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A bill to be entitled

An act relating to public school educational instruction; creating s. 1003.415, F.S.; providing the popular name the "Middle Grades Reform Act"; providing purpose and intent; defining the term "middle grades"; requiring a review and recommendations relating to curricula and courses; requiring implementation of new or revised reading and language arts courses; providing for implementation of a rigorous reading requirement in certain schools; requiring a study of the academic performance of middle grade students and schools with recommendations for an increase in performance; requiring a personalized middle school success plan for certain students; providing authority for State Board of Education rulemaking and enforcement; amending s. 1001.42, F.S.; requiring a school improvement plan to include the rigorous reading requirement if applicable; amending s. 1008.25, F.S.; requiring a personalized middle school success plan to be incorporated in a student's academic improvement plan if applicable; amending s. 1012.34, F.S.; revising assessment criteria for instructional personnel; providing an effective date.

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

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

1003.415 The Middle Grades Reform Act.--

(1) POPULAR NAME.--This section shall be known by the popular name the "Middle Grades Reform Act."

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30 (2) PURPOSE AND INTENT.--The purpose of this section is to
31 provide added focus and rigor to academics in the middle grades.
32 Using reading as the foundation, all middle grade students
33 should receive rigorous academic instruction through challenging
34 curricula delivered by highly qualified teachers in schools with
35 outstanding leadership, which schools are supported by engaged
36 and informed parents. It is the intent of the Legislature that
37 students promoted from the eighth grade will be ready for
38 success in high school.

39 (3) DEFINITION.--As used in this section, the term "middle
40 grades" means grades 6, 7, and 8.

41 (4) CURRICULA AND COURSES.--The Department of Education
42 shall review course offerings, teacher qualifications,
43 instructional materials, and teaching practices used in reading
44 and language arts programs in the middle grades. The department
45 must consult with the Florida Center for Reading Research at
46 Florida State University, the Just Read, Florida! Office,
47 reading researchers, reading specialists, and district
48 supervisors of curriculum in the development of findings and
49 recommendations. The Commissioner of Education shall make
50 recommendations to the State Board of Education regarding
51 changes to reading and language arts curricula in the middle
52 grades based on research-based proven effective programs. The
53 State Board of Education shall adopt rules based upon the
54 commissioner's recommendations no later than March 1, 2005.
55 Implementation of new or revised reading and language arts
56 courses in all middle grades shall be phased in beginning no
57 later than the 2005-2006 school year with completion no later
58 than the 2008-2009 school year.

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59 (5) RIGOROUS READING REQUIREMENT.--

60 (a) Beginning with the 2004-2005 school year, each public
61 school serving middle grade students, including charter schools,
62 with fewer than 75 percent of its students reading at or above
63 grade level in grade 6, 7, and 8 as measured by a student
64 scoring at Level 3 or above on the FCAT during the prior school
65 year, must incorporate by October 1 a rigorous reading
66 requirement for reading and language arts programs as the
67 primary component of its school improvement plan. The department
68 shall annually provide to each district school board by June 30
69 a list of its schools that are required to incorporate a
70 rigorous reading requirement as the primary component of the
71 school's improvement plan.

72 (b) The purpose of the rigorous reading requirement is to
73 assist each student who is not reading at or above grade level
74 to do so before entering high school. The rigorous reading
75 requirement must include for a middle school's low-performing
76 student population specific areas that address phonemic
77 awareness, phonics, fluency, comprehension, and vocabulary; the
78 desired levels of performance in those areas; and the
79 instructional and support services to be provided to meet the
80 desired levels of performance. The school shall utilize
81 research-based reading activities that have been shown to be
82 successful in teaching reading to low-performing students.

83 (c) Schools required to implement the rigorous reading
84 requirement must provide quarterly reports to the district
85 school superintendent on the progress of students toward
86 increased reading achievement.

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87 (d) The results of implementation of a school's rigorous
88 reading requirement shall be used as part of the annual
89 evaluation of the school's instructional personnel and school
90 administrators as required in s. 1012.34.

