

By the Committee on Education; and Senator Constantine

304-1356-04

1 A bill to be entitled
2 An act relating to middle schools; creating s.
3 1003.415, F.S., the "Middle Grades Reform Act";
4 providing definitions; prescribing program
5 criteria and content; providing a timeline for
6 implementation; requiring an academic
7 performance study; providing for individual
8 student plans; authorizing the State Board of
9 Education to adopt rules; amending s. 1001.42,
10 F.S.; requiring additions to improvement plans
11 for certain schools; amending s. 1008.25, F.S.;
12 providing for additions to academic improvement
13 plans; amending s. 1012.34, F.S.; adding
14 performance criteria to the assessment process
15 for instructional personnel; providing an
16 effective date.

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

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20 Section 1. Section 1003.415, Florida Statutes, is
21 created to read:

22 1003.415 The Middle Grades Reform Act.--The Middle
23 Grades Reform Act is created to provide added focus and rigor
24 to academics in the middle grades. Using reading as the
25 foundation, all middle grade students should receive rigorous
26 academic instruction through challenging curricula, delivered
27 by highly qualified teachers, in schools with outstanding
28 leadership, which are supported by engaged and informed
29 parents. It is the intent of the Legislature that students
30 promoted from the eighth grade will be ready for success in
31 high school.

1 (1) DEFINITIONS.--As used in this section, middle
2 grades are defined as grades six, seven, and eight.

3 (2) MIDDLE GRADES CURRICULUM AND COURSEWORK.--The
4 Department of Education shall review course offerings, teacher
5 qualifications, instructional materials, and teaching
6 practices used in middle grades reading and language arts
7 programs. The department must consult with the Florida Center
8 for Reading Research at the Florida State University, the Just
9 Read, Florida! Office, reading researchers, and reading
10 specialists. The commissioner shall make recommendations to
11 the State Board of Education for any changes to middle grades
12 reading and language arts curriculum based on research-based
13 programs that are proven effective. The State Board of
14 Education shall adopt rules based on the commissioner's
15 recommendations by March 1, 2005. Beginning no later than the
16 2005-2006 school year, the State Board of Education shall
17 phase in implementation of new or revised reading and language
18 arts courses in all middle schools. Completion of
19 implementation shall occur no later than the 2008-2009 school
20 year.

21 (3) RIGOROUS READING REQUIREMENT.--

22 (a) Beginning with the 2004-2005 school year, each
23 public school serving middle grade students, including charter
24 schools, with fewer than 75 percent of students reading at or
25 above grade level in grade six, grade seven, or grade eight,
26 as measured by a student scoring at level 3 or above on the
27 prior school year's administration of the Florida
28 Comprehensive Assessment Test (FCAT), must develop and
29 implement by October 1 a Rigorous Reading Requirement for
30 reading and language arts programs as the primary component of
31 its school improvement plan. The Department of Education shall

1 provide to each district school board by June 30 of each year
2 a list of schools within that district which are required to
3 implement a Rigorous Reading Requirement as the primary
4 component of the school's improvement plan.

5 (b) The purpose of the Rigorous Reading Requirement is
6 to assist every student in reading at grade level before
7 entering high school. The Rigorous Reading Requirement shall
8 be modeled after the requirements of academic improvement
9 plans for students as required in s. 1008.25(4). The Rigorous
10 Reading Requirement must identify for the middle school's
11 low-performing student population specific areas of deficiency
12 in phonemic awareness, phonics, fluency, vocabulary, and
13 comprehension; the desired levels of performance in those
14 areas; and the instructional and support services to be
15 provided to meet the desired levels of performance. The school
16 shall use research-based reading activities that have been
17 shown to be successful in teaching reading to low-performing
18 students. The school district's assistance and intervention
19 plan should also define the methods for frequent monitoring of
20 the progress of each school designated as performance grade
21 category "D" or "F" in meeting the desired level of
22 performance under s. 1001.42(16).

23 (c) Schools required to participate in the Rigorous
24 Reading Requirement shall provide quarterly reports to the
25 superintendent on the progress of students toward increased
26 reading achievement.

27 (d) The results of each school's Rigorous Reading
28 Requirement shall be used as part of the annual evaluation of
29 the school's instructional personnel and school administrators
30 as required in s. 1012.34.

