing the direct  
4 submission of such official transcripts through established  
5 electronic network systems.

6 4. Be competent and capable of performing the duties,  
7 functions, and responsibilities of a teacher.

8 5. Be of good moral character.

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

18  
19 Rules adopted pursuant to this section shall provide for the  
20 review and acceptance of credentials from foreign institutions  
21 of higher learning.

22 (4) PROFESSIONAL CERTIFICATE.--The department shall  
23 issue a professional certificate for a period not to exceed 5  
24 years to any applicant who meets the requirements for a  
25 temporary certificate and documents mastery of the minimum  
26 competencies required by subsection (5). Mastery of the  
27 minimum competencies must be documented on a comprehensive  
28 written examination or through other criteria as specified by  
29 rules of the state board. Mastery of minimum competencies  
30 required under subsection (5) must be demonstrated in the  
31 following areas:

1 (a) General knowledge, including the ability to read,  
2 write, and compute.

3 (b) Professional skills and knowledge of the standards  
4 of professional practice.

5 (c) The subject matter in each area for which  
6 certification is sought.

7 (5) MINIMUM COMPETENCIES FOR PROFESSIONAL  
8 CERTIFICATE.--

9 (a) The state board must specify, by rule, the minimum  
10 essential competencies that educators must possess and  
11 demonstrate in order to qualify to teach students the  
12 standards of student performance adopted by the state board.  
13 The minimum competencies must include but are not limited to  
14 the ability to:

15 1. Write and speak in a logical and understandable  
16 style with appropriate grammar and sentence structure.

17 2. Read, comprehend, and interpret professional and  
18 other written material.

19 3. Comprehend and work with ~~fundamental~~ mathematical  
20 concepts, including algebra.

21 4. Comprehend the reading process and provide  
22 instruction or referral for appropriate remediation in  
23 accordance with the developmental reading levels of individual  
24 students.

25 ~~5.4.~~ Recognize signs of severe emotional distress in  
26 students and apply techniques of crisis intervention with an  
27 emphasis on suicide prevention and positive emotional  
28 development.

29 ~~6.5.~~ Recognize signs of alcohol and drug abuse in  
30 students and refer such students to counseling and assistance  
31

1 programs designed to prevent ~~apply counseling techniques with~~  
2 ~~emphasis on intervention and prevention of~~ future abuse.

3 7.6. Recognize the physical and behavioral indicators  
4 of child abuse and neglect, know rights and responsibilities  
5 regarding reporting, know how to care for a child's needs  
6 after a report is made, and know recognition, intervention,  
7 and prevention strategies pertaining to child abuse and  
8 neglect which can be related to children in a classroom  
9 setting in a nonthreatening, positive manner.

10 8.7. Comprehend patterns of physical, social, and  
11 academic development in students, including exceptional  
12 students in the regular classroom, and counsel these students  
13 concerning their needs in these areas.

14 9.8. Recognize and be aware of the instructional needs  
15 of exceptional students.

16 10.9. Comprehend patterns of normal development in  
17 students and employ appropriate intervention strategies for  
18 disorders of development.

19 11.10. Identify and comprehend the codes and standards  
20 of professional ethics, performance, and practices adopted  
21 pursuant to s. 231.546(2)(b), the grounds for disciplinary  
22 action provided by s. 231.28, and the procedures for resolving  
23 complaints filed pursuant to this chapter, including appeal  
24 processes.

25 12.11. Recognize and demonstrate awareness of the  
26 educational needs of students who have limited proficiency in  
27 English and employ appropriate teaching strategies.

28 13.12. Use and integrate appropriate technology in  
29 teaching and learning processes and in managing, evaluating,  
30 and improving instruction.

31

1           ~~14.13.~~ Use assessment and other diagnostic strategies  
2 to assist the continuous development of the learner.

3           ~~15.14.~~ Use teaching and learning strategies that  
4 include considering each student's culture, learning styles,  
5 special needs, and socioeconomic background.

6           ~~16.15.~~ Demonstrate knowledge and understanding of the  
7 subject matter that is aligned with the subject knowledge and  
8 skills specified in the Sunshine State Standards and student  
9 performance standards approved by the state board.

10           17. Demonstrate knowledge and skill in managing  
11 student behavior inside and outside the classroom. Such  
12 knowledge and skill must include techniques for preventing and  
13 effectively responding to incidents of disruptive or violent  
14 behavior.

15           18. Demonstrate knowledge of and skill in developing  
16 and administering appropriate classroom assessment instruments  
17 designed to measure student learning gains.

18           19. Demonstrate the ability to maintain a positive  
19 collaborative relationship with students' families to increase  
20 student achievement.

21           20. Recognize the early signs of truancy in students  
22 and identify effective interventions to avoid or resolve  
23 nonattendance behavior.

24           (b) The state board shall designate the certification  
25 areas for subject area tests. However, an applicant may  
26 satisfy the subject area and professional knowledge testing  
27 requirements by attaining scores on corresponding tests from  
28 the National Teachers Examination series, and successors to  
29 that series, that meet standards established by the state  
30 board. The College Level Academic Skills Test, a similar test  
31 approved by the state board, or corresponding tests from

1 ~~beginning January 1, 1996,~~the National Teachers Examination  
2 series must be used ~~by degreed personnel~~ to demonstrate  
3 mastery of general knowledge as required in paragraphs (3)(c)  
4 ~~and paragraph (4)(a).~~ All required tests may be taken prior to  
5 graduation.The College Level Academic Skills Test shall be  
6 waived for any applicant who passed the reading, writing, and  
7 mathematics subtest of the former Florida Teacher  
8 Certification Examination or the College Level Academic Skills  
9 Test and subsequently obtained a certificate pursuant to this  
10 chapter.

11 (8) EXAMINATIONS.--

12 (a) The commissioner, with the approval of the state  
13 board, may contract for developing, printing, administering,  
14 scoring, and appropriate analysis of the written tests  
15 required.

16 (b) The state board shall, by rule, specify the  
17 examination scores that are required for the issuance of a  
18 professional certificate and ~~certain~~ temporary certificate  
19 ~~certificates. When the College Level Academic Skills Test is~~  
20 ~~used to demonstrate general knowledge,~~Such rules must provide  
21 ~~an alternative method by which an applicant may demonstrate~~  
22 ~~mastery of general knowledge, including the ability to read,~~  
23 ~~write, or compute;~~must define generic subject area  
24 competencies~~and~~ must establish uniform evaluation  
25 guidelines. Individuals who apply for their professional  
26 certificate before July 1, 2000, may demonstrate mastery of  
27 general knowledge pursuant to the alternative method specified  
28 by state board rule which ~~The alternative method~~ must:

29 1. Apply only to an applicant who has successfully  
30 completed all prerequisites for issuance of the professional  
31 certificate, except passing one specific subtest of the



1 College Level Academic Skills Test, and who has taken and  
2 failed to achieve a passing score on that subtest at least  
3 four times.

4         2. Require notification from the superintendent of the  
5 employing school district, the governing authority of the  
6 employing developmental research school, or the governing  
7 authority of the employing state-supported school or nonpublic  
8 school that the applicant has satisfactorily demonstrated  
9 mastery of the subject area covered by that specific subtest  
10 through successful experience in the professional application  
11 of generic subject area competencies and proficient academic  
12 performance in that subject area. The decision of the  
13 superintendent or governing authority shall be based on a  
14 review of the applicant's official academic transcript and  
15 notification from the applicant's principal, a peer teacher,  
16 and a district-level supervisor that the applicant has  
17 demonstrated successful professional experience in that  
18 subject area.

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

24         (d) The department and the board shall maintain  
25 confidentiality of the examination, developmental materials,  
26 and workpapers, and the examination, developmental materials,  
27 and workpapers are exempt from s. 119.07(1).

28         Section 40. Subsection (3) is added to section  
29 231.1725, Florida Statutes, 1998 Supplement, to read:

30  
31

1           231.1725 Employment of substitute teachers, teachers  
2 of adult education, and nondegreed teachers of career  
3 education; students performing clinical field experience.--

4           (3) A student who is enrolled in a state-approved  
5 teacher preparation program in an institution of higher  
6 education approved by rules of the State Board of Education  
7 and who is jointly assigned by such institution of higher  
8 education and a school board to perform a clinical field  
9 experience under the direction of a regularly employed and  
10 certified educator shall be accorded the same protection of  
11 laws as that accorded the certified educator while serving  
12 such supervised clinical field experience, except for the  
13 right to bargain collectively as employees of the school  
14 board.

15           Section 41. Section 231.174, Florida Statutes, is  
16 amended to read:

17           231.174 Alternative preparation programs for certified  
18 teachers to add additional coverage.--A district school board  
19 may design alternative teacher preparation programs to enable  
20 persons already certificated to add an additional coverage to  
21 their certificates ~~to teach exceptional education classes or~~  
22 ~~in other areas of critical shortage.~~ Each alternative teacher  
23 preparation program shall be reviewed and approved by the  
24 Department of Education to assure that persons who complete  
25 the program are competent in the necessary areas of subject  
26 matter specialization. Two or more school districts may  
27 jointly participate in an alternative preparation program for  
28 teachers.

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

31           231.29 Assessment procedures and criteria.--

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

4           (a) An assessment must ~~shall~~ be conducted for each  
5 employee at least once a year. The assessment must ~~shall~~ be  
6 based upon sound educational principles and contemporary  
7 research in effective educational practices. The assessment  
8 must use data and indicators of improvement in student  
9 performance and may consider results of peer reviews in  
10 evaluating the employee's performance. The assessment  
11 criteria must include, but are not limited to, indicators that  
12 relate to the following:

13           1. Performance of students as measured by state  
14 assessments required under s. 229.57 and by local assessments  
15 for subjects and grade levels not measured by the state  
16 assessment program.

17           ~~2.1.~~ Ability to maintain appropriate discipline.

18           ~~3.2.~~ Knowledge of subject matter. The district school  
19 board shall make special provisions for evaluating teachers  
20 who are assigned to teach out-of-field.

21           ~~4.3.~~ Ability to plan and deliver instruction.

22           ~~5.4.~~ Ability to evaluate instructional needs.

23           ~~6.5.~~ Ability to establish and maintain a positive  
24 collaborative relationship with students' families to increase  
25 student achievement ~~communicate with parents.~~

26           ~~7.6.~~ Other professional competencies,  
27 responsibilities, and requirements as established by rules of  
28 the State Board of Education and policies of the district  
29 school board.

30  
31

1 (b) All personnel must ~~shall~~ be fully informed of the  
2 criteria and procedures associated with the assessment process  
3 before the assessment takes place.

