By the Committee on Education and Senator Sullivan

304-1957-99

1

3 4

5

7

8

10

11

12

13

14

15

16 17

18 19

20

21

22

23

2425

2627

2.8

29

30

31

A bill to be entitled An act relating to education; creating s. 231.6015, F.S.; authorizing a mathematics and science teacher education program; requiring demonstration of certain uses of funds; providing a program purpose, required components, and resource allocation; requiring collaborative planning and implementation; authorizing incentives and certification; creating s. 240.149, F.S.; creating a nongovernmental organization to plan and implement a program for mathematics and science teacher education; requiring a board of directors, a chief executive officer, other staff, and an advisory council; providing for membership, terms of office, and an appointments process; providing responsibility and authority to conduct certain activities; requiring a budget request; amending s. 229.57, F.S.; adding a science component to the statewide assessment program; amending s. 229.592, F.S.; requiring a report; amending s. 231.600, F.S.; requiring certain additions to professional development programs; amending s. 232.245, F.S.; adding a science component to the requirements for pupil progression; amending s. 236.08106, F.S.; authorizing a salary bonus for teachers who complete certain training programs; amending s. 236.685, F.S.; requiring a report to include certain information; providing an effective date.

Be It Enacted by the Legislature of the State of Florida: 2 3 Section 1. Section 231.6015, Florida Statutes, is created to read: 4 5 231.6015 Mathematics and science teacher education 6 program. --7 (1) The Legislature intends to establish an inservice 8 professional development program to improve the teaching of mathematics and science in Florida's public schools, with an 9 10 initial emphasis on students in kindergarten through grade 8. 11 The program may be conducted separately or in conjunction with other inservice professional development programs provided by 12 a school district. The funds are directed to supplement but 13 not to supplant current professional development in 14 mathematics and science education. 15 As used in this section, the term "teacher" has 16 the meaning ascribed to "instructional personnel" in s. 17 18 236.685. 19 (3) The purpose of the program is to improve the ability of teachers to deliver instruction that: 20 21 (a) Concentrates learning on the Sunshine State Standards and the subject matter content standards adopted by 22 the Education Standards Commission; 23 24 (b) Includes content in sequences designed to prepare 25 students for the state assessments of progress; and Demonstrates its quality by improvement in 26 27 students' classroom achievement. 28 (d) Identifies and challenges students who excel in 29 science and mathematics as well as those whose aptitude is 30 average or below average.

- 1 (4) The program must be designed to improve a teacher's command of content knowledge and teaching skills. If 2 3 resources are insufficient to provide adequate instruction for all teachers, the program design should allocate those 4 5 resources so as to produce a measurable, systemic change in 6 student learning, rather than only to reach as many teachers 7 as possible. 8 The program must: (5) Employ strategies that have proved effective; 9 (a) 10 (b) Exploit current knowledge and research on 11 professional staff development and standards; 12 (c) Include a component for school board members and administrators at the school level, school district 13 administration level, and state level; 14 Involve the expertise of public and independent 15 universities, colleges, and community colleges in planning and 16 17 implementation; 18 Provide for an incentive plan as authorized in s. (e) 19 236.08106; and (f) Include an evaluation of effectiveness as 20 21 determined by the Alliance for Improving Mathematics and Science in Florida's Education Programs. The evaluation 22
- component of the program must provide data capable of allowing 23 24 an analysis of the achievement of students before and after 25 the program was implemented and for an analysis of students whose teachers participated in the program compared to a 26 27 cohort of students whose teachers did not. As much as 28 possible, the cohort must be selected from students of similar 29 demographic characteristics and selected measures of academic 30 achievement.

- General Appropriations Act the funds to be available for this program. Under s. 240.149, the Alliance for Improving

 Mathematics and Science in Florida's Education Programs may operate the delivery mechanisms for the program or may delegate that authority to a school district, a consortium of school districts, or a group operating under a charter arranged by a district or consortium. The administrators of each component of the program shall work collaboratively with the Alliance for Improvement in Mathematics and Science in Florida's Education Programs to plan programs and activities provided by the professional development program, including follow-up support for the teachers.
- compensation from the school district for their participation and may use successful participation in the program for extension of a certificate or for adding a new certification area if the district has an approved add-on certification program as provided by the State Board of Education. In addition to a stipend for the workdays allocated to the training, a teacher may be eligible for a salary bonus upon successful completion of the program, under s. 236.08106.
- (8) Delivery sites used in the program are joint-use facilities and may be on property belonging to a school district; a public or independent university, college, or community college; or any other group under a contract approved by the alliance.
- (9) A community college or university may report full-time equivalent students as a result of providing instruction for the program if the instruction is provided in-load by its own staff paid by its own resources.