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1 (4) COMPREHENSIVE REFORM STUDY ON THE ACADEMIC
2 PERFORMANCE OF MIDDLE GRADE STUDENTS AND SCHOOLS.--

3 (a) The Department of Education shall conduct a study
4 on how the overall performance of middle grade students and
5 schools can be improved. The department must consult with the
6 Florida Center for Reading Research at the Florida State
7 University, the Just Read, Florida! Office, and key education
8 stakeholders, including school board members, superintendents,
9 principals, parents, teachers, and students across the state,
10 in the development of its findings and recommendations. The
11 department shall review, at a minimum, each of the following
12 elements:

13 1. Academic expectations, which include, but are not
14 limited to:

15 a. Alignment of middle school expectations with
16 elementary and high school graduation requirements;

17 b. Best practices to improve reading and language arts
18 programs;

19 c. Strategies that focus on improving academic success
20 for low-performing students;

21 d. Rigor of curriculum and courses;

22 e. Instructional materials;

23 f. Course enrollment by middle school students;

24 g. Student support services; and

25 h. Measuring and reporting student achievement.

26 2. Attendance policies and student mobility issues.

27 3. Teacher quality, which includes, but is not limited
28 to:

29 a. Preparedness of teachers to teach rigorous courses;

30 b. Teacher evaluations;

31 c. Substitute teachers;

1 d. Certification and recertification requirements;
2 e. Staff development requirements;
3 f. Availability of effective staff development
4 training;
5 g. Options to remove ineffective teachers;
6 h. Teacher recruitment and position vacancy issues;
7 and
8 i. Federal requirements for highly qualified teachers
9 pursuant to the No Child Left Behind Act of 2001.
10 4. School leadership.
11 5. Parental and community involvement.
12 (b) By October 1, 2004, the Commissioner of Education
13 shall submit to the Legislature and to the State Board of
14 Education recommendations to increase the academic performance
15 of students in middle grades.
16 (5) PERSONALIZED MIDDLE SCHOOL SUCCESS PLAN.--
17 (a) Beginning with the 2004-2005 school year, each
18 principal of a school having a middle grade shall designate a
19 certified staff member at the school to develop and administer
20 a personalized middle school success plan for each entering
21 sixth grader who scored below Level 3 in reading on the most
22 recent administration of the Florida Comprehensive Assessment
23 Test. The purpose of the success plan is to assist the student
24 in meeting state and district expectations in proficiency and
25 to prepare the student for the rigorous high school
26 curriculum. The success plan shall be developed in
27 collaboration with the student and his or her parent and must
28 be implemented until the student completes the eighth grade.
29 (b) The personalized middle school success plan must:
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1 1. Identify educational goals and intermediate
2 benchmarks for the student in the core curriculum areas which
3 will prepare him or her for high school;

4 2. Be based upon academic performance data and an
5 assessment of the student's strengths and weaknesses;

6 3. Include academic intervention strategies with the
7 frequent progress monitoring; and

8 4. Provide innovative methods to promote the student's
9 advancement which may include, but need not be limited to,
10 flexible scheduling, tutoring, a focus on core curricula,
11 online instruction, alternative learning environment, and
12 other interventions that have been shown to accelerate the
13 learning process.

14 (c) For a student who must be provided an academic
15 improvement plan as required in s. 1008.25, the personalized
16 middle school success plan shall be incorporated into the
17 student's academic improvement plan. An individual education
18 plan for a student with disabilities may include the student's
19 personalized middle school success plan.

20 (6) STATE BOARD OF EDUCATION AUTHORITY AND
21 RESPONSIBILITIES.--

22 (a) The State Board of Education shall have authority
23 as provided in s. 1008.32 to enforce this section.

24 (b) The State Board of Education may adopt rules under
25 ss. 120.536(1) and 120.54 to administer this section.

26 Section 2. Paragraph (a) of subsection (16) of section
27 1001.42, Florida Statutes, is amended to read:

28 1001.42 Powers and duties of district school
29 board.--The district school board, acting as a board, shall
30 exercise all powers and perform all duties listed below:
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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 1008.385, 1010.01, and 1011.01. This system of school
9 improvement and education accountability shall include, but is
10 not limited to, 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,
14 except that a district school board may establish a district
15 school improvement plan that includes all schools in the
16 district operating for the purpose of providing educational
17 services to youth in Department of Juvenile Justice programs.
18 Such plan shall be designed to achieve the state education
19 priorities pursuant to s. 1000.03(5) and student performance
20 standards. In addition, any school required to implement a
21 Rigorous Reading Requirement under s. 1003.415(3) must include
22 this program in its school improvement plan.Each plan shall
23 also address issues relative to budget, training,
24 instructional materials, technology, staffing, student support
25 services, specific school safety and discipline strategies,
26 and other matters of resource allocation, as determined by
27 district school board policy, and shall be based on an
28 analysis of student achievement and other school performance
29 data.