4 (c) The individual responsible for supervising the  
5 employee must assess the employee's performance. The evaluator  
6 must submit a written report of the assessment to the  
7 superintendent for the purpose of reviewing the employee's  
8 contract. The evaluator must submit the written report to the  
9 employee no later than 10 days after the assessment takes  
10 place. The evaluator must discuss the written report of  
11 assessment with the employee. The employee shall have the  
12 right to initiate a written response to the assessment, and  
13 the response shall become a permanent attachment to his or her  
14 personnel file.

15 (d) If an employee is not performing his or her duties  
16 in a satisfactory manner, the evaluator shall notify the  
17 employee in writing of such determination. The notice must  
18 describe such unsatisfactory performance and include notice of  
19 the following procedural requirements:

20 1. Upon delivery of a notice of unsatisfactory  
21 performance, the evaluator must confer with the employee, make  
22 recommendations with respect to specific areas of  
23 unsatisfactory performance, and provide assistance in helping  
24 to correct deficiencies within a prescribed period of time.

25 2.a. If the employee holds a professional service  
26 contract as provided in s. 231.36, the employee shall be  
27 placed on performance probation and governed by the provisions  
28 of this section for 90 calendar days following ~~from~~ the  
29 receipt of the notice of unsatisfactory performance to  
30 demonstrate corrective action. School holidays and school  
31 vacation periods are not counted when calculating the

1 90-calendar-day period. During the 90 calendar days, the  
2 employee who holds a professional service contract must be  
3 evaluated periodically and apprised of progress achieved and  
4 must be provided assistance and inservice training  
5 opportunities to help correct the noted performance  
6 deficiencies. At any time during the 90 calendar days, the  
7 employee who holds a professional service contract may request  
8 a transfer to another appropriate position with a different  
9 supervising administrator; however, a transfer does not extend  
10 the period for correcting performance deficiencies.

11 ~~b.3.~~ Within 14 days after the close of the 90 calendar  
12 days, the evaluator must assess whether the performance  
13 deficiencies have been corrected and forward a recommendation  
14 to the superintendent. Within 14 days after receiving the  
15 evaluator's recommendation, the superintendent must notify the  
16 employee who holds a professional service contract in writing  
17 whether the performance deficiencies have been satisfactorily  
18 corrected and whether the superintendent will recommend that  
19 the school board continue or terminate his or her employment  
20 contract. If the employee wishes to contest the  
21 superintendent's recommendation, the employee must, within 15  
22 days after receipt of the superintendent's recommendation,  
23 submit a written request for a hearing. Such hearing shall be  
24 conducted at the school board's election in accordance with  
25 one of the following procedures:

26 ~~(I)a.~~ A direct hearing conducted by the school board  
27 within 60 days after receipt of the written appeal. The  
28 hearing shall be conducted in accordance with the provisions  
29 of ss. 120.569 and 120.57. A majority vote of the membership  
30 of the school board shall be required to sustain the  
31 superintendent's recommendation. The determination of the

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

14 Section 43. Paragraph (a) of subsection (1) of section  
15 231.546, Florida Statutes, 1998 Supplement, is amended to  
16 read:

17 231.546 Education Standards Commission; powers and  
18 duties.--

19 (1) The Education Standards Commission shall have the  
20 duty to:

21 (a) Recommend to the state board high ~~desirable~~  
22 standards relating to programs and policies for the  
23 development, certification and certification extension,  
24 improvement, and maintenance of competencies of educational  
25 personnel, including teacher interns. Such standards must be  
26 consistent with the state's duty to provide a high-quality  
27 system of public education to all students.

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

1           231.600 School Community Professional Development

2 Act.--

3           (1) The Department of Education, public community  
4 colleges and universities, public school districts, and public  
5 schools in this state shall collaborate to establish a  
6 coordinated system of professional development. The purpose of  
7 the professional development system is to enable the school  
8 community to meet state and local student achievement  
9 standards and the state education goals and to succeed in  
10 school improvement as described in s. 229.591.

11           (3) The activities designed to implement this section  
12 must:

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

16           (b) Assist the school community in providing  
17 stimulating educational activities that encourage and motivate  
18 students to achieve at the highest levels and to become  
19 ~~developing in school children the dispositions that will~~  
20 ~~motivate them to be~~ active learners; and

21           (c) Provide continuous support as well as, ~~rather than~~  
22 temporary intervention for education professionals who need  
23 improvement in knowledge, skills, and performance, ~~for~~  
24 ~~improving the performance of teachers and others who assist~~  
25 ~~children in their learning.~~

26           (4) The Department of Education, school districts,  
27 schools, and public colleges and universities share the  
28 responsibilities described in this section. These  
29 responsibilities include the following:

30           (b) Each district school board shall consult with  
31 teachers and representatives of college and university

1 faculty, community agencies, and other interested citizen  
2 groups to establish policy and procedures to guide the  
3 operation of the district professional development program.

4 The professional development system must:

5 1. Require that principals and schools use student  
6 achievement data, school discipline data, school environment  
7 surveys, assessments of parental satisfaction, and other  
8 performance indicators to identify school and student needs  
9 that can be met by improved professional performance, and  
10 assist principals and schools in making these identifications;

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

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

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

20 5. Continuously evaluate the quality and effectiveness  
21 of professional development programs in order to eliminate  
22 ineffective programs and strategies and to expand effective  
23 ones. Evaluations must consider the impact of such activities  
24 on the performance of participating educators and their  
25 students' achievement and behavior.

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



1           (9) For teachers and administrators who have been  
2 evaluated as less than satisfactory, a school board may  
3 require participation in a specific professional development  
4 program or peer assistance and review program as part of the  
5 improvement prescription.

6           Section 45. Subsection (2) of section 236.08106,  
7 Florida Statutes, 1998 Supplement, is amended, and a new  
8 subsection (4) is added to said section, to read:

9           236.08106 Excellent Teaching Program.--

10           (2) The Excellent Teaching Program is created to  
11 provide categorical funding for monetary incentives and  
12 bonuses for teaching excellence. The Department of Education  
13 shall ~~allocate and~~ distribute to each school district or to  
14 the NBPTS an amount as prescribed annually by the Legislature  
15 for the Excellent Teaching Program. Unless otherwise provided  
16 in the General Appropriations Act, each distribution ~~school~~  
17 ~~district's annual allocation~~ shall be the sum of the amounts  
18 earned for the following incentives and bonuses:

19           (a) A fee subsidy to be paid by the Department of  
20 Education ~~school district~~ to the NBPTS on behalf of each  
21 individual who is an employee of the district school board or  
22 a public school within that school district, who is certified  
23 by the district to have demonstrated satisfactory teaching  
24 performance pursuant to s. 231.29 and who satisfies the  
25 prerequisites for participating in the NBPTS certification  
26 program, and who agrees, in writing, to pay 10 percent of the  
27 NBPTS participation fee and to participate in the NBPTS  
28 certification program during the school year for which the fee  
29 subsidy is provided. The fee subsidy for each eligible  
30 participant shall be an amount equal to 90 percent of the fee  
31 charged for participating in the NBPTS certification program,

1 but not more than \$1,800 per eligible participant. The fee  
2 subsidy is a one-time award and may not be duplicated for any  
3 individual.

4 (b) A portfolio-preparation incentive of \$150 paid by  
5 the Department of Education to ~~for~~ each teacher employed by  
6 the district school board or a public school within the  
7 district who is participating in the NBPTS certification  
8 program. The portfolio-preparation incentive is a one-time  
9 award paid during the school year for which the NBPTS fee  
10 subsidy is provided.

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

23 (d) An annual bonus equal to 10 percent of the prior  
24 fiscal year's statewide average salary for classroom teachers  
25 to be distributed to the school district to be paid to each  
26 individual who meets the requirements of paragraph (c) and  
27 agrees, in writing, to provide the equivalent of 12 workdays  
28 of mentoring and related services to public school teachers  
29 within the district who do not hold NBPTS certification. The  
30 district school board shall distribute the annual bonus in a  
31 single payment following the completion of all required

1 mentoring and related services for the year. It is not the  
2 intent of the Legislature to remove excellent teachers from  
3 their assigned classrooms; therefore, credit may not be  
4 granted by a school district or public school for mentoring or  
5 related services provided during the regular school day or  
6 during the 196 days of required service for the school year.

7 ~~(e) The district shall receive an amount equal to 50~~  
8 ~~percent of the teacher bonuses provided under paragraphs (c)~~  
9 ~~and (d), which shall be used by the district for professional~~  
10 ~~development of teachers. The district must give priority to~~  
11 ~~using all funds received pursuant to this paragraph for~~  
12 ~~professional development of teachers employed at schools~~  
13 ~~identified as performing at critically low level.~~

14 (4)(a) In addition to any other remedy available under  
15 law, any person who is a recipient of a certification fee  
16 subsidy paid to the NBPTS and who is an employee of the state  
17 or any of its political subdivisions shall be deemed to have  
18 agreed as a condition of employment to have consented to  
19 voluntary or involuntary withholding of wages to repay the  
20 certification fee subsidy due to the state pursuant to this  
21 section. Any such employee who has defaulted or does default  
22 on the repayment of such certification fee shall, within 60  
23 days after service of a notice of default by the Department of  
24 Education to the employee, establish a repayment schedule  
25 which shall be agreed to by the Department of Education and  
26 the employee for repaying the defaulted payment through  
27 payroll deductions. Under no circumstances may an amount in  
28 excess of 10 percent per pay period of the pay of the employee  
29 be required by the Department of Education as part of a  
30 repayment schedule or plan. If the employee fails to establish  
31 a repayment schedule within the specified period of time or

1 fails to meet the terms and conditions of the agreed to or  
2 approved repayment schedule as authorized by this subsection,  
3 the employee shall be deemed to have breached an essential  
4 condition of employment and consented to the involuntary  
5 withholding of wages or salary for the repayment of the  
6 certification fee.

7 (b) No person who is employed by the state or any of  
8 its political subdivisions may be dismissed for having  
9 defaulted on the repayment of the certification fee to the  
10 state.

11 (c) The State Board of Education may adopt rules as  
12 necessary to implement the provisions for payment of the fee  
13 subsidies, incentives, and bonuses, and the repayment of  
14 defaulted certification fees pursuant to this section.

15  
16 A teacher for whom the state pays the certification fee and  
17 who does not complete the certification program or does not  
18 teach in a public school of this state for a least 1 year  
19 after completing the certification program must repay the  
20 amount of the certification fee to the state. However, a  
21 teacher who completes the certification program but fails to  
22 be awarded NBPTS certification is not required to repay the  
23 amount of the certification fee if the teacher meets the  
24 1-year teaching requirement. Repayment is not required of a  
25 teacher who does not complete the certification program or  
26 fails to fulfill the teaching requirement because of the  
27 teacher's death or disability or because of other extenuating  
28 circumstances as determined by the State Board of Education.