1 (10) This section shall be implemented only to the 2 extent funded by the General Appropriations Act. 3 Section 2. Section 240.149, Florida Statutes, is created to read: 4 5 240.149 Mathematics and science teacher education 6 organization; responsibility for program planning and 7 implementation.--8 (1) An organization is established to plan and 9 implement the mathematics and science teacher education 10 program created in s. 231.6015. The organization will be known 11 as the Alliance for Improving Mathematics and Science in Florida's Education Programs; must be recognized under section 12 501(c)(3) of the Internal Revenue Code and must be registered, 13 incorporated, organized, and operated in compliance with 14 chapter 617; and is not a unit or entity of state government. 15 (a) The organization shall execute its 16 17 responsibilities independently but is assigned to the Office of the Commissioner of Education for administrative purposes. 18 19 In the interest of sound public policy, the Legislature determines that the organization is subject to the 20 21 provisions of chapter 119 that relate to public records, and to the provisions of chapter 286 that relate to public 22 meetings and records. 23 24 (2) A board of directors shall govern the 25 organization. The members of the board shall be appointed by the Commissioner of Education from recommendations provided by 26 27 the Postsecondary Education Planning Commission, the Education Standards Commission, the Workforce Development Board of 28 Enterprise Florida, or other public or private organizations 29 30 with expertise in education or technology upon invitation of 31 the commissioner.

- (a) Four members shall be employees of postsecondary education institutions and must have expertise in science and science education, mathematics and mathematics education, or a related technical field.
- (b) Four members shall be employees of Florida district school boards; at least two of these members must be teachers.
- (c) Four members shall be from the private sector or from another state and must have expertise in professional staff development programs.
- (d) One member shall serve ex-officio as a representative of the Department of Education. An ex-officio member may participate in all deliberations of the alliance but may not vote.
- (e) Members shall serve 4-year staggered terms, with four of the members having initial terms of 2 years, 3 years, and 4 years, respectively. The commissioner shall appoint a new member to fill the remainder of a vacant, unexpired term and may reappoint a member.
- (f) Members are entitled to reimbursement for travel and per diem expenses, as provided in s. 112.061.
- (3) The board of directors shall employ a chief executive officer, who shall direct and supervise the administrative affairs of the board of directors. The board of directors may delegate to the chief executive officer any powers and duties it finds appropriate. The chief executive officer may contract with or employ legal and technical experts and other employees as authorized by the board of directors. The chief executive officer shall administer the professional development grant program assigned to the organization and other finances of the organization to ensure

appropriate accountability and the prudent use of public and private funds.

- (4) A council is created to assist the organization and to apprise decision makers of its activities.
- (a) The council shall be composed of six members who represent the following governmental branches or sectors: one member of the Florida Senate appointed by the President of the Senate; one member of the Florida House of Representatives appointed by the Speaker of the House of Representatives; a representative of the Executive Office of the Governor appointed by the Governor; a representative of the Department of Education appointed by the Commissioner of Education; a representative of the Florida Community College System appointed by the executive director; and a representative of the State University System appointed by the chancellor.
- (b) The council shall meet at least 4 times a year, with one meeting conducted jointly with the board of directors.
- (5) The Alliance for Improving Mathematics and Science in Florida's Educational Programs shall plan and oversee implementation of the program created in s. 231.6015 and has the responsibility and authority to conduct the following activities:
- (a) Establish and maintain a system of mathematics and science education professional development programs as provided in the General Appropriations Act.
- (b) Provide for involvement of postsecondary education in planning and implementation.
- 29 <u>(c) Produce specialized professional development</u>
 30 <u>program guidelines. These guidelines may include curricula and</u>
 31 instructional methods and must assure that the programs focus

on content learning, employ tested strategies, reflect the nature of science and mathematics, and base their design on current knowledge and research concerning professional development.