91 (6) COMPREHENSIVE REFORM STUDY ON THE ACADEMIC PERFORMANCE
92 OF STUDENTS AND SCHOOLS.--

93 (a) The department shall conduct a study on how the
94 overall academic performance of middle grade students and
95 schools can be improved. The department must consult with the
96 Florida Center for Reading Research at Florida State University,
97 the Just Read, Florida! Office, and key education stakeholders,
98 including district school board members, district school
99 superintendents, principals, parents, teachers, district
100 supervisors of curriculum, and students across the state, in the
101 development of its findings and recommendations. The department
102 shall review, at a minimum, each of the following elements:

103 1. Academic expectations, which include, but are not
104 limited to:

105 a. Alignment of middle school expectations with elementary
106 and high school graduation requirements.

107 b. Best practices to improve reading and language arts
108 courses based on research-based programs for middle school
109 students in alignment with the Sunshine State Standards.

110 c. Strategies that focus on improving academic success for
111 low-performing students.

112 d. Rigor of curricula and courses.

113 e. Instructional materials.

114 f. Course enrollment by middle school students.

115 g. Student support services.

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- 116 h. Measurement and reporting of student achievement.
- 117 2. Attendance policies and student mobility issues.
- 118 3. Teacher quality, which includes, but is not limited to:
- 119 a. Preparedness of teachers to teach rigorous courses to
- 120 middle school students.
- 121 b. Teacher evaluations.
- 122 c. Substitute teachers.
- 123 d. Certification and recertification requirements.
- 124 e. Staff development requirements.
- 125 f. Availability of effective staff development training.
- 126 g. Options to remove ineffective teachers.
- 127 h. Teacher recruitment and vacancy issues.
- 128 i. Federal requirements for highly qualified teachers
- 129 pursuant to the No Child Left Behind Act of 2001.
- 130 4. Identification and availability of diagnostic testing.
- 131 5. Availability of personnel and scheduling issues.
- 132 6. Middle school leadership.
- 133 7. Parental and community involvement.

134

135 By December 1, 2004, the Commissioner of Education shall submit

136 to the President of the Senate, the Speaker of the House of

137 Representatives, the chairs of the education committees in the

138 Senate and the House of Representatives, and the State Board of

139 Education recommendations to increase the academic performance

140 of middle grade students and schools.

141 (7) PERSONALIZED MIDDLE SCHOOL SUCCESS PLAN.--

142 (a) Beginning with the 2004-2005 school year, each

143 principal of a school with a middle grade shall designate

144 certified staff members at the school to develop and administer

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145 a personalized middle school success plan for each entering
146 sixth grade student who scored below Level 3 in reading on the
147 most recently administered FCAT. The purpose of the success plan
148 is to assist the student in meeting state and school district
149 expectations in academic proficiency and to prepare the student
150 for a rigorous high school curriculum. The success plan shall be
151 developed in collaboration with the student and his or her
152 parent and must be implemented until the student completes the
153 eighth grade. The success plan must minimize paperwork and may
154 be incorporated into a parent/teacher conference, included as
155 part of a progress report or report card, included as part of a
156 general orientation at the beginning of the school year, or
157 provided by electronic mail or other written correspondence.

158 (b) The personalized middle school success plan must:

159 1. Identify educational goals and intermediate benchmarks
160 for the student in the core curriculum areas which will prepare
161 the student for high school.

162 2. Be based upon academic performance data and an
163 identification of the student's strengths and weaknesses.

164 3. Include academic intervention strategies with frequent
165 progress monitoring.

166 4. Provide innovative methods to promote the student's
167 advancement which may include, but not be limited to, flexible
168 scheduling, tutoring, focus on core curricula, online
169 instruction, an alternative learning environment, or other
170 interventions that have been shown to accelerate the learning
171 process.

172 (c) The personalized middle school success plan must be
173 incorporated into any individual student plan required by

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174 federal or state law, including the academic improvement plan
 175 required in s. 1008.25, an individual education plan (IEP) for a
 176 student with disabilities, a federal 504 plan, or an ESOL plan.

177 (8) STATE BOARD OF EDUCATION AUTHORITY.--

178 (a) The State Board of Education shall have authority to
 179 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
 180 the provisions of this section.

181 (b) The State Board of Education shall have authority
 182 pursuant to s. 1008.32 to enforce the provisions of this
 183 section.