29 Section 46. Subsections (1) and (2), paragraph (b) of  
30 subsection (3), and subsections (4) and (5) of section  
31 240.529, Florida Statutes, are amended to read:

1           240.529 Public accountability and state approval for  
2 teacher preparation programs.--

3           (1) INTENT.--The Legislature recognizes that skilled  
4 teachers make the most important contribution to a quality  
5 educational system and that competent teachers are produced by  
6 effective and accountable teacher preparation programs. The  
7 intent of the Legislature is to establish a system for  
8 development and approval of teacher preparation programs that  
9 will free postsecondary teacher preparation institutions to  
10 employ varied and innovative teacher preparation techniques  
11 while being held accountable for producing graduates teachers  
12 with the competencies and skills necessary to achieve for  
13 achieving the state education goals; help students meet high  
14 standards for academic achievement; maintain safe, secure  
15 classroom learning environments; and sustain ~~sustaining~~ the  
16 state system of school improvement and education  
17 accountability established pursuant to ss. 229.591, 229.592,  
18 and 229.593.

19           (2) DEVELOPMENT OF TEACHER PREPARATION PROGRAMS.--

20           (a) The Commissioner of Education shall appoint a  
21 Teacher Preparation Program committee for the purpose of  
22 establishing core curricula in each state-approved teacher  
23 preparation program. The committee shall be comprised of  
24 representatives from presidents of public and private colleges  
25 and universities, deans of colleges of education, presidents  
26 of community colleges, district school superintendents, and  
27 high-performing teachers. The curricula shall be focused on  
28 the knowledge, skills, and abilities essential to instruction  
29 in the Sunshine State Standards, with a clear emphasis on the  
30 importance of reading at all grade levels. The committee shall  
31 make a report of its recommendations to the State Board of

1 Education by January 1, 2000, and at that time may be  
2 dissolved. The State Board of Education shall adopt rules that  
3 establish uniform core curricula for each state-approved  
4 teacher preparation program and shall utilize this report in  
5 the development of such rules.

6 (b) A system developed by the Department of Education  
7 in collaboration with institutions of higher education shall  
8 assist departments and colleges of education in the  
9 restructuring of their programs to meet the need for producing  
10 quality teachers now and in the future. The system must be  
11 designed to assist teacher educators in conceptualizing,  
12 developing, implementing, and evaluating programs that meet  
13 state-adopted standards. The Education Standards Commission  
14 has primary responsibility for recommending these standards to  
15 the State Board of Education for adoption. These standards  
16 shall emphasize quality indicators drawn from research,  
17 professional literature, recognized guidelines, Florida  
18 essential teaching competencies and educator-accomplished  
19 practices, effective classroom practices, and the outcomes of  
20 the state system of school improvement and education  
21 accountability, as well as performance measures. Departments  
22 and colleges of education shall make every attempt to secure  
23 priority funding for teacher preparation programs and courses  
24 emphasizing the state system of school improvement and  
25 education accountability concepts and standards.

26 (3) INITIAL STATE PROGRAM APPROVAL.--

27 (b) Each teacher preparation program approved by the  
28 Department of Education, as provided for by this section,  
29 shall require students to meet ~~one of~~ the following as  
30 prerequisites ~~a prerequisite~~ for admission into the program:  
31

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

4           1.2. That a student Have a grade point average of at  
5 least 2.5 on a 4.0 scale for the general education component  
6 of undergraduate studies; or

7           ~~2.3.~~ That a student Have completed the requirements  
8 for a baccalaureate degree with a minimum grade point average  
9 of 2.5 on a 4.0 scale from any college or university  
10 accredited by a regional accrediting association as defined by  
11 state board rule; and.

12           3. Beginning with the 2000-2001 academic year,  
13 demonstrate mastery of general knowledge, including the  
14 ability to read, write, and compute by passing the College  
15 Level Academic Skills Test, a corresponding component of the  
16 National Teachers Examination series, or a similar test  
17 pursuant to rules of the State Board of Education.

18  
19 The State Board of Education may ~~shall~~ provide by rule for a  
20 waiver of these requirements. The rule shall require that 90  
21 percent of those admitted to each teacher education program  
22 meet the requirements of this paragraph and that the program  
23 implement strategies to ensure that students admitted under a  
24 waiver receive assistance to demonstrate competencies to  
25 successfully meet requirements for certification.

26           (4) CONTINUED PROGRAM APPROVAL.--Notwithstanding  
27 subsection (3), failure by a public or nonpublic teacher  
28 preparation program to meet the criteria for continued program  
29 approval shall result in loss of program approval. The  
30 Department of Education, in collaboration with the departments  
31 and colleges of education, shall develop procedures for

1 continued program approval which document the continuous  
2 improvement of program processes and graduates' performance.

3 (a) Continued approval of specific teacher preparation  
4 programs at each public and nonpublic institution of higher  
5 education within the state is contingent upon the passing of  
6 the written examination required by s. 231.17 by at least 90  
7 ~~80~~ percent of the graduates of the program who take the  
8 examination. On request of an institution, the Department of  
9 Education shall provide an analysis of the performance of the  
10 graduates of such institution with respect to the competencies  
11 assessed by the examination required by s. 231.17.

12 (b) Additional criteria for continued program approval  
13 for public institutions may be developed by the Education  
14 Standards Commission and approved by the State Board of  
15 Education. Such criteria must emphasize outcome measures and  
16 must ~~may~~ include, but need not be limited to, program  
17 graduates' satisfaction with training and the unit's  
18 responsiveness to local school districts. Additional criteria  
19 for continued program approval for nonpublic institutions  
20 shall be developed in the same manner as for public  
21 institutions; however, such criteria must be based upon  
22 significant, objective, and quantifiable graduate performance  
23 measures. Responsibility for collecting data on outcome  
24 measures through survey instruments and other appropriate  
25 means shall be shared by the institutions of higher education,  
26 the Board of Regents, the State Board of Independent Colleges  
27 and Universities, and the Department of Education. By January  
28 1 of each year, the Department of Education, in cooperation  
29 with the Board of Regents and the State Board of Independent  
30 Colleges and Universities, shall report this information for  
31 each postsecondary institution that has state-approved



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

9 (c) ~~Beginning July 1, 1997,~~Continued approval for a  
10 teacher preparation program is contingent upon the results of  
11 annual reviews of the program conducted by the institution of  
12 higher education, using procedures and criteria outlined in an  
13 institutional program evaluation plan approved by the  
14 Department of Education. This plan must incorporate the  
15 criteria established in paragraphs (a) and (b) and include  
16 provisions for involving primary stakeholders, such as program  
17 graduates, district school personnel, classroom teachers,  
18 principals, community agencies, parents of school-aged  
19 children,and business representatives in the evaluation  
20 process. Upon request by an institution, the department shall  
21 provide assistance in developing, enhancing, or reviewing the  
22 institutional program evaluation plan and training evaluation  
23 team members.

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

30 (e) Beginning July 1, 2000, continued approval of  
31 teacher preparation programs is contingent upon the receipt of

1 at least a satisfactory rating from public schools and  
2 nonpublic schools that employ graduates of the program.  
3 Employer satisfaction shall be determined by an annually  
4 administered survey instrument approved by the Department of  
5 Education.

6 (f) Beginning with the 2000-2001 academic year, each  
7 public and private institution that offers a teacher  
8 preparation program in this state must annually report in the  
9 institution's student catalogue the prior year's performance  
10 of the teacher preparation program. Each annual report must  
11 address at least the following measures:

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

16 2. Graduation rates.

17 3. Time-to-graduation data.

18 4. Ability of graduates to perform at preprofessional  
19 and professional levels as evidenced by the percentage of  
20 graduates who pass the examinations required by chapter 231  
21 and demonstrate competencies required for issuance of the  
22 temporary certificate, professional certificate, and  
23 certificate of competency in various subject areas.

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

26 6. Percentage of graduates remaining in teaching for  
27 at least 4 years.

28 7. Satisfaction of graduates of the program as  
29 evidenced by a common survey.

30  
31

1           8. Satisfaction of employers as evidenced by a common  
2 survey of public and private schools that employ graduates of  
3 the program.

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

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 and must successfully  
26 demonstrate effective classroom management strategies that  
27 consistently result in improved student performance. The  
28 Education Standards Commission shall recommend, and the state  
29 board shall approve, the training requirements.

30           (c) Preservice field experience programs must provide  
31 specific guidance and demonstration of effective classroom

1 management strategies, modeling strategies for incorporating  
2 technology into classroom instruction, and ways to link  
3 instructional plans to the Sunshine State Standards, as  
4 appropriate. Such experience must include at least 1 week of  
5 supervised student contact with lower achieving students. The  
6 length of structured field experiences may be extended to  
7 ensure that candidates achieve the competencies needed to meet  
8 certification requirements.

9 (d)(e) Postsecondary teacher preparation programs in  
10 cooperation with district school boards and approved nonpublic  
11 school associations shall select the school sites for  
12 preservice field experience activities. These sites must  
13 represent the full spectrum of school communities, including,  
14 but not limited to, schools located in urban settings. In  
15 order to be selected, school sites must demonstrate commitment  
16 to the education of public school students and to the  
17 preparation of future teachers. A nonpublic school  
18 association, in order to be approved, must have a  
19 state-approved master inservice program plan in accordance  
20 with s. 236.0811.

21 Section 47. Section 231.6135, Florida Statutes, is  
22 created to read:

23 231.6135 Statewide system for in-service professional  
24 development.--The intent of this section is to establish a  
25 statewide system of professional development that provides a  
26 wide range of targeted in-service training to teachers and  
27 administrators designed to upgrade skills and knowledge needed  
28 to reach world class standards in education. The system shall  
29 consist of a network of professional development academies in  
30 each region of the state that are operated in partnership with  
31 area business partners to develop and deliver high quality

1 training programs purchased by school districts. The academies  
2 shall be established to meet the human resource development  
3 needs of professional educators, schools, and school  
4 districts. Funds appropriated for the initiation of  
5 professional development academies shall be allocated by the  
6 Commissioner of Education, unless otherwise provided in an  
7 appropriations act. To be eligible for startup funds, the  
8 academy must:

9       (1) Demonstrate the capacity to provide effective  
10 training to improve teaching skills in the areas of elementary  
11 or secondary reading and mathematics, the use of instructional  
12 technology, high school algebra, and classroom management, and  
13 to deliver such training using face-to-face, distance  
14 learning, and individualized computer-based delivery systems.

15       (2) Propose a plan for responding in an effective and  
16 timely manner to the professional development needs of  
17 teachers, administrators, schools, and school districts  
18 relating to improving student achievement and meeting state  
19 and local education goals.