- (d) Provide for the selection and preparation of staff to implement professional development in mathematics and science.
- (e) Establish priorities that school districts and centers for educational enhancement shall use in selecting the teachers to participate in the program. If the plan does not provide for all teachers of kindergarten through grade 8 to participate during a 4-year cycle, the selection priorities must implement a rationale for disseminating the program's benefits.
- (f) Design strategies for providing follow-up support for each participating teacher. The follow-up strategies must provide for integration of the principles learned in the program into the teacher's workday for at least 1 year with continuing follow-up for 3 additional years or more, as provided in the General Appropriations Act.
- encourage the participation of public school teachers and administrators in the professional development program. The incentive plan must provide for access to any merit-pay plans developed by school districts and may provide for a stipend and a salary bonus for participating teachers, under s.

 236.08106. Such a bonus must be in addition to the teacher's regular earnings from a school district and may not be awarded until a teacher has successfully completed the program and demonstrated through prescribed follow-up activities in the

2

3

4

5

6

7

8

9

10

11

12

13

14

15 16

17

18 19

20

21

22

23 24

25

26 27

28

29

30

classroom an improvement in student achievement in mathematics or science.

- (h) Measure the effectiveness of the professional development program on learning and teaching in mathematics and science. This impact assessment must assure state and local quality control of the improvement of mathematics and science teaching.
- (6) By December 1, 1999, the board shall submit to the office of the Commissioner of Education a proposed budget for implementing the program in 2000-2003. The budget must contain alternative plans for the participation of 100 percent, 50 percent, and 25 percent of the state's teachers at the elementary and middle school levels by 2003.

Section 3. Paragraphs (a) and (c) of subsection (3) of section 229.57, Florida Statutes, 1998 Supplement, are amended to read:

229.57 Student assessment program. --

- (3) STATEWIDE ASSESSMENT PROGRAM. -- The commissioner is directed to design and implement a statewide program of educational assessment that provides information for the improvement of the operation and management of the public schools. The program must be designed, as far as possible, so as not to conflict with ongoing district assessment programs and so as to use information obtained from district programs. Pursuant to the statewide assessment program, the commissioner shall:
- (a) Submit to the state board a list that specifies student skills and competencies to which the goals for education specified in the state plan apply, including, but not limited to, reading, writing, science, and mathematics. 31 | The skills and competencies must include problem-solving and

3

4 5

6

7

8

9

10

11

12

13

14

15

16 17

18 19

20

21

22

23 24

25

26 27

28

29

30

higher-order skills as appropriate. The commissioner shall select such skills and competencies after receiving recommendations from educators, citizens, and members of the business community. The commissioner shall submit to the state board revisions to the list of student skills and competencies in order to maintain continuous progress toward improvements in student proficiency.

- (c) Develop and implement a student achievement testing program as part of the statewide assessment program, to be administered at designated times at the elementary, middle, and high school levels to measure reading, writing, science, and mathematics. The testing program must be designed so that:
- The tests measure student skills and competencies 1. adopted by the state board as specified in paragraph (a). Science proficiency must be measured statewide beginning in 2003. The tests must measure and report student proficiency levels in reading, writing, science, and mathematics. Other content areas may be included as directed by the commissioner. The commissioner shall provide for the tests to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary institutions, or school districts. The commissioner shall obtain input with respect to the design and implementation of the testing program from state educators and the public.
- The tests are criterion-referenced and include, to the extent determined by the commissioner, items that require the student to produce information or perform tasks in such a way that the skills and competencies he or she uses can be 31 measured.

2

4

5

6

7

8

9

10

11

12 13

14

15

16 17

18 19

20

21

22

2324

25

2627

28

29

30

- 3. Each testing program, whether at the elementary, middle, or high school level, includes a test of writing in which students are required to produce writings which are then scored by appropriate methods.
- 4. A score is designated for each subject area tested, below which score a student's performance is deemed inadequate. The school districts shall provide appropriate remedial instruction to students who score below these levels.
- 5. All 11th grade students take a high school competency test developed by the state board to test minimum student performance skills and competencies in reading, writing, science, and mathematics. The test must be based on the skills and competencies adopted by the state board pursuant to paragraph (a). Upon recommendation of the commissioner, the state board shall designate a passing score for each part of the high school competency test. In establishing passing scores, the state board shall consider any possible negative impact of the test on minority students. The commissioner may establish criteria whereby a student who successfully demonstrates proficiency in either reading or mathematics or both may be exempted from taking the corresponding section of the high school competency test or the college placement test. A student must earn a passing score or have been exempted from each part of the high school competency test in order to qualify for a regular high school diploma. The school districts shall provide appropriate remedial instruction to students who do not pass part of the competency test.
- 6. Participation in the testing program is mandatory for all students, except as otherwise prescribed by the commissioner. The commissioner shall recommend rules to the

2 3 4

state board for the provision of test adaptations and modifications of procedures as necessary for students in exceptional education programs and for students who have limited English proficiency.