30 Section 3. Paragraph (b) of subsection (4) of section
31 1008.25, Florida Statutes, is amended to read:

1 1008.25 Public school student progression; remedial
2 instruction; reporting requirements.--

3 (4) ASSESSMENT AND REMEDIATION.--

4 (b) The school in which the student is enrolled must
5 develop, in consultation with the student's parent, and must
6 implement an academic improvement plan designed to assist the
7 student in meeting state and district expectations for
8 proficiency. For a student who meets the requirements in s.
9 1003.415, the middle school success plan shall be incorporated
10 into the student's academic improvement plan. Beginning with
11 the 2002-2003 school year, if the student has been identified
12 as having a deficiency in reading, the academic improvement
13 plan shall identify the student's specific areas of deficiency
14 in phonemic awareness, phonics, fluency, comprehension, and
15 vocabulary; the desired levels of performance in these areas;
16 and the instructional and support services to be provided to
17 meet the desired levels of performance. Schools shall also
18 provide for the frequent monitoring of the student's progress
19 in meeting the desired levels of performance. District school
20 boards shall assist schools and teachers to implement
21 research-based reading activities that have been shown to be
22 successful in teaching reading to low-performing students.
23 Remedial instruction provided during high school may not be in
24 lieu of English and mathematics credits required for
25 graduation.

26 Section 4. Paragraph (a) of subsection (3) of section
27 1012.34, Florida Statutes, is amended to read:

28 1012.34 Assessment procedures and criteria.--

29 (3) The assessment procedure for instructional
30 personnel and school administrators must be primarily based on
31 the performance of students assigned to their classrooms or

1 schools, as appropriate. The procedures must comply with, but
2 are not limited to, the following requirements:

3 (a) An assessment must be conducted for each employee
4 at least once a year. The assessment must be based upon sound
5 educational principles and contemporary research in effective
6 educational practices. The assessment must primarily use data
7 and indicators of improvement in student performance assessed
8 annually as specified in s. 1008.22 and may consider results
9 of peer reviews in evaluating the employee's performance.

10 Student performance must be measured by state assessments
11 required under s. 1008.22 and by local assessments for
12 subjects and grade levels not measured by the state assessment
13 program. The assessment criteria must include, but are not
14 limited to, indicators that relate to the following:

- 15 1. Performance of students.
- 16 2. Ability to maintain appropriate discipline.
- 17 3. Knowledge of subject matter. The district school
18 board shall make special provisions for evaluating teachers
19 who are assigned to teach out-of-field.
- 20 4. Ability to plan and deliver instruction, including
21 the implementation of the Rigorous Reading Requirement under
22 s. 1003.415(3), when applicable, and including the use of
23 technology in the classroom.
- 24 5. Ability to evaluate instructional needs.
- 25 6. Ability to establish and maintain a positive
26 collaborative relationship with students' families to increase
27 student achievement.
- 28 7. Other professional competencies, responsibilities,
29 and requirements as established by rules of the State Board of
30 Education and policies of the district school board.

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1 Section 5. This act shall take effect upon becoming a
2 law.

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4 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
5 COMMITTEE SUBSTITUTE FOR
6 Senate Bill 354

7 Requires the Department of Education to review and make
8 recommendations for a revised curriculum for middle schools to
be implemented by 2008-2009.

9 Requires schools with fewer than 75 percent of sixth, seventh
10 and eighth grade students scoring at level 3 or above on the
FCAT reading test to implement a new reading initiative called
11 the Rigorous Reading Requirement as part of the school
improvement plan.

12 Requires the Department of Education to study middle school
13 performance and to develop recommendations to improve
performance.

14 Requires the Commissioner of Education to submit
15 recommendations on improving middle school academic
performance to the Legislature and the State Board of
16 Education by October 1, 2004.

17 Requires that every new sixth grade student who scored below
18 level 3 on the most recent FCAT reading test have a
personalized middle school success plan developed and
implemented for him or her.

19 Authorizes the State Board of Education to adopt rules to
20 implement the section.

21 Amends section 1001.42, F.S., to require that schools include
the Rigorous Reading Requirement in their school improvement
22 plans.

23 Amends section 1008.25, F.S., to require that students' middle
school success plans be incorporated into their academic
24 improvement plans, if applicable.

25 Amends section 1012.34, F.S., to require that assessment
criteria for instructional personnel include an assessment of
26 the employee's ability to implement the Rigorous Reading
Requirement.

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