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

24       (4) Demonstrate the ability to provide high-quality  
25 trainers and training, appropriate followup and coaching for  
26 all participants, and support school personnel in positively  
27 impacting student performance.

28       (5) Be operated under contract with its public  
29 partners and governed by an independent board of directors,  
30 which should include at least one superintendent and one  
31 school board chairman from the participating school districts,

1 the president of the collective bargaining unit that  
2 represents the majority of the region's teachers, and at least  
3 three individuals who are not employees or elected or  
4 appointed officials of the participating school districts.

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

10 (7) Own or lease a facility that can be used to  
11 deliver training on-site and through distance learning and  
12 other technology-based delivery systems. The participating  
13 district school boards may lease a site or facility to the  
14 academy for a nominal fee and may pay all or part of the costs  
15 of renovating a facility to accommodate the academy. The  
16 academy is responsible for all operational, maintenance, and  
17 repair costs.

18 (8) Provide professional development services for the  
19 participating school districts as specified in the contract  
20 and may provide professional development services to other  
21 school districts, private schools, and individuals on a  
22 fee-for-services basis.

23 Section 48. Section 231.601, Florida Statutes, is  
24 repealed.

25 Section 49. Paragraph (a) of subsection (16) of  
26 section 230.23, Florida Statutes, 1998 Supplement, is amended  
27 to read:

28 230.23 Powers and duties of school board.--The school  
29 board, acting as a board, shall exercise all powers and  
30 perform all duties listed below:

31

1           (16) IMPLEMENT SCHOOL IMPROVEMENT AND  
2 ACCOUNTABILITY.--Maintain a system of school improvement and  
3 education accountability as provided by statute and State  
4 Board of Education rule. This system of school improvement and  
5 education accountability shall be consistent with, and  
6 implemented through, the district's continuing system of  
7 planning and budgeting required by this section and ss.  
8 229.555 and 237.041. This system of school improvement and  
9 education accountability shall include, but not be limited to,  
10 the following:

11           (a) School improvement plans.--Annually approve and  
12 require implementation of a new, amended, or continuation  
13 school improvement plan for each school in the district. Such  
14 plan shall be designed to achieve the state education goals  
15 and student performance standards pursuant to ss. 229.591(3)  
16 and 229.592. Beginning in 1999-2000, each plan shall also  
17 address issues relative to budget, training, instructional  
18 materials, technology, staffing, student support services,  
19 specific school safety and discipline strategies, and other  
20 matters of resource allocation, as determined by school board  
21 policy.

22           Section 50. Section 230.2316, Florida Statutes, 1998  
23 Supplement, is amended to read:

24           230.2316 Dropout prevention.--

25           (1) SHORT TITLE.--This act may be cited as the  
26 "Dropout Prevention and Academic Intervention Act."

27           (2) INTENT.--The Legislature recognizes that a growing  
28 proportion of young people are not making successful  
29 transitions to productive adult lives. ~~The Legislature further~~  
30 ~~recognizes that traditional education programs which do not~~  
31 ~~meet certain students' educational needs and interests may~~

1 ~~cause these students to become unmotivated, fail, be truant,~~  
 2 ~~be disruptive, or drop out of school.~~The Legislature finds  
 3 that a child who does not complete his or her education is  
 4 greatly limited in obtaining gainful employment, achieving his  
 5 or her full potential, and becoming a productive member of  
 6 society. Therefore, it is the intent of the Legislature to  
 7 authorize and encourage district school boards throughout the  
 8 state to develop and establish dropout prevention and academic  
 9 intervention activities designed to meet the needs of students  
 10 who do not perform well in traditional educational programs  
 11 ~~establish comprehensive dropout prevention programs. These~~  
 12 ~~programs shall be designed to meet the needs of students who~~  
 13 ~~are not effectively served by conventional education programs~~  
 14 ~~in the public school system.~~ It is further the intent of the  
 15 Legislature that cooperative agreements be developed among  
 16 school districts, other governmental and private agencies, and  
 17 community resources in order to implement innovative exemplary  
 18 programs aimed at reducing the number of students who do not  
 19 complete their education and increasing the number of students  
 20 who have a positive experience in school and obtain a high  
 21 school diploma.

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

23 (a) Dropout prevention and academic intervention  
 24 programs may ~~shall~~ differ from traditional education programs  
 25 and schools in scheduling, administrative structure,  
 26 philosophy, curriculum, or setting and shall employ  
 27 alternative teaching methodologies, curricula, learning  
 28 activities, and ~~or~~ diagnostic and assessment procedures in  
 29 order to meet the needs, interests, abilities, and talents of  
 30 eligible students. The educational program shall provide  
 31 curricula, character development and law education as provided



1 in s. 233.0612, and related services which support the program  
2 goals and lead to improved performance in the areas of  
3 academic achievement, attendance, and discipline completion of  
4 ~~a high school diploma~~. Student participation in such programs  
5 shall be voluntary. Districts may, however, assign students to  
6 a program for disruptive students. ~~The minimum period of time~~  
7 ~~during which the student participates in the program shall be~~  
8 ~~equivalent to two instructional periods per day unless the~~  
9 ~~program utilizes a student support and assistance component~~  
10 ~~rather than regularly scheduled courses.~~

11 (b) Students in grades 1-12 ~~4-12~~ shall be eligible for  
12 dropout prevention and academic intervention programs.  
13 Eligible ~~dropout prevention~~ students shall be reported in the  
14 appropriate basic cost factor for dropout prevention full-time  
15 ~~equivalent student membership~~ in the Florida Education Finance  
16 Program in ~~standard dropout prevention classes or student~~  
17 ~~support and assistance components which provide academic~~  
18 ~~assistance and coordination of support services to students~~  
19 ~~enrolled full time in a regular classroom~~. The strategies and  
20 support provided to eligible students shall be funded through  
21 the General Appropriations Act and may include, but are not  
22 limited to those services identified on the student's academic  
23 intervention plan. ~~The student support and assistance~~  
24 ~~component shall include auxiliary services provided to~~  
25 ~~students or teachers, or both~~. Students participating in this  
26 model shall generate funding only for the time that they  
27 receive extra services or auxiliary help.

28 (c) A student shall be identified as being eligible to  
29 receive services funded through the dropout prevention and  
30 academic intervention program ~~a potential dropout~~ based upon  
31 one of the following criteria:

1           1. The student is academically unsuccessful as  
2 evidenced by low test scores, retention, failing grades, low  
3 grade point average, falling behind in earning credits, or not  
4 meeting the state or district proficiency levels in reading,  
5 mathematics, or writing.

6           2. The student has a pattern of excessive absenteeism  
7 or has been identified as a habitual truant.

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           3.5. The student has a history of disruptive behavior  
27 in school or has committed an offense that warrants  
28 out-of-school suspension or expulsion from school according to  
29 the district code of student conduct. For the purposes of this  
30 program, "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 ~~3.2.~~ 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           (4) PROGRAM IMPLEMENTATION.--

11           (a) Each district may establish ~~one or more~~  
12 ~~alternative programs for dropout prevention and academic~~  
13 intervention programs at the elementary, middle, junior high  
14 school, or high school level. Programs designed to eliminate  
15 patterns of excessive absenteeism or habitual truancy shall  
16 emphasize academic performance and may provide specific  
17 instruction in the areas of vocational education,  
18 preemployment training, and behavioral management. Such  
19 programs shall utilize instructional teaching methods  
20 appropriate to the specific needs of the student.

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

25           ~~(c) Districts may modify courses listed in the State~~  
26 ~~Course Code Directory for the purpose of providing dropout~~  
27 ~~prevention programs pursuant to the provisions of this~~  
28 ~~section.~~

29           (5) EVALUATION.--Each school district receiving state  
30 funding for dropout prevention and academic intervention  
31 programs through the General Appropriations Act Florida

1 ~~Education Finance Program~~ shall submit a plan to the  
2 department which identifies the students to be served and the  
3 scope of intervention services to be provided. Districts shall  
4 also submit information through an annual report to the  
5 Department of Education's database documenting the extent to  
6 which each of the district's dropout prevention and academic  
7 intervention programs has been successful in the areas of  
8 graduation rate, dropout rate, attendance rate, and  
9 retention/promotion rate. The department shall compile this  
10 information into an annual report which shall be submitted to  
11 the presiding officers of the Legislature by February 15.

12 (6) STAFF DEVELOPMENT.--Each school district shall  
13 establish procedures for ensuring that teachers assigned to  
14 dropout prevention and academic intervention programs possess  
15 the affective, pedagogical, and content-related skills  
16 necessary to meet the needs of these at-risk students. ~~Each~~  
17 ~~school board shall also ensure that adequate staff development~~  
18 ~~activities are available for dropout prevention staff and that~~  
19 ~~dropout prevention staff participate in these activities.~~

20 (7) RECORDS.--Each district providing a ~~program for~~  
21 dropout prevention and academic intervention program pursuant  
22 to the provisions of this section shall maintain for each  
23 participating student ~~for whom funding is generated through~~  
24 ~~the Florida Education Finance Program~~ records documenting the  
25 student's eligibility, the length of participation, the type  
26 of program to which the student was assigned or the type of  
27 academic intervention services provided, and an evaluation of  
28 the student's academic and behavioral performance while in the  
29 program. The parents or guardians of a student assigned to  
30 such a dropout prevention and academic intervention program  
31 shall be notified in writing and entitled to an administrative

1 review of any action by school personnel relating to such  
2 placement pursuant to the provisions of chapter 120.

3 (8) COORDINATION WITH OTHER AGENCIES.--School district  
4 dropout prevention and academic intervention programs shall be  
5 coordinated with social service, law enforcement,  
6 prosecutorial, and juvenile justice agencies and juvenile  
7 assessment centers in the school district. Notwithstanding the  
8 provisions of s. 228.093, these agencies are authorized to  
9 exchange information contained in student records and juvenile  
10 justice records. Such information is confidential and exempt  
11 from the provisions of s. 119.07(1). School districts and  
12 other agencies receiving such information shall use the  
13 information only for official purposes connected with the  
14 certification of students for admission to and for the  
15 administration of the dropout prevention and academic  
16 intervention program, and shall maintain the confidentiality  
17 of such information unless otherwise provided by law or rule.

18 (9) RULES.--The Department of Education shall have the  
19 authority pursuant to ss. 120.536(1) and 120.54 to adopt any  
20 rules necessary to implement the provisions of this section;  
21 such rules shall require the minimum amount of necessary  
22 paperwork and reporting ~~necessary~~ to comply with this act.