184 Section 2. Paragraph (a) of subsection (16) of section
 185 1001.42, Florida Statutes, is amended to read:

186 1001.42 Powers and duties of district school board.--The
 187 district school board, acting as a board, shall exercise all
 188 powers and perform all duties listed below:

189 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
 190 ACCOUNTABILITY.--Maintain a system of school improvement and
 191 education accountability as provided by statute and State Board
 192 of Education rule. This system of school improvement and
 193 education accountability shall be consistent with, and
 194 implemented through, the district's continuing system of
 195 planning and budgeting required by this section and ss.
 196 1008.385, 1010.01, and 1011.01. This system of school
 197 improvement and education accountability shall include, but is
 198 not limited to, the following:

199 (a) *School improvement plans.*--Annually approve and
 200 require implementation of a new, amended, or continuation school
 201 improvement plan for each school in the district, except that a
 202 district school board may establish a district school

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203 improvement plan that includes all schools in the district
 204 operating for the purpose of providing educational services to
 205 youth in Department of Juvenile Justice programs. Such plan
 206 shall be designed to achieve the state education priorities
 207 pursuant to s. 1000.03(5) and student performance standards. In
 208 addition, any school required to implement a rigorous reading
 209 requirement pursuant to s. 1003.415 must include such component
 210 in its school improvement plan. Each plan shall also address
 211 issues relative to budget, training, instructional materials,
 212 technology, staffing, student support services, specific school
 213 safety and discipline strategies, and other matters of resource
 214 allocation, as determined by district school board policy, and
 215 shall be based on an analysis of student achievement and other
 216 school performance data.

217 Section 3. Paragraph (b) of subsection (4) of section
 218 1008.25, Florida Statutes, is amended to read:

219 1008.25 Public school student progression; remedial
 220 instruction; reporting requirements.--

221 (4) ASSESSMENT AND REMEDIATION.--

222 (b) The school in which the student is enrolled must
 223 develop, in consultation with the student's parent, and must
 224 implement an academic improvement plan designed to assist the
 225 student in meeting state and district expectations for
 226 proficiency. For a student for whom a personalized middle school
 227 success plan is required pursuant to s. 1003.415, the middle
 228 school success plan must be incorporated in the student's
 229 academic improvement plan. Beginning with the 2002-2003 school
 230 year, if the student has been identified as having a deficiency
 231 in reading, the academic improvement plan shall identify the

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232 student's specific areas of deficiency in phonemic awareness,
 233 phonics, fluency, comprehension, and vocabulary; the desired
 234 levels of performance in these areas; and the instructional and
 235 support services to be provided to meet the desired levels of
 236 performance. Schools shall also provide for the frequent
 237 monitoring of the student's progress in meeting the desired
 238 levels of performance. District school boards shall assist
 239 schools and teachers to implement research-based reading
 240 activities that have been shown to be successful in teaching
 241 reading to low-performing students. Remedial instruction
 242 provided during high school may not be in lieu of English and
 243 mathematics credits required for graduation.

244 Section 4. Paragraph (a) of subsection (3) of section
 245 1012.34, Florida Statutes, is amended to read:

246 1012.34 Assessment procedures and criteria.--

247 (3) The assessment procedure for instructional personnel
 248 and school administrators must be primarily based on the
 249 performance of students assigned to their classrooms or schools,
 250 as appropriate. The procedures must comply with, but are not
 251 limited to, the following requirements:

252 (a) An assessment must be conducted for each employee at
 253 least once a year. The assessment must be based upon sound
 254 educational principles and contemporary research in effective
 255 educational practices. The assessment must primarily use data
 256 and indicators of improvement in student performance assessed
 257 annually as specified in s. 1008.22 and may consider results of
 258 peer reviews in evaluating the employee's performance. Student
 259 performance must be measured by state assessments required under
 260 s. 1008.22 and by local assessments for subjects and grade

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261 levels not measured by the state assessment program. The
 262 assessment criteria must include, but are not limited to,
 263 indicators that relate to the following:

- 264 1. Performance of students.
- 265 2. Ability to maintain appropriate discipline.
- 266 3. Knowledge of subject matter. The district school board
 267 shall make special provisions for evaluating teachers who are
 268 assigned to teach out-of-field.
- 269 4. Ability to plan and deliver instruction, including
 270 implementation of the rigorous reading requirement pursuant to
 271 s. 1003.415, when applicable, and the use of technology in the
 272 classroom.
- 273 5. Ability to evaluate instructional needs.
- 274 6. Ability to establish and maintain a positive
 275 collaborative relationship with students' families to increase
 276 student achievement.
- 277 7. Other professional competencies, responsibilities, and
 278 requirements as established by rules of the State Board of
 279 Education and policies of the district school board.

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