7. A student seeking an adult high school diploma must

m

meet the same testing requirements that a regular high school student must meet.

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

Section 4. Subsection (5) of section 229.592, Florida Statutes, 1998 Supplement, is amended to read:

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

(5) STATE BOARD.--The State Board of Education shall adopt rules necessary to implement a state system of school improvement and education accountability. Such rules must be based on recommendations of the Commission on Education Reform and Accountability and must include, but need not be limited to, a requirement that each school report identify the annual Education Enhancement Trust Fund allocations to the district and the school and how those allocations were used for educational enhancement and supporting school improvement. The rules must also require each school to report the number and percentage of teachers who have achieved certification by the National Board of Professional Teaching Standards and, for schools that contain a kindergarten or grade 1 through 8, the number and proportion of teachers who have successfully

31

reporting requirements. --

1 completed the program to improve mathematics and science teaching, under s. 236.08106. 2 3 Section 5. Subsection (3) of section 231.600, Florida Statutes, 1998 Supplement, is amended to read: 4 5 231.600 School Community Professional Development 6 Act.--7 (3) The activities designed to implement this section 8 must: 9 (a) Increase the success of educators in guiding 10 student learning and development so as to implement state and 11 local educational initiatives; (b) Assist the school community in developing in 12 13 school children the dispositions that will motivate them to be active learners; and 14 (c) Provide continuous support, rather than temporary 15 intervention, for improving the performance of teachers and 16 17 others who assist children in their learning; and-(d) Assure that teacher education programs in science, 18 19 mathematics, and technology education will be fully aligned with the content of science tasks included in statewide 20 testing scheduled for 2003. These education programs must 21 22 assure that all teachers, especially teachers of kindergarten through grade 8, know and understand the science and 23 24 mathematics standards included in the Sunshine State Standards and the Subject Matter Content Standards adopted by the 25 Education Standards Commission. 26 27 Section 6. Subsections (1), (2), (3), and (6) of section 232.245, Florida Statutes, are amended to read: 28 29 232.245 Pupil progression; remedial instruction;

2

3

4 5

6

7

8

9

10

11

12 13

14

15

16 17

18

19

20

21 22

23 24

25

26

27 28

29

- (1) It is the intent of the Legislature that each student's progression from one grade to another be determined, in part, upon proficiency in reading, writing, science, and mathematics; that school district policies facilitate such proficiency; and that each student and his or her parent or legal quardian be informed of that student's academic progress.
- Each district school board shall establish a (2) comprehensive program for pupil progression which must include:
- (a) Standards for evaluating each pupil's performance, including how well he or she masters the performance standards approved by the state board according to s. 229.565; and
- Specific levels of performance in reading, writing, science, and mathematics for each grade level, including the levels of performance on statewide assessments at selected grade levels in elementary school, middle school, and high school as defined by the Commissioner of Education, below which a student must receive remediation and may be retained.
- (3) Each student must participate in the statewide assessment tests required by s. 229.57. Each student who does not meet specific levels of performance as determined by the district school board in reading, writing, science, and mathematics for each grade level, or who does not meet specific levels of performance, determined by the Commissioner of Education, on statewide assessments at selected grade levels, must be provided with additional diagnostic assessments to determine the nature of the student's difficulty and areas of academic need. The school in which the 31 student is enrolled must develop, in consultation with the

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

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

16 17 18

19

20

21

22

23 24

25

26 27

28

29

30

2

3

4 5

6

7

8 9

10

11

12 13

14 15

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

(6) Each district must annually report to the parent or legal guardian of each student the progress of the student towards achieving state and district expectations for 31 proficiency in reading, writing, science, and mathematics. The

 district must report to the parent or legal guardian the student's results on each statewide assessment test. The evaluation of each student's progress must be based upon the student's classroom work, observations, tests, district and state assessments, and other relevant information. Progress reporting must be provided to the parent or legal guardian in writing in a format adopted by the district school board.