23 Section 51. Section 231.085, Florida Statutes, is  
24 amended to read:

25 231.085 Duties of principals.--A district school board  
26 shall employ, through written contract, public school  
27 principals who shall supervise the operation and management of  
28 the schools and property as the board determines necessary.  
29 Each principal shall perform such duties as may be assigned by  
30 the superintendent pursuant to the rules of the school board.  
31 Such rules shall include, but not be limited to, rules



1 relating to administrative responsibility, instructional  
2 leadership of the educational program of the school to which  
3 the principal is assigned, submission of personnel  
4 recommendations to the superintendent, administrative  
5 responsibility for records and reports, administration of  
6 corporal punishment, and student suspension. Each principal  
7 shall provide leadership in the development or revision and  
8 implementation of a school improvement plan pursuant to s.  
9 230.23(16). Each principal must make the necessary provisions  
10 to ensure that all school reports are accurate and timely, and  
11 must provide the necessary training opportunities for staff to  
12 accurately report attendance, FTE program participation,  
13 student performance, teacher appraisal, and school safety and  
14 discipline data. A principal who fails to comply with this  
15 section shall be ineligible for any portion of the performance  
16 pay policy incentive under s. 230.23(5)(c).

17 Section 52. Section 232.001, Florida Statutes, is  
18 created to read:

19 232.001 Pilot projects.--It is the purpose of this  
20 section to authorize at least three district school boards  
21 identified in the General Appropriations Act to implement  
22 pilot projects that raise the compulsory age of attendance for  
23 children from the age of 16 years to 18 years, except for  
24 those students who graduate from high school before reaching  
25 18 years of age. The pilot project applies to each child who  
26 has not attained the age of 16 years by September 30 of the  
27 school year in which a school board policy is adopted.

28 (1) Beginning July 1, 1999, the district school boards  
29 as identified in the General Appropriations Act may implement  
30 a pilot project consistent with policy adopted by each of the  
31 school boards to raise the compulsory age of attendance for

1 children from the age of 16 years to 18 years, except for  
2 those students who graduate from high school before reaching  
3 18 years of age.

4 (2) Before the beginning of the school year, each  
5 district school board that chooses to participate in the pilot  
6 project must adopt a policy for raising the compulsory age of  
7 attendance for children from the age of 16 years to 18 years,  
8 except for those students who graduate from high school before  
9 reaching 18 years of age.

10 (a) Before the adoption of the policy, each district  
11 school board must provide a notice of intent to adopt a policy  
12 to raise the compulsory age of attendance for children from  
13 the age of 16 years to 18 years, except for those students who  
14 graduate from high school before reaching 18 years of age. The  
15 notice must be provided to the parent or legal guardian of  
16 each child who is the age of 15 years and who is enrolled in a  
17 school in the district.

18 (b) Within 2 weeks after adoption of the school board  
19 policy, each district school board must provide notice of the  
20 policy to the parent or legal guardian of each child who is  
21 the age of 15 years and who is enrolled in a school in the  
22 district. The notice must also provide information related to  
23 the penalties for refusing or failing to comply with the  
24 compulsory attendance requirements and information on  
25 alternative education programs offered within the school  
26 district.

27 (3) All state laws and State Board of Education rules  
28 related to students subject to compulsory school attendance  
29 apply to a district school board that chooses to participate  
30 in a pilot project. Notwithstanding the provisions of s.  
31 232.01, the formal declaration of intent to terminate school

1 enrollment does not apply to a district school board that  
2 chooses to participate in a pilot project.

3 (4) Each district school board that chooses to  
4 participate in the pilot project must evaluate the effect of  
5 the adopted school board policy for raising the compulsory age  
6 of attendance on school attendance and the school district's  
7 dropout rate, as well as the costs associated with the pilot  
8 project. Each school district shall report the findings to the  
9 President of the Senate, the Speaker of the House of  
10 Representatives, the minority leader of each house, the  
11 Governor, and the Commissioner of Education not later than  
12 August 1 following each year that the pilot project is in  
13 operation.

14 Section 53. Subsection (2) of section 232.09, Florida  
15 Statutes, is amended to read:

16 232.09 Parents and legal guardians responsible for  
17 attendance of children; attendance policy.--

18 (2) Each parent and legal guardian of a child within  
19 the compulsory attendance age is responsible for the child's  
20 school attendance as required by law. The absence of a child  
21 from school is prima facie evidence of a violation of this  
22 section; however, criminal prosecution under this chapter may  
23 not be brought against a parent, guardian, or other person  
24 having control of the child until the provisions of s.  
25 232.17(2) have been complied with. A parent or guardian of a  
26 child is not responsible for the child's nonattendance at  
27 school under any of the following conditions:

28 (a) With permission.--The absence was with permission  
29 of the head of the school; or  
30  
31

1 (b) Without knowledge.--The absence was without the  
2 parent's knowledge, consent, or connivance, in which case the  
3 child shall be dealt with as a dependent child; or

4 (c) Financial inability.--The parent was unable  
5 financially to provide necessary clothes for the child, which  
6 inability was reported in writing to the superintendent prior  
7 to the opening of school or immediately after the beginning of  
8 such inability; provided, that the validity of any claim for  
9 exemption under this subsection shall be determined by the  
10 superintendent subject to appeal to the school board; or

11 (d) Sickness, injury, or other insurmountable  
12 condition.--Attendance was impracticable or inadvisable on  
13 account of sickness or injury, attested to by a written  
14 statement of a licensed practicing physician, or was  
15 impracticable because of some other stated insurmountable  
16 condition as defined by rules of the state board. If a student  
17 is continually sick and repeatedly absent from school, he or  
18 she must be under the supervision of a physician in order to  
19 receive an excuse from attendance. Such excuse provides that a  
20 student's condition justifies absence for more than the number  
21 of days permitted by the district school board.

22  
23 Each district school board shall establish an attendance  
24 policy which includes, but is not limited to, the required  
25 number of days each school year that a student must be in  
26 attendance and the number of absences and tardinesses after  
27 which a statement explaining such absences and tardinesses  
28 must be on file at the school. Each school in the district  
29 must determine if an absence or tardiness is excused or  
30 unexcused according to criteria established by the district  
31 school board.

1 Section 54. Section 232.17, Florida Statutes, 1998  
2 Supplement, is amended to read:

3 232.17 Enforcement of school attendance.--The  
4 Legislature finds that poor academic performance is associated  
5 with nonattendance and that schools must take an active role  
6 in enforcing attendance as a means of improving the  
7 performance of many students. It is the policy of the state  
8 that the superintendent of each school district be responsible  
9 for enforcing school attendance of all children and youth  
10 subject to the compulsory school age in the school district.  
11 The responsibility includes recommending to the school board  
12 policies and procedures to ensure that schools respond in a  
13 timely manner to every unexcused absence, or absence for which  
14 the reason is unknown, of students enrolled in the schools.  
15 School board policies must require each parent or guardian of  
16 a student to justify each absence of the student, and that  
17 justification will be evaluated based on adopted school board  
18 policies that define excused and unexcused absences. The  
19 policies must provide that schools track excused and unexcused  
20 absences and contact the home in the case of an unexcused  
21 absence from school, or absence for which the reason is  
22 unknown, to prevent the development of patterns of  
23 nonattendance. The Legislature finds that early intervention  
24 in school attendance matters is the most effective way of  
25 producing good attendance habits that will lead to improved  
26 student learning and achievement. Each public school shall  
27 implement the following steps to enforce regular school  
28 attendance:

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

30 (a) Upon each unexcused absence, or absence for which  
31 the reason is unknown, the school principal or his or her

1 designee shall contact the home to determine the reason for  
2 the absence. If the absence is an excused absence, as defined  
3 by school board policy, the school shall provide opportunities  
4 for the student to make up assigned work and not receive an  
5 academic penalty unless the work is not made up within a  
6 reasonable time.

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

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

- 25 1. Frequent communication between the teacher and the  
26 family;
- 27 2. Changes in the learning environment;
- 28 3. Mentoring;
- 29 4. Student counseling;
- 30 5. Tutoring, including peer tutoring;
- 31 6. Placement into different classes;

- 1           7. Evaluation for alternative education programs;
- 2           8. Attendance contracts;
- 3           9. Referral to other agencies for family services; or
- 4           10. Other interventions.

5           (d) The child study team shall be diligent in  
6 facilitating intervention services and shall report the case  
7 to the superintendent only when all reasonable efforts to  
8 resolve the nonattendance behavior are exhausted.

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

22           (f) If the parent, guardian, or other person in charge  
23 of the child reports to the child study team or other  
24 designated school representative that the child subject to  
25 compulsory school attendance is ungovernable and will not  
26 comply with attempts to enforce school attendance, then the  
27 parent or guardian or the superintendent shall file a  
28 child-in-need-of-services petition or  
29 family-in-need-of-services petition seeking services from the  
30 Department of Juvenile Justice and a court order to attend  
31 school. The superintendent shall provide evidence to the court

1 that the school system is prepared to provide a learning  
2 environment for the student that is responsive to the  
3 student's learning needs and that all reasonable efforts to  
4 resolve the nonattendance behavior have been exhausted. The  
5 court may enforce a contempt of court order if the child  
6 refuses to comply.~~Pursuant to procedures established by the~~  
7 ~~district school board, a designated school representative must~~  
8 ~~complete activities designed to determine the cause and~~  
9 ~~attempt the remediation of truant behavior, as provided in~~  
10 ~~this section.~~

11 ~~(1) INVESTIGATE NONENROLLMENT AND UNEXCUSED~~  
12 ~~ABSENCES.--A designated school representative shall~~  
13 ~~investigate cases of nonenrollment and unexcused absences from~~  
14 ~~school of all children subject to compulsory school~~  
15 ~~attendance.~~

16 (2) GIVE WRITTEN NOTICE.--

17 (a) Under the direction of the superintendent, a  
18 designated school representative shall give written notice, in  
19 person or by return-receipt mail, to the parent, guardian, or  
20 other person having control when no valid reason is found for  
21 a child's nonenrollment in school which requires or when the  
22 child has a minimum of 3 but fewer than 6 unexcused absences  
23 within 90 calendar days, requiring enrollment and or  
24 attendance within 3 days after the date of notice. If the  
25 notice and requirement are ignored, the designated school  
26 representative shall report the case to the superintendent,  
27 and may refer the case to the case staffing committee,  
28 established pursuant to s. 984.12, if the conditions of s.  
29 232.19(3) have been met.the superintendent shall may take  
30 such steps as are necessary to bring criminal prosecution  
31 against the parent, guardian, or other person having control.



1           (b) Subsequent to the activities required under  
2 subsection (1), the superintendent or his or her designee  
3 shall give written notice in person or by return-receipt mail  
4 to the parent, guardian, or other person in charge of the  
5 child that criminal prosecution is being sought for  
6 nonattendance. The superintendent may file a truancy petition  
7 in truancy court, as defined in s. 984.03, following the  
8 procedures outlined in s. 984.151.

