

## CHAMBER ACTION

1 The Committee on Appropriations 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

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52 supervisors of curriculum in the development of findings and  
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. The department shall provide  
76 technical assistance to school districts and school  
77 administrators required to implement the rigorous reading  
78 requirement.

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

90 | (c) Schools required to implement the rigorous reading  
 91 | requirement must provide quarterly reports to the district  
 92 | school superintendent on the progress of students toward  
 93 | increased reading achievement.

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

98 | (6) COMPREHENSIVE REFORM STUDY ON THE ACADEMIC PERFORMANCE  
 99 | OF STUDENTS AND SCHOOLS.--

100 | (a) The department shall conduct a study on how the  
 101 | overall academic performance of middle grade students and  
 102 | schools can be improved. The department must consult with the  
 103 | Florida Center for Reading Research at Florida State University,  
 104 | the Just Read, Florida! Office, and key education stakeholders,  
 105 | including district school board members, district school  
 106 | superintendents, principals, parents, teachers, district

107 supervisors of curriculum, and students across the state, in the  
 108 development of its findings and recommendations. The department  
 109 shall review, at a minimum, each of the following elements:

110 1. Academic expectations, which include, but are not  
 111 limited to:

112 a. Alignment of middle school expectations with elementary  
 113 and high school graduation requirements.

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

117 c. Strategies that focus on improving academic success for  
 118 low-performing students.

119 d. Rigor of curricula and courses.

120 e. Instructional materials.

121 f. Course enrollment by middle school students.

122 g. Student support services.

123 h. Measurement and reporting of student achievement.

124 2. Attendance policies and student mobility issues.

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

126 a. Preparedness of teachers to teach rigorous courses to  
 127 middle school students.

128 b. Teacher evaluations.

129 c. Substitute teachers.

130 d. Certification and recertification requirements.

131 e. Staff development requirements.

132 f. Availability of effective staff development training.

133 g. Teacher recruitment and vacancy issues.

134 h. Federal requirements for highly qualified teachers  
 135 pursuant to the No Child Left Behind Act of 2001.

136 4. Identification and availability of diagnostic testing.

137 5. Availability of personnel and scheduling issues.

138 6. Middle school leadership and performance.

139 7. Parental and community involvement.

140 (b) By December 1, 2004, the Commissioner of Education  
 141 shall submit to the President of the Senate, the Speaker of the  
 142 House of Representatives, the chairs of the education committees  
 143 in the Senate and the House of Representatives, and the State  
 144 Board of Education recommendations to increase the academic  
 145 performance of middle grade students and schools.

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

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

162 card, included as part of a general orientation at the beginning  
 163 of the school year, or provided by electronic mail or other  
 164 written correspondence.

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

166 1. Identify educational goals and intermediate benchmarks  
 167 for the student in the core curriculum areas which will prepare  
 168 the student for high school.

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

171 3. Include academic intervention strategies with frequent  
 172 progress monitoring.

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

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

184 (d) The Department of Education shall provide technical  
 185 assistance to school districts, school administrators, and  
 186 instructional personnel regarding the development of  
 187 personalized middle school success plans. The assistance shall  
 188 include strategies and techniques designed to maximize  
 189 interaction between students, parents, teachers, and other

190 instructional and administrative staff while minimizing  
 191 paperwork.

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

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

196 (b) The State Board of Education shall have authority  
 197 pursuant to s. 1008.32 to enforce the provisions of this  
 198 section.

199 Section 2. Paragraph (a) of subsection (16) of section  
 200 1001.42, Florida Statutes, is amended to read:

201 1001.42 Powers and duties of district school board.--The  
 202 district school board, acting as a board, shall exercise all  
 203 powers and perform all duties listed below:

204 (16) IMPLEMENT SCHOOL IMPROVEMENT AND  
 205 ACCOUNTABILITY.--Maintain a system of school improvement and  
 206 education accountability as provided by statute and State Board  
 207 of Education rule. This system of school improvement and  
 208 education accountability shall be consistent with, and  
 209 implemented through, the district's continuing system of  
 210 planning and budgeting required by this section and ss.  
 211 1008.385, 1010.01, and 1011.01. This system of school  
 212 improvement and education accountability shall include, but is  
 213 not limited to, the following:

