

1 A bill to be entitled
 2 An act relating to public school educational instruction;
 3 creating s. 1003.415, F.S.; providing the popular name the
 4 "Middle Grades Reform Act"; providing purpose and intent;
 5 defining the term "middle grades"; requiring a review and
 6 recommendations relating to curricula and courses;
 7 requiring implementation of new or revised reading and
 8 language arts courses; providing for implementation of a
 9 rigorous reading requirement in certain schools; requiring
 10 a study of the academic performance of middle grade
 11 students and schools with recommendations for an increase
 12 in performance; requiring a personalized middle school
 13 success plan for certain students; providing authority for
 14 State Board of Education rulemaking and enforcement;
 15 amending s. 1001.42, F.S.; requiring a school improvement
 16 plan to include the rigorous reading requirement if
 17 applicable; amending s. 1008.25, F.S.; requiring a
 18 personalized middle school success plan to be incorporated
 19 in a student's academic improvement plan if applicable;
 20 amending s. 1012.34, F.S.; revising assessment criteria
 21 for instructional personnel; providing an effective date.

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

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

27 1003.415 The Middle Grades Reform Act.--

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

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.

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, grade 7, or grade 8 as measured by a
64 student scoring at Level 3 or above on the FCAT during the prior
65 school 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. The department shall provide
72 technical assistance to school districts and school
73 administrators required to implement the rigorous reading
74 requirement.

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

84 research-based reading activities that have been shown to be
 85 successful in teaching reading to low-performing students.

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

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

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

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

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

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

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

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

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

143 (a) Beginning with the 2004-2005 school year, each
 144 principal of a school with a middle grade shall designate
 145 certified staff members at the school to develop and administer
 146 a personalized middle school success plan for each entering
 147 sixth grade student who scored below Level 3 in reading on the
 148 most recently administered FCAT. The purpose of the success plan
 149 is to assist the student in meeting state and school district
 150 expectations in academic proficiency and to prepare the student
 151 for a rigorous high school curriculum. The success plan shall be
 152 developed in collaboration with the student and his or her
 153 parent and must be implemented until the student completes the
 154 eighth grade or achieves a score at Level 3 or above in reading
 155 on the FCAT, whichever occurs first. The success plan must
 156 minimize paperwork and may be incorporated into a parent/teacher
 157 conference, included as part of a progress report or report
 158 card, included as part of a general orientation at the beginning
 159 of the school year, or provided by electronic mail or other
 160 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 (d) The Department of Education shall provide technical
 181 assistance to school districts, school administrators, and
 182 instructional personnel regarding the development of
 183 personalized middle school success plans. The assistance shall
 184 include strategies and techniques designed to maximize
 185 interaction between students, parents, teachers, and other
 186 instructional and administrative staff while minimizing
 187 paperwork.

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

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

192 (b) The State Board of Education shall have authority
 193 pursuant to s. 1008.32 to enforce the provisions of this
 194 section.

195 Section 2. Paragraph (a) of subsection (16) of section
 196 1001.42, Florida Statutes, is amended to read:

197 1001.42 Powers and duties of district school board.--The
 198 district school board, acting as a board, shall exercise all
 199 powers and perform all duties listed below:

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

210 (a) School improvement plans.--Annually approve and
 211 require implementation of a new, amended, or continuation school
 212 improvement plan for each school in the district, except that a
 213 district school board may establish a district school
 214 improvement plan that includes all schools in the district
 215 operating for the purpose of providing educational services to
 216 youth in Department of Juvenile Justice programs. Such plan
 217 shall be designed to achieve the state education priorities
 218 pursuant to s. 1000.03(5) and student performance standards. In
 219 addition, any school required to implement a rigorous reading

220 requirement pursuant to s. 1003.415 must include such component
221 in its school improvement plan. Each plan shall also address
222 issues relative to budget, training, instructional materials,
223 technology, staffing, student support services, specific school
224 safety and discipline strategies, and other matters of resource
225 allocation, as determined by district school board policy, and
226 shall be based on an analysis of student achievement and other
227 school performance data.

228 Section 3. Paragraph (b) of subsection (4) of section
229 1008.25, Florida Statutes, is amended to read:

230 1008.25 Public school student progression; remedial
231 instruction; reporting requirements.--

232 (4) ASSESSMENT AND REMEDIATION.--

233 (b) The school in which the student is enrolled must
234 develop, in consultation with the student's parent, and must
235 implement an academic improvement plan designed to assist the
236 student in meeting state and district expectations for
237 proficiency. For a student for whom a personalized middle school
238 success plan is required pursuant to s. 1003.415, the middle
239 school success plan must be incorporated in the student's
240 academic improvement plan. Beginning with the 2002-2003 school
241 year, if the student has been identified as having a deficiency
242 in reading, the academic improvement plan shall identify the
243 student's specific areas of deficiency in phonemic awareness,
244 phonics, fluency, comprehension, and vocabulary; the desired
245 levels of performance in these areas; and the instructional and
246 support services to be provided to meet the desired levels of
247 performance. Schools shall also provide for the frequent

248 monitoring of the student's progress in meeting the desired
249 levels of performance. District school boards shall assist
250 schools and teachers to implement research-based reading
251 activities that have been shown to be successful in teaching
252 reading to low-performing students. Remedial instruction
253 provided during high school may not be in lieu of English and
254 mathematics credits required for graduation.

255 Section 4. Paragraph (a) of subsection (3) of section
256 1012.34, Florida Statutes, is amended to read:

257 1012.34 Assessment procedures and criteria.--

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

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

275 1. Performance of students.

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