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

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

27           (5) RIGHT TO INSPECT.--A designated school  
28 representative shall have the same right of access to, and  
29 inspection of, establishments where minors may be employed or  
30 detained as is given by law to the Division of Jobs and  
31 Benefits only for the purpose of ascertaining whether children

1 of compulsory school age are actually employed there and are  
2 actually working there regularly. The designated school  
3 representative shall, if he or she finds unsatisfactory  
4 working conditions or violations of the Child Labor Law,  
5 report his or her findings to the Division of Jobs and  
6 Benefits or its agents.

7 ~~(6) RESUMING SERIES.--If a child repeats a pattern of~~  
8 ~~nonattendance within one school year, the designated school~~  
9 ~~representative shall resume the series of escalating~~  
10 ~~activities at the point at which he or she had previously left~~  
11 ~~off.~~

12 Section 55. Subsection (3) of section 232.19, Florida  
13 Statutes, 1998 Supplement, is amended to read:

14 232.19 Court procedure and penalties.--The court  
15 procedure and penalties for the enforcement of the provisions  
16 of this chapter, relating to compulsory school attendance,  
17 shall be as follows:

18 (3) HABITUAL TRUANCY CASES.--The superintendent is  
19 authorized to file a truancy petition in truancy court, as  
20 defined in s. 984.03, following the procedures outlined in s.  
21 984.151. If the superintendent chooses not to file a truancy  
22 petition, procedures for filing a child-in-need-of-services  
23 petition shall be commenced pursuant to this subsection. In  
24 accordance with procedures established by the district school  
25 board, the designated school representative shall refer a  
26 student who is habitually truant and the student's family to  
27 the children-in-need-of-services and  
28 families-in-need-of-services provider or the case staffing  
29 committee, established pursuant to s. 984.12, as determined by  
30 the cooperative agreement required in this section. The case  
31 staffing committee may request the Department of Juvenile

1 Justice or its designee to file a child-in-need-of-services  
2 petition based upon the report and efforts of the school  
3 district or other community agency or may seek to resolve the  
4 truant behavior through the school or community-based  
5 organizations or agencies. Prior to and subsequent to the  
6 filing of a child-in-need-of-services petition due to habitual  
7 truancy, the appropriate governmental agencies must allow a  
8 reasonable time to complete actions required by this  
9 subsection to remedy the conditions leading to the truant  
10 behavior. However, a court order requiring school attendance  
11 shall be obtained as a necessary part of such services. ~~The~~  
12 ~~following criteria must be met and documented in writing~~ Prior  
13 ~~to the filing of a petition, the school district must have~~  
14 complied with the requirements of s. 232.17, and those efforts  
15 must have been unsuccessful.+

16 (a) ~~The child must have 15 unexcused absences within~~  
17 ~~90 calendar days with or without the knowledge or consent of~~  
18 ~~the child's parent or legal guardian, must be subject to~~  
19 ~~compulsory school attendance, and must not be exempt under s.~~  
20 ~~232.06, s. 232.09, or any other exemption specified by law or~~  
21 ~~the rules of the State Board of Education.~~

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

26 1. ~~After a minimum of 3 and prior to 6 unexcused~~  
27 ~~absences within 90 calendar days, one or more meetings must~~  
28 ~~have been held, either in person or by phone, between a~~  
29 ~~designated school representative, the child's parent or~~  
30 ~~guardian, and the child, if necessary, to report and to~~  
31 ~~attempt to solve the truancy problem. However, if the~~

1 ~~designated school representative has documented the refusal of~~  
2 ~~the parent or guardian to participate in the meetings, this~~  
3 ~~requirement has been met.~~

4 ~~2. Educational counseling must have been provided to~~  
5 ~~determine whether curriculum changes would help solve the~~  
6 ~~truancy problem, and, if any changes were indicated, such~~  
7 ~~changes must have been instituted but proved unsuccessful in~~  
8 ~~remediating the truant behavior. Such curriculum changes may~~  
9 ~~include enrollment of the child in a dropout prevention~~  
10 ~~program that meets the specific educational and behavioral~~  
11 ~~needs of the child, including a second chance school, as~~  
12 ~~provided for in s. 230.2316, designed to resolve truant~~  
13 ~~behavior.~~

14 ~~3. Educational evaluation, which may include~~  
15 ~~psychological evaluation, must have been provided to assist in~~  
16 ~~determining the specific condition, if any, that is~~  
17 ~~contributing to the child's nonattendance. The evaluation~~  
18 ~~must have been supplemented by specific efforts by the school~~  
19 ~~to remedy any diagnosed condition.~~

20  
21 ~~If a child who is subject to compulsory school attendance is~~  
22 ~~responsive to the interventions described in this paragraph~~  
23 ~~and has completed the necessary requirements to pass the~~  
24 ~~current grade as indicated in the district pupil progression~~  
25 ~~plan, the child shall be passed.~~

26 Section 56. Effective July 1, 1999, paragraph (a) of  
27 subsection (1) of section 236.081, Florida Statutes, 1998  
28 Supplement, is amended to read:

29 236.081 Funds for operation of schools.--If the annual  
30 allocation from the Florida Education Finance Program to each  
31 district for operation of schools is not determined in the

1 annual appropriations act or the substantive bill implementing  
2 the annual appropriations act, it shall be determined as  
3 follows:

4 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
5 OPERATION.--The following procedure shall be followed in  
6 determining the annual allocation to each district for  
7 operation:

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

29 Section 57. Paragraph (b) of subsection (4), and  
30 paragraphs (a) and (b) of subsection (5) of section 240.529,  
31 Florida Statutes, are amended to read:

1           240.529 Public accountability and state approval for  
2 teacher preparation programs.--

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

11           (b) Additional criteria for continued program approval  
12 for public institutions may be developed by the Education  
13 Standards Commission and approved by the State Board of  
14 Education. Such criteria must emphasize outcome measures of  
15 student performance in the areas of classroom management and  
16 improving the performance of students who have traditionally  
17 failed to meet student achievement goals and have been  
18 overrepresented in school suspensions and other disciplinary  
19 actions,and may include, but need not be limited to, program  
20 graduates' satisfaction with training and the unit's  
21 responsiveness to local school districts. Additional criteria  
22 for continued program approval for nonpublic institutions  
23 shall be developed in the same manner as for public  
24 institutions; however, such criteria must be based upon  
25 significant, objective, and quantifiable graduate performance  
26 measures. Responsibility for collecting data on outcome  
27 measures through survey instruments and other appropriate  
28 means shall be shared by the institutions of higher education,  
29 the Board of Regents, the State Board of Independent Colleges  
30 and Universities, and the Department of Education. By January  
31 1 of each year, the Department of Education, in cooperation

1 with the Board of Regents and the State Board of Independent  
2 Colleges and Universities, shall report this information for  
3 each postsecondary institution that has state-approved  
4 programs of teacher education to the Governor, the  
5 Commissioner of Education, the Chancellor of the State  
6 University System, the President of the Senate, the Speaker of  
7 the House of Representatives, all Florida postsecondary  
8 teacher preparation programs, and interested members of the  
9 public. This report must analyze the data and make  
10 recommendations for improving teacher preparation programs in  
11 the state.

12 (5) PRESERVICE FIELD EXPERIENCE.--All postsecondary  
13 instructors, school district personnel and instructional  
14 personnel, and school sites preparing instructional personnel  
15 through preservice field experience courses and internships  
16 shall meet special requirements.

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

27 (b) All school district personnel and instructional  
28 personnel who supervise or direct teacher preparation students  
29 during field experience courses or internships must have  
30 evidence of "clinical educator" training. The Education  
31

1 Standards Commission shall recommend, and the state board  
2 shall approve, the training requirements.

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

7 984.03 Definitions.--When used in this chapter, the  
8 term:

9 (29) "Habitually truant" means that:

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

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

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



1 ~~evaluating agency,~~ the State Attorney determines that another  
2 alternative placement is preferable ~~may elect to file a~~  
3 ~~child-in-need-of-services~~ petition.

4 (c) A school representative, designated according to  
5 school board policy, and a juvenile probation officer of the  
6 Department of Juvenile Justice have jointly investigated the  
7 truancy problem or, if that was not feasible, have performed  
8 separate investigations to identify conditions that may be  
9 contributing to the truant behavior; and if, after a joint  
10 staffing of the case to determine the necessity for services,  
11 such services were determined to be needed, the persons who  
12 performed the investigations met jointly with the family and  
13 child to discuss any referral to appropriate community  
14 agencies for economic services, family or individual  
15 counseling, or other services required to remedy the  
16 conditions that are contributing to the truant behavior.

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

27 (57) "Truancy court" means the circuit court's chosen  
28 delegation of the authority to hear a truancy petition to a  
29 hearing officer who shall have all the authority of the  
30 circuit court for the purpose of hearing the truancy petition  
31 and ordering sanctions under s. 984.151.

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

6           Section 59. Section 984.151, Florida Statutes, is  
7 created to read:

8           984.151 Truancy court; petition; prosecution;  
9 disposition.--

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

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

16           (3) Original jurisdiction to hear a truancy petition  
17 shall be in the circuit court; however, the circuit court may  
18 choose to delegate this authority to a special hearing master  
19 trained in truancy issues.

20           (4) The petition shall contain the following: name,  
21 age, and address of the student, name and address of the  
22 student's parent or guardian; school where the student is  
23 enrolled; what efforts the school has made to get the student  
24 to attend school; number of out-of-school contacts between the  
25 school system and student's parent or guardian; number of days  
26 and dates of days the student has missed school. The petition  
27 shall be sworn to by the superintendent or his or her  
28 designee.

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

31

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

3           (7) If the court determines that the student did miss  
4 any of the alleged days, the court shall order the student to  
5 attend school and the parent to ensure that the student  
6 attends school, and may order any of the following: the  
7 student to participate in alternative sanctions to include  
8 mandatory attendance at alternative classes to be followed by  
9 mandatory community services hours for a period up to 6  
10 months; the student and the student's parent or guardian to  
11 participate in homemaker or parent aide services; the student  
12 or the student's parent or guardian to participate in  
13 intensive crisis counseling; the student or the student's  
14 parent or guardian to participate in community mental health  
15 services if available and applicable; the student and the  
16 student's parent or guardian to participate in service  
17 provided by voluntary or community agencies as available; the  
18 student or the student's parent or guardian to participate in  
19 vocational, job training, or employment services.

20           (8) If the student or the student's parent or guardian  
21 does not successfully complete the sanctions ordered in  
22 subsection (7), the case shall be referred to the case  
23 staffing committee under s. 984.12 with a recommendation to  
24 file a child-in-need-of-services petition under s. 984.15.