214 (a) School improvement plans.--Annually approve and  
 215 require implementation of a new, amended, or continuation school  
 216 improvement plan for each school in the district, except that a  
 217 district school board may establish a district school



218 improvement plan that includes all schools in the district  
 219 operating for the purpose of providing educational services to  
 220 youth in Department of Juvenile Justice programs. Such plan  
 221 shall be designed to achieve the state education priorities  
 222 pursuant to s. 1000.03(5) and student performance standards. In  
 223 addition, any school required to implement a rigorous reading  
 224 requirement pursuant to s. 1003.415 must include such component  
 225 in its school improvement plan. Each plan shall also address  
 226 issues relative to budget, training, instructional materials,  
 227 technology, staffing, student support services, specific school  
 228 safety and discipline strategies, and other matters of resource  
 229 allocation, as determined by district school board policy, and  
 230 shall be based on an analysis of student achievement and other  
 231 school performance data.

232 Section 3. Paragraph (b) of subsection (4) of section  
 233 1008.25, Florida Statutes, is amended to read:

234 1008.25 Public school student progression; remedial  
 235 instruction; reporting requirements.--

236 (4) ASSESSMENT AND REMEDIATION.--

237 (b) The school in which the student is enrolled must  
 238 develop, in consultation with the student's parent, and must  
 239 implement an academic improvement plan designed to assist the  
 240 student in meeting state and district expectations for  
 241 proficiency. For a student for whom a personalized middle school  
 242 success plan is required pursuant to s. 1003.415, the middle  
 243 school success plan must be incorporated in the student's  
 244 academic improvement plan. Beginning with the 2002-2003 school  
 245 year, if the student has been identified as having a deficiency

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246 | in reading, the academic improvement plan shall identify the  
247 | student's specific areas of deficiency in phonemic awareness,  
248 | phonics, fluency, comprehension, and vocabulary; the desired  
249 | levels of performance in these areas; and the instructional and  
250 | support services to be provided to meet the desired levels of  
251 | performance. Schools shall also provide for the frequent  
252 | monitoring of the student's progress in meeting the desired  
253 | levels of performance. District school boards shall assist  
254 | schools and teachers to implement research-based reading  
255 | activities that have been shown to be successful in teaching  
256 | reading to low-performing students. Remedial instruction  
257 | provided during high school may not be in lieu of English and  
258 | mathematics credits required for graduation.

259 |       Section 4. Paragraph (a) of subsection (3) of section  
260 | 1012.34, Florida Statutes, is amended to read:

261 |       1012.34 Assessment procedures and criteria.--

262 |       (3) The assessment procedure for instructional personnel  
263 | and school administrators must be primarily based on the  
264 | performance of students assigned to their classrooms or schools,  
265 | as appropriate. The procedures must comply with, but are not  
266 | limited to, the following requirements:

267 |       (a) An assessment must be conducted for each employee at  
268 | least once a year. The assessment must be based upon sound  
269 | educational principles and contemporary research in effective  
270 | educational practices. The assessment must primarily use data  
271 | and indicators of improvement in student performance assessed  
272 | annually as specified in s. 1008.22 and may consider results of  
273 | peer reviews in evaluating the employee's performance. Student

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274 performance must be measured by state assessments required under  
275 s. 1008.22 and by local assessments for subjects and grade  
276 levels not measured by the state assessment program. The  
277 assessment criteria must include, but are not limited to,  
278 indicators that relate to the following:

- 279 1. Performance of students.
- 280 2. Ability to maintain appropriate discipline.
- 281 3. Knowledge of subject matter. The district school board  
282 shall make special provisions for evaluating teachers who are  
283 assigned to teach out-of-field.
- 284 4. Ability to plan and deliver instruction, including  
285 implementation of the rigorous reading requirement pursuant to  
286 s. 1003.415, when applicable, and the use of technology in the  
287 classroom.
- 288 5. Ability to evaluate instructional needs.
- 289 6. Ability to establish and maintain a positive  
290 collaborative relationship with students' families to increase  
291 student achievement.
- 292 7. Other professional competencies, responsibilities, and  
293 requirements as established by rules of the State Board of  
294 Education and policies of the district school board.

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