

CHAMBER ACTION

1 The Committee on Education K-20 recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to public school educational instruction;
7 creating s. 1003.415, F.S.; providing the popular name the
8 "Middle Grades Reform Act"; providing purpose and intent;
9 defining the term "middle grades"; requiring a review and
10 recommendations relating to curricula and courses;
11 requiring implementation of new or revised reading and
12 language arts courses; providing for implementation of a
13 rigorous reading requirement in certain schools; requiring
14 a study of the academic performance of middle grade
15 students and schools with recommendations for an increase
16 in performance; requiring a personalized middle school
17 success plan for certain students; providing authority for
18 State Board of Education rulemaking and enforcement;
19 amending s. 1001.42, F.S.; requiring a school improvement
20 plan to include the rigorous reading requirement if
21 applicable; amending s. 1008.25, F.S.; requiring a
22 personalized middle school success plan to be incorporated
23 in a student's academic improvement plan if applicable;

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24 amending s. 1012.34, F.S.; revising assessment criteria
 25 for instructional personnel; providing an effective date.
 26

27 Be It Enacted by the Legislature of the State of Florida:
 28

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

31 1003.415 The Middle Grades Reform Act.--

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

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

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

45 (4) CURRICULA AND COURSES.--The Department of Education
 46 shall review course offerings, teacher qualifications,
 47 instructional materials, and teaching practices used in reading
 48 and language arts programs in the middle grades. The department
 49 must consult with the Florida Center for Reading Research at
 50 Florida State University, the Just Read, Florida! Office,
 51 reading researchers, reading specialists, and district
 52 supervisors of curriculum in the development of findings and

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53 recommendations. The Commissioner of Education shall make
 54 recommendations to the State Board of Education regarding
 55 changes to reading and language arts curricula in the middle
 56 grades based on research-based proven effective programs. The
 57 State Board of Education shall adopt rules based upon the
 58 commissioner's recommendations no later than March 1, 2005.
 59 Implementation of new or revised reading and language arts
 60 courses in all middle grades shall be phased in beginning no
 61 later than the 2005-2006 school year with completion no later
 62 than the 2008-2009 school year.

63 (5) RIGOROUS READING REQUIREMENT.--

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

76 (b) The purpose of the rigorous reading requirement is to
 77 assist each student who is not reading at or above grade level
 78 to do so before entering high school. The rigorous reading
 79 requirement must include for a middle school's low-performing
 80 student population specific areas that address phonemic
 81 awareness, phonics, fluency, comprehension, and vocabulary; the

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82 desired levels of performance in those areas; and the
83 instructional and support services to be provided to meet the
84 desired levels of performance. The school shall utilize
85 research-based reading activities that have been shown to be
86 successful in teaching reading to low-performing students.

87 (c) Schools required to implement the rigorous reading
88 requirement must provide quarterly reports to the district
89 school superintendent on the progress of students toward
90 increased reading achievement.

91 (d) The results of implementation of a school's rigorous
92 reading requirement shall be used as part of the annual
93 evaluation of the school's instructional personnel and school
94 administrators as required in s. 1012.34.

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

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

107 1. Academic expectations, which include, but are not
108 limited to:

109 a. Alignment of middle school expectations with elementary
110 and high school graduation requirements.

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- 111 b. Best practices to improve reading and language arts
- 112 courses based on research-based programs for middle school
- 113 students in alignment with the Sunshine State Standards.
- 114 c. Strategies that focus on improving academic success for
- 115 low-performing students.
- 116 d. Rigor of curricula and courses.
- 117 e. Instructional materials.
- 118 f. Course enrollment by middle school students.
- 119 g. Student support services.
- 120 h. Measurement and reporting of student achievement.
- 121 2. Attendance policies and student mobility issues.
- 122 3. Teacher quality, which includes, but is not limited to:
- 123 a. Preparedness of teachers to teach rigorous courses to
- 124 middle school students.
- 125 b. Teacher evaluations.
- 126 c. Substitute teachers.
- 127 d. Certification and recertification requirements.
- 128 e. Staff development requirements.
- 129 f. Availability of effective staff development training.
- 130 g. Options to remove ineffective teachers.
- 131 h. Teacher recruitment and vacancy issues.
- 132 i. Federal requirements for highly qualified teachers
- 133 pursuant to the No Child Left Behind Act of 2001.
- 134 4. Identification and availability of diagnostic testing.
- 135 5. Availability of personnel and scheduling issues.
- 136 6. Middle school leadership.
- 137 7. Parental and community involvement.
- 138 (b) By December 1, 2004, the Commissioner of Education
- 139 shall submit to the President of the Senate, the Speaker of the

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140 House of Representatives, the chairs of the education committees
 141 in the Senate and the House of Representatives, and the State
 142 Board of Education recommendations to increase the academic
 143 performance of middle grade students and schools.