25           Section 60. For the purpose of incorporating  
26 amendments to sections or subdivisions of the Florida Statutes  
27 included in sections 1 through 16 of this act in references  
28 thereto, the sections or subdivisions of Florida Statutes or  
29 Florida Statutes, 1998 Supplement, set forth below are  
30 reenacted to read:

31

1           24.121 Allocation of revenues and expenditure of funds  
2 for public education.--

3           (5)

4           (b) Except as provided in paragraphs (c), (d), and  
5 (e), the Legislature shall equitably apportion moneys in the  
6 trust fund among public schools, community colleges, and  
7 universities.

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

31

1 or project formerly funded under this paragraph should receive  
2 funds in a subsequent year.

3 120.81 Exceptions and special requirements; general  
4 areas.--

5 (1) EDUCATIONAL UNITS.--

6 (b) Notwithstanding s. 120.52(15), any tests, test  
7 scoring criteria, or testing procedures relating to student  
8 assessment which are developed or administered by the  
9 Department of Education pursuant to s. 229.57, s. 232.245, s.  
10 232.246, or s. 232.247, or any other statewide educational  
11 tests required by law, are not rules.

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

21 228.0565 Deregulated public schools.--

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

25 (b) The school shall make annual progress reports to  
26 the district, which upon verification shall be forwarded to  
27 the Commissioner of Education at the same time as other annual  
28 school accountability reports. The report shall contain at  
29 least the following information:

30 1. The school's progress towards achieving the goals  
31 outlined in its proposal.

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

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

5           4. Salary and benefit levels of school employees.

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

9           (d) Upon receipt of the annual report required by  
10 paragraph (b), the Department of Education shall provide to  
11 the State Board of Education, the Commissioner of Education,  
12 the President of the Senate, and the Speaker of the House of  
13 Representatives with a copy of each report and an analysis and  
14 comparison of the overall performance of students, to include  
15 all students in deregulated public schools whose scores are  
16 counted as part of the norm-referenced assessment tests,  
17 versus comparable public school students in the district as  
18 determined by norm-referenced assessment tests currently  
19 administered in the school district, and, as appropriate, the  
20 Florida Writes Assessment Test, the High School Competency  
21 Test, and other assessments administered pursuant to s.  
22 229.57(3).

23           228.301 Test security.--

24           (1) It is unlawful for anyone knowingly and willfully  
25 to violate test security rules adopted by the State Board of  
26 Education or the Commissioner of Education for mandatory tests  
27 administered by or through the State Board of Education or the  
28 Commissioner of Education to students, educators, or  
29 applicants for certification or administered by school  
30 districts pursuant to s. 229.57, or, with respect to any such  
31 test, knowingly and willfully to:

- 1           (a) Give examinees access to test questions prior to  
2 testing;
- 3           (b) Copy, reproduce, or use in any manner inconsistent  
4 with test security rules all or any portion of any secure test  
5 booklet;
- 6           (c) Coach examinees during testing or alter or  
7 interfere with examinees' responses in any way;
- 8           (d) Make answer keys available to examinees;
- 9           (e) Fail to follow security rules for distribution and  
10 return of secure test as directed, or fail to account for all  
11 secure test materials before, during, and after testing;
- 12           (f) Fail to follow test administration directions  
13 specified in the test administration manuals; or
- 14           (g) Participate in, direct, aid, counsel, assist in,  
15 or encourage any of the acts prohibited in this section.
- 16           229.551 Educational management.--
- 17           (1) The department is directed to identify all  
18 functions which under the provisions of this act contribute  
19 to, or comprise a part of, the state system of educational  
20 accountability and to establish within the department the  
21 necessary organizational structure, policies, and procedures  
22 for effectively coordinating such functions. Such policies  
23 and procedures shall clearly fix and delineate  
24 responsibilities for various aspects of the system and for  
25 overall coordination of the total system. The commissioner  
26 shall perform the following duties and functions:
- 27           (c) Development of database definitions and all other  
28 items necessary for full implementation of a comprehensive  
29 management information system as required by s. 229.555;
- 30           (3) As a part of the system of educational  
31 accountability, the department shall:

1           (a) Develop minimum performance standards for various  
2 grades and subject areas, as required in ss. 229.565 and  
3 229.57.

4           (b) Administer the statewide assessment testing  
5 program created by s. 229.57.

6           (c) Develop and administer an educational evaluation  
7 program, including the provisions of the Plan for Educational  
8 Assessment developed pursuant to s. 9, chapter 70-399, Laws of  
9 Florida, and adopted by the State Board of Education.

10          (d) Review the school advisory councils of each  
11 district as required by s. 229.58.

12          (e) Conduct the program evaluations required by s.  
13 229.565.

14          (f) Maintain a listing of college-level communication  
15 and computation skills defined by the Articulation  
16 Coordinating Committee as being associated with successful  
17 student performance through the baccalaureate level and submit  
18 the same to the State Board of Education for approval.

19          (g) Maintain a listing of tests and other assessment  
20 procedures which measure and diagnose student achievement of  
21 college-level communication and computation skills and submit  
22 the same to the State Board of Education for approval.

23          (h) Maintain for the information of the State Board of  
24 Education and the Legislature a file of data compiled by the  
25 Articulation Coordinating Committee to reflect achievement of  
26 college-level communication and computation competencies by  
27 students in state universities and community colleges.

28          (i) Develop or contract for, and submit to the State  
29 Board of Education for approval, tests which measure and  
30 diagnose student achievement of college-level communication  
31 and computation skills. Any tests and related documents



1 developed are exempt from the provisions of s. 119.07(1). The  
2 commissioner shall maintain statewide responsibility for the  
3 administration of such tests and may assign administrative  
4 responsibilities for the tests to any public university or  
5 community college. The state board, upon recommendation of  
6 the commissioner, is authorized to enter into contracts for  
7 such services beginning in one fiscal year and continuing into  
8 the next year which are paid from the appropriation for either  
9 or both fiscal years.

10 (j) Perform any other functions that may be involved  
11 in educational planning, research, and evaluation or that may  
12 be required by the commissioner, the State Board of Education,  
13 or law.

14 230.03 Management, control, operation, administration,  
15 and supervision.--The district school system must be managed,  
16 controlled, operated, administered, and supervised as follows:

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

25 230.2316 Dropout prevention.--

26 (4) PROGRAM IMPLEMENTATION.--

27 (b) Each school that establishes or continues a  
28 dropout prevention program at that school site shall reflect  
29 that program in the school improvement plan as required under  
30 s. 230.23(16).

31

1           231.24 Process for renewal of professional  
2 certificates.--

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

5           (a) The applicant must earn a minimum of 6 college  
6 credits or 120 inservice points or a combination thereof. For  
7 each area of specialization to be retained on a certificate,  
8 the applicant must earn at least 3 of the required credit  
9 hours or equivalent inservice points in the specialization  
10 area. Education in "clinical educator" training pursuant to s.  
11 240.529(5)(b) and credits or points that provide training in  
12 the area of exceptional student education, normal child  
13 development, and the disorders of development may be applied  
14 toward any specialization area. Credits or points that provide  
15 training in the areas of drug abuse, child abuse and neglect,  
16 strategies in teaching students having limited proficiency in  
17 English, or dropout prevention, or training in areas  
18 identified in the educational goals and performance standards  
19 adopted pursuant to ss. 229.591(3) and 229.592 may be applied  
20 toward any specialization area. Credits or points earned  
21 through approved summer institutes may be applied toward the  
22 fulfillment of these requirements. Inservice points may also  
23 be earned by participation in professional growth components  
24 approved by the State Board of Education and specified  
25 pursuant to s. 236.0811 in the district's approved master plan  
26 for inservice educational training, including, but not limited  
27 to, serving as a trainer in an approved teacher training  
28 activity, serving on an instructional materials committee or a  
29 state board or commission that deals with educational issues,  
30 or serving on an advisory council created pursuant to s.  
31 229.58.

1           231.36 Contracts with instructional staff,  
2 supervisors, and principals.--

3           (3)

4           (e) A professional service contract shall be renewed  
5 each year unless the superintendent, after receiving the  
6 recommendations required by s. 231.29, charges the employee  
7 with unsatisfactory performance and notifies the employee of  
8 performance deficiencies as required by s. 231.29. An employee  
9 who holds a professional service contract on July 1, 1997, is  
10 subject to the procedures set forth in paragraph (f) during  
11 the term of the existing professional service contract. The  
12 employee is subject to the procedures set forth in s.

13 231.29(3)(d) upon the next renewal of the professional service  
14 contract; however, if the employee is notified of performance  
15 deficiencies before the next contract renewal date, the  
16 procedures of s. 231.29(3)(d) do not apply until the  
17 procedures set forth in paragraph (f) have been exhausted and  
18 the professional service contract is subsequently renewed.

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

29           1. On receiving notice of unsatisfactory performance,  
30 the employee, on request, shall be accorded an opportunity to  
31 meet with the superintendent or the superintendent's designee

1 for an informal review of the determination of unsatisfactory  
2 performance.

3           2. An employee notified of unsatisfactory performance  
4 may request an opportunity to be considered for a transfer to  
5 another appropriate position, with a different supervising  
6 administrator, for the subsequent year of employment.

7           3. During the subsequent year, the employee shall be  
8 provided assistance and inservice training opportunities to  
9 help correct the noted performance deficiencies. The employee  
10 shall also be evaluated periodically so that he or she will be  
11 kept apprised of progress achieved.

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

1 a. A direct hearing conducted by the school board  
2 within 60 days of receipt of the written appeal. The hearing  
3 shall be conducted in accordance with the provisions of ss.  
4 120.569 and 120.57. A majority vote of the membership of the  
5 school board shall be required to sustain the superintendent's  
6 recommendation. The determination of the school board shall  
7 be final as to the sufficiency or insufficiency of the grounds  
8 for termination of employment; or

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

20 232.2454 District student performance standards,  
21 instruments, and assessment procedures.--

22 (1) School districts are required to obtain or develop  
23 and implement assessments of student achievement as necessary  
24 to accurately measure student progress and to report this  
25 progress to parents or legal guardians according to s.  
26 232.245. Each school district shall implement the assessment  
27 program pursuant to the procedures it adopts.

28 232.246 General requirements for high school  
29 graduation.--

30  
31

1           (5) Each district school board shall establish  
2 standards for graduation from its schools, and these standards  
3 must include:

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

6           (b) Completion of all other applicable requirements  
7 prescribed by the district school board pursuant to s.  
8 232.245.

9           232.248 Confidentiality of assessment  
10 instruments.--All examination and assessment instruments,  
11 including developmental materials and workpapers directly  
12 related thereto, which are prepared, prescribed, or  
13 administered pursuant to ss. 229.57, 232.245, 232.246, and  
14 232.247 shall be confidential and exempt from the provisions  
15 of s. 119.07(1) and from ss. 229.781 and 230.331. Provisions  
16 governing access, maintenance, and destruction of such  
17 instruments and related materials shall be prescribed by rules  
18 of the state board.