Section 7. Subsection (2) of section 236.08106, Florida Statutes, 1998 Supplement, is amended to read:

236.08106 Excellent Teaching Program.--

- (2) The Excellent Teaching Program is created to provide categorical funding for monetary incentives and bonuses for teaching excellence. The Department of Education shall allocate and distribute to each school district an amount as prescribed annually by the Legislature for the Excellent Teaching Program. Unless otherwise provided in the General Appropriations Act, each school district's annual allocation shall be the sum of the amounts earned for the following incentives and bonuses:
- (a) A salary bonus or increased stipend for teachers who successfully complete the program to improve the teaching of mathematics and science in Florida, under s. 231.6015. The criteria for successful completion of the program must be established by the Alliance for Improving Mathematics and Science in Florida's Education Programs and must include a demonstration through prescribed follow-up activities in the classroom of an improvement in student achievement in mathematics or science.

 $\underline{\text{(b)}(a)}$ A fee subsidy to be paid by the school district to the NBPTS on behalf of each individual who is an employee of the district school board or a public school within that

3

4

5

6

7

8 9

10

11

12 13

14

15

16 17

18 19

20

21

22

23 24

25

26

27 28

29

30

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

(c) (d) A portfolio-preparation incentive of \$150 for each teacher employed by the district school board or a public school within the district who is participating in the NBPTS certification program. The portfolio-preparation incentive is a one-time award paid during the school year for which the NBPTS fee subsidy is provided.

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

(e) (d) An annual bonus equal to 10 percent of the 31 prior fiscal year's statewide average salary for classroom teachers to be paid to each individual who meets the requirements of paragraph $\underline{(d)}(c)$ and agrees, in writing, to provide the equivalent of 12 workdays of mentoring and related services to public school teachers within the district who do not hold NBPTS certification. The district school board shall distribute the annual bonus in a single payment following the completion of all required mentoring and related services for the year. It is not the intent of the Legislature to remove excellent teachers from their assigned classrooms; therefore, credit may not be granted by a school district or public school for mentoring or related services provided during the regular school day or during the 196 days of required service for the school year.

 $\frac{(f)(e)}{(e)}$ The district shall receive an amount equal to 50 percent of the teacher bonuses provided under paragraphs $\frac{(d)(c)}{(c)}$ and $\frac{(e)(d)}{(c)}$, which shall be used by the district for professional development of teachers. The district must give priority to using all funds received pursuant to this paragraph for professional development of teachers employed at schools identified as performing at critically low levels.

A teacher for whom the state pays the certification fee and who does not complete the certification program or does not teach in a public school of this state for a least 1 year after completing the certification program must repay the amount of the certification fee to the state. However, a teacher who completes the certification program but fails to be awarded NBPTS certification is not required to repay the amount of the certification fee if the teacher meets the 1-year teaching requirement. Repayment is not required of a teacher who does not complete the certification program or

fails to fulfill the teaching requirement because of the teacher's death or disability or because of other extenuating 3 circumstances as determined by the State Board of Education. 4 Section 8. Paragraph (a) of subsection (4) of section 5 236.685, Florida Statutes, is amended to read: 6 236.685 Educational funding accountability.--7 (4)(a) The school public accountability report to parents must include the number of employees in each of the 8 categories listed in subsection (3), by work location. 9 However, this does not include the number of temporary 10 substitute employees. The report must also include the number 11 12 and proportion of instructional personnel in kindergarten through grade 8 who have achieved certification by the 13 14 National Board of Professional Teaching Standards or have 15 completed the program to improve mathematics and science 16 teaching in Florida under s. 236.08106. Section 9. This act shall take effect July 1, 1999. 17 18 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR 19 20 SB 896 21 22 The Committee Substitute differs from Senate Bill 896 in that it will: 23 Place the Alliance for Improving Mathematics and Science for administrative purposes in the Office of the Commissioner of 24 Education, 25 Require at least two of the board members to be teachers, and 26 Authorize a community college or state university to report full-time-equivalent students for state funding if the professors that provide training for the program are assigned that responsibility as part of their teaching load. 27 28 29 30