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

145 (a) Beginning with the 2004-2005 school year, each
 146 principal of a school with a middle grade shall designate
 147 certified staff members at the school to develop and administer
 148 a personalized middle school success plan for each entering
 149 sixth grade student who scored below Level 3 in reading on the
 150 most recently administered FCAT. The purpose of the success plan
 151 is to assist the student in meeting state and school district
 152 expectations in academic proficiency and to prepare the student
 153 for a rigorous high school curriculum. The success plan shall be
 154 developed in collaboration with the student and his or her
 155 parent and must be implemented until the student completes the
 156 eighth grade. The success plan must minimize paperwork and may
 157 be incorporated into a parent/teacher conference, included as
 158 part of a progress report or report card, included as part of a
 159 general orientation at the beginning of the school year, or
 160 provided by electronic mail or other written correspondence.

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

162 1. Identify educational goals and intermediate benchmarks
 163 for the student in the core curriculum areas which will prepare
 164 the student for high school.

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

167 3. Include academic intervention strategies with frequent
 168 progress monitoring.

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

175 (c) The personalized middle school success plan must be
 176 incorporated into any individual student plan required by
 177 federal or state law, including the academic improvement plan
 178 required in s. 1008.25, an individual education plan (IEP) for a
 179 student with disabilities, a federal 504 plan, or an ESOL plan.

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

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

184 (b) The State Board of Education shall have authority
 185 pursuant to s. 1008.32 to enforce the provisions of this
 186 section.

187 Section 2. Paragraph (a) of subsection (16) of section
 188 1001.42, Florida Statutes, is amended to read:

189 1001.42 Powers and duties of district school board.--The
 190 district school board, acting as a board, shall exercise all
 191 powers and perform all duties listed below:

192 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
 193 ACCOUNTABILITY.--Maintain a system of school improvement and
 194 education accountability as provided by statute and State Board
 195 of Education rule. This system of school improvement and
 196 education accountability shall be consistent with, and
 197 implemented through, the district's continuing system of

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198 planning and budgeting required by this section and ss.
 199 1008.385, 1010.01, and 1011.01. This system of school
 200 improvement and education accountability shall include, but is
 201 not limited to, the following:

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

220 Section 3. Paragraph (b) of subsection (4) of section
 221 1008.25, Florida Statutes, is amended to read:

222 1008.25 Public school student progression; remedial
 223 instruction; reporting requirements.--

224 (4) ASSESSMENT AND REMEDIATION.--

225 (b) The school in which the student is enrolled must
 226 develop, in consultation with the student's parent, and must

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227 implement an academic improvement plan designed to assist the
 228 student in meeting state and district expectations for
 229 proficiency. For a student for whom a personalized middle school
 230 success plan is required pursuant to s. 1003.415, the middle
 231 school success plan must be incorporated in the student's
 232 academic improvement plan. Beginning with the 2002-2003 school
 233 year, if the student has been identified as having a deficiency
 234 in reading, the academic improvement plan shall identify the
 235 student's specific areas of deficiency in phonemic awareness,
 236 phonics, fluency, comprehension, and vocabulary; the desired
 237 levels of performance in these areas; and the instructional and
 238 support services to be provided to meet the desired levels of
 239 performance. Schools shall also provide for the frequent
 240 monitoring of the student's progress in meeting the desired
 241 levels of performance. District school boards shall assist
 242 schools and teachers to implement research-based reading
 243 activities that have been shown to be successful in teaching
 244 reading to low-performing students. Remedial instruction
 245 provided during high school may not be in lieu of English and
 246 mathematics credits required for graduation.

247 Section 4. Paragraph (a) of subsection (3) of section
 248 1012.34, Florida Statutes, is amended to read:

249 1012.34 Assessment procedures and criteria.--

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

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255 (a) An assessment must be conducted for each employee at
256 least once a year. The assessment must be based upon sound
257 educational principles and contemporary research in effective
258 educational practices. The assessment must primarily use data
259 and indicators of improvement in student performance assessed
260 annually as specified in s. 1008.22 and may consider results of
261 peer reviews in evaluating the employee's performance. Student
262 performance must be measured by state assessments required under
263 s. 1008.22 and by local assessments for subjects and grade
264 levels not measured by the state assessment program. The
265 assessment criteria must include, but are not limited to,
266 indicators that relate to the following:

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

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