19           232.2481 Graduation and promotion requirements for  
20 publicly operated schools.--

21           (1) Each state or local public agency, including the  
22 Department of Health and Rehabilitative Services, the  
23 Department of Corrections, the Board of Regents, boards of  
24 trustees of community colleges, and the Board of Trustees of  
25 the Florida School for the Deaf and the Blind, which agency is  
26 authorized to operate educational programs for students at any  
27 level of grades kindergarten through 12 shall be subject to  
28 all applicable requirements of ss. 232.245, 232.246, 232.247,  
29 and 232.248. Within the content of these cited statutes each  
30 such state or local public agency shall be considered a  
31 "district school board."

1           233.09 Duties of each state instructional materials  
2 committee.--The duties of each state instructional materials  
3 committee shall be:

4           (4) EVALUATION OF INSTRUCTIONAL MATERIALS.--To  
5 evaluate carefully all instructional materials submitted, to  
6 ascertain which instructional materials, if any, submitted for  
7 consideration best implement the selection criteria developed  
8 by the Commissioner of Education and those curricular  
9 objectives included within applicable performance standards  
10 provided for in s. 229.565.

11           (a) When recommending instructional materials for use  
12 in the schools, each committee shall include only  
13 instructional materials that accurately portray the ethnic,  
14 socioeconomic, cultural, and racial diversity of our society,  
15 including men and women in professional, vocational, and  
16 executive roles, and the role and contributions of the  
17 entrepreneur and labor in the total development of this state  
18 and the United States.

19           (b) When recommending instructional materials for use  
20 in the schools, each committee shall include only materials  
21 which accurately portray, whenever appropriate, humankind's  
22 place in ecological systems, including the necessity for the  
23 protection of our environment and conservation of our natural  
24 resources and the effects on the human system of the use of  
25 tobacco, alcohol, controlled substances, and other dangerous  
26 substances.

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

31

1           (d) When recommending instructional materials for use  
2 in the schools, each committee shall require, when appropriate  
3 to the comprehension of pupils, that materials for social  
4 science, history, or civics classes contain the Declaration of  
5 Independence and the Constitution of the United States. No  
6 instructional materials shall be recommended by any committee  
7 for use in the schools which contain any matter reflecting  
8 unfairly upon persons because of their race, color, creed,  
9 national origin, ancestry, gender, or occupation.

10           (e) All instructional materials recommended by each  
11 committee for use in the schools shall be, to the satisfaction  
12 of each committee, accurate, objective, and current and suited  
13 to the needs and comprehension of pupils at their respective  
14 grade levels. Instructional materials committees shall  
15 consider for adoption materials developed for academically  
16 talented students such as those enrolled in advanced placement  
17 courses.

18           (f) When recommending instructional materials for use  
19 in the schools, each committee shall have the recommendations  
20 of all districts which submit evaluations on the materials  
21 submitted for adoption in that particular subject area  
22 aggregated and presented to the members to aid them in the  
23 selection process; however, such aggregation shall be weighted  
24 in accordance with the full-time equivalent student percentage  
25 of each district. Each committee shall prepare an additional  
26 aggregation, unweighted, with each district recommendation  
27 given equal consideration. No instructional materials shall  
28 be evaluated or recommended for adoption unless each of the  
29 district committees shall have been loaned the specified  
30 number of samples.

31



1 (g) In addition to relying on statements of publishers  
2 or manufacturers of instructional material, any committee may  
3 conduct, or cause to be conducted, an independent  
4 investigation as to the compliance of submitted materials with  
5 the requirements of this section.

6 233.165 Standards for selection.--

7 (1) In the selection of instructional materials,  
8 library books, and other reading material used in the public  
9 school system, the standards used to determine the propriety  
10 of the material shall include:

11 (b) The educational purpose to be served by the  
12 material. In considering instructional materials for classroom  
13 use, priority shall be given to the selection of materials  
14 which encompass the state and district performance standards  
15 provided for in ss. 229.565 and 232.2454 and which include the  
16 instructional objectives contained within the curriculum  
17 frameworks approved by the State Board of Education, to the  
18 extent that appropriate curriculum frameworks have been  
19 approved by the board.

20 233.25 Duties, responsibilities, and requirements of  
21 publishers and manufacturers of instructional  
22 materials.--Publishers and manufacturers of instructional  
23 materials, or their representatives, shall:

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

26 (b) Written proof that the publisher has provided  
27 written correlations to appropriate curricular objectives  
28 included within applicable performance standards provided for  
29 in s. 229.565.

30 236.08106 Excellent Teaching Program.--

31

1           (2) The Excellent Teaching Program is created to  
2 provide categorical funding for monetary incentives and  
3 bonuses for teaching excellence. The Department of Education  
4 shall allocate and distribute to each school district an  
5 amount as prescribed annually by the Legislature for the  
6 Excellent Teaching Program. Unless otherwise provided in the  
7 General Appropriations Act, each school district's annual  
8 allocation shall be the sum of the amounts earned for the  
9 following incentives and bonuses:

10           (a) A fee subsidy to be paid by the school district to  
11 the NBPTS on behalf of each individual who is an employee of  
12 the district school board or a public school within that  
13 school district, who is certified by the district to have  
14 demonstrated satisfactory teaching performance pursuant to s.  
15 231.29 and who satisfies the prerequisites for participating  
16 in the NBPTS certification program, and who agrees, in  
17 writing, to pay 10 percent of the NBPTS participation fee and  
18 to participate in the NBPTS certification program during the  
19 school year for which the fee subsidy is provided. The fee  
20 subsidy for each eligible participant shall be an amount equal  
21 to 90 percent of the fee charged for participating in the  
22 NBPTS certification program, but not more than \$1,800 per  
23 eligible participant. The fee subsidy is a one-time award and  
24 may not be duplicated for any individual.

25           (c) An annual bonus equal to 10 percent of the prior  
26 fiscal year's statewide average salary for classroom teachers  
27 to be paid to each individual who holds NBPTS certification  
28 and is employed by the district school board or by a public  
29 school within that school district. The district school board  
30 shall distribute the annual bonus to each individual who meets  
31 the requirements of this paragraph and who is certified

1 annually by the district to have demonstrated satisfactory  
2 teaching performance pursuant to s. 231.29. The annual bonus  
3 may be paid as a single payment or divided into not more than  
4 three payments.

5 236.685 Educational funding accountability.--

6 (6) The annual school public accountability report  
7 required by ss. 229.592(5) and 230.23(18) must include a  
8 school financial report. The purpose of the school financial  
9 report is to better inform parents and the public concerning  
10 how revenues were spent to operate the school during the prior  
11 fiscal year. Each school's financial report must follow a  
12 uniform, districtwide format that is easy to read and  
13 understand.

14 (a) Total revenue must be reported at the school,  
15 district, and state levels. The revenue sources that must be  
16 addressed are state and local funds, other than lottery funds;  
17 lottery funds; federal funds; and private donations.

18 (b) Expenditures must be reported as the total  
19 expenditures per unweighted full-time equivalent student at  
20 the school level and the average expenditures per full-time  
21 equivalent student at the district and state levels in each of  
22 the following categories and subcategories:

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

- 26 a. Basic programs;
- 27 b. Students-at-risk programs;
- 28 c. Special programs for exceptional students;
- 29 d. Career education programs; and
- 30 e. Adult programs.

31 2. Substitute teachers.

1           3. Other instructional personnel, including  
2 school-based instructional specialists and their assistants.

3           4. Contracted instructional services, including  
4 training for instructional staff and other contracted  
5 instructional services.

6           5. School administration, including school-based  
7 administrative personnel and school-based education support  
8 personnel.

9           6. The following materials, supplies, and operating  
10 capital outlay:

11           a. Textbooks;

12           b. Computer hardware and software;

13           c. Other instructional materials;

14           d. Other materials and supplies; and

15           e. Library media materials.

16           7. Food services.

17           8. Other support services.

18           9. Operation and maintenance of the school plant.

19           (c) The school financial report must also identify the  
20 types of district-level expenditures that support the school's  
21 operations. The total amount of these district-level  
22 expenditures must be reported and expressed as total  
23 expenditures per full-time equivalent student.

24  
25 As used in this subsection, the term "school" means a "school  
26 center" as defined by s. 228.041.

27           239.101 Legislative intent.--

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

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

7 239.229 Vocational standards.--

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

19 (3) Each area technical center operated by a school  
20 board shall establish a center advisory council pursuant to s.  
21 229.58. The center advisory council shall assist in the  
22 preparation and evaluation of center improvement plans  
23 required pursuant to s. 230.23(16) and may provide assistance,  
24 upon the request of the center director, in the preparation of  
25 the center's annual budget and plan as required by s.  
26 229.555(1).

27 240.118 Postsecondary feedback of information to high  
28 schools.--

29 (4) As a part of the school improvement plan pursuant  
30 to s. 229.592, the State Board of Education shall ensure that  
31 each school district and high school develops strategies to

1 improve student readiness for the public postsecondary level  
2 based on annual analysis of the feedback report data.

3 240.529 Public accountability and state approval for  
4 teacher preparation programs.--

5 (1) INTENT.--The Legislature recognizes that skilled  
6 teachers make the most important contribution to a quality  
7 educational system and that competent teachers are produced by  
8 effective and accountable teacher preparation programs. The  
9 intent of the Legislature is to establish a system for  
10 development and approval of teacher preparation programs that  
11 will free postsecondary teacher preparation institutions to  
12 employ varied and innovative teacher preparation techniques  
13 while being held accountable for producing teachers with the  
14 competencies and skills for achieving the state education  
15 goals and sustaining the state system of school improvement  
16 and education accountability established pursuant to ss.  
17 229.591, 229.592, and 229.593.

18 Section 61. The State Board of Education shall adopt  
19 such rules as necessary to ensure that not-for-profit,  
20 professional teacher associations which offer membership to  
21 all teachers, non-instructional personnel, and administrators,  
22 and which offer teacher training and staff development at no  
23 fee to the district shall be given equal access to voluntary  
24 teacher meetings, be provided access to teacher mailboxes for  
25 distribution of professional literature, and be authorized to  
26 collect voluntary membership fees through payroll deduction.

27 Section 62. If any provision of this act or the  
28 application thereof to any person or circumstance is held  
29 invalid, the invalidity shall not affect other provisions or  
30 applications of the act which can be given effect without the  
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1 invalid provision or application, and to this end the  
2 provisions of this act are declared severable.

3           Section 63. Except as otherwise provided herein, this  
4 act shall take effect upon becoming a law.

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