

CHAMBER ACTION

1 The Education Appropriations Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to education; amending s. 1001.03, F.S.;
7 requiring the State Board of Education to review the
8 Sunshine State Standards and provide a report evaluating
9 the extent to which the standards are being taught;
10 creating s. 1001.215, F.S.; creating the Just Read,
11 Florida! Office in the Department of Education; providing
12 duties; amending s. 1001.41, F.S.; requiring district
13 school boards to adopt policies to provide each student a
14 complete education program; amending s. 1001.42, F.S.;
15 conforming provisions; amending s. 1003.415, F.S.;
16 providing the mission of middle grades; deleting the
17 rigorous reading requirement for middle grade students;
18 deleting obsolete language relating to a department study;
19 revising requirements for development of a student middle
20 school success plan; creating s. 1003.4155, F.S.;
21 specifying the grading scale for grades 6 through 8;
22 creating s. 1003.4156, F.S.; specifying general
23 requirements for middle school promotion; requiring an

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24 intensive reading course under certain circumstances;
25 defining an academic credit; authorizing a process for
26 waiving requirements; requiring the adoption of rules for
27 alternative promotion standards for students in schools
28 with certain grade configurations; creating s. 1004.64,
29 F.S.; creating the Florida Center for Reading Research;
30 providing duties, including the establishment of regional
31 partnerships; providing a restriction with respect to
32 persons with financial interests; amending s. 1008.25,
33 F.S.; requiring the department to establish a uniform
34 format for reporting information relating to student
35 progression; requiring an annual report; amending s.
36 1011.62, F.S.; providing funding for supplemental services
37 for certain students; conforming cross references;
38 establishing a research-based reading instruction
39 allocation to provide funds for a comprehensive reading
40 instruction system; requiring school district plans for
41 use of the allocation and approval thereof; including the
42 allocation in the total amount allocated to each school
43 district for current operation; amending s. 1011.71, F.S.;
44 correcting a cross reference; amending s. 1012.34, F.S.;
45 conforming provisions; creating s. 1012.986, F.S.;
46 establishing the A+ Professional Development Program for
47 School Leaders; defining the term "school leader";
48 establishing school leadership designations and criteria
49 therefor; providing criteria for calculating school grades
50 for purpose of such designations; providing program

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51 requirements and delivery; requiring the adoption of
52 rules; providing an effective date.

53

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

55

56 Section 1. Subsection (1) of section 1001.03, Florida
57 Statutes, is amended to read:

58 1001.03 Specific powers of State Board of Education.--

59 (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The State
60 Board of Education shall approve the student performance
61 standards known as the Sunshine State Standards in key academic
62 subject areas and grade levels. The state board shall
63 periodically review the standards to ensure adequate rigor and
64 evaluate the extent to which the standards are being taught at
65 each grade level. The evaluation shall be provided to the
66 Governor, the Speaker of the House of Representatives, and the
67 President of the Senate and shall include a determination of the
68 district school boards' provision of a complete education
69 program pursuant to s. 1001.41(3).

70 Section 2. Section 1001.215, Florida Statutes, is created
71 to read:

72 1001.215 Just Read, Florida! Office.--There is created in
73 the Department of Education the Just Read, Florida! Office. The
74 office shall:

75 (1) Train professionally certified teachers to become
76 certified reading coaches.

77 (2) Create multiple designations of effective reading
78 instruction, with accompanying credentials, that encourage all

79 | teachers to integrate reading instruction into their content
80 | areas.

81 | (3) Train K-12 teachers, school principals, and parents on
82 | research-based reading instruction strategies.

83 | (4) Provide technical assistance to school districts in
84 | the development and implementation of district plans for use of
85 | the research-based reading instruction allocation provided in s.
86 | 1011.62(8) and annually review and approve such plans.

87 | (5) Work with the Florida Center for Reading Research
88 | created pursuant to s. 1004.64 to provide information on
89 | research-based reading programs.

90 | (6) Periodically review the Sunshine State Standards for
91 | reading at all grade levels.

92 | (7) Periodically review teacher certification examinations
93 | to ensure that the examinations measure necessary skills in
94 | research-based reading instructional strategies.

95 | (8) Work with teacher preparation programs approved
96 | pursuant to s. 1004.04 to ensure integration of research-based
97 | reading instructional strategies into teacher preparation
98 | programs.

99 | (9) Administer grants and perform other functions
100 | necessary to assist with meeting the goal that all students read
101 | at grade level.

102 | Section 3. Subsection (3) of section 1001.41, Florida
103 | Statutes, is amended to read:

104 | 1001.41 General powers of district school board.--The
105 | district school board, after considering recommendations

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106 submitted by the district school superintendent, shall exercise
107 the following general powers:

108 (3) Prescribe and adopt standards and policies to provide
109 each student the opportunity to receive a complete education
110 program, including language arts, mathematics, science, social
111 studies, health, physical education, foreign languages, and the
112 arts as defined by the Sunshine State Standards pursuant to s.
113 1001.03(1) as are considered desirable by it for improving the
114 district school system.

115 Section 4. Paragraph (a) of subsection (16) of section
116 1001.42, Florida Statutes, is amended to read:

117 1001.42 Powers and duties of district school board.--The
118 district school board, acting as a board, shall exercise all
119 powers and perform all duties listed below:

120 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
121 ACCOUNTABILITY.--Maintain a system of school improvement and
122 education accountability as provided by statute and State Board
123 of Education rule. This system of school improvement and
124 education accountability shall be consistent with, and
125 implemented through, the district's continuing system of
126 planning and budgeting required by this section and ss.
127 1008.385, 1010.01, and 1011.01. This system of school
128 improvement and education accountability shall include, but is
129 not limited to, the following:

130 (a) School improvement plans.--Annually approve and
131 require implementation of a new, amended, or continuation school
132 improvement plan for each school in the district, except that a
133 district school board may establish a district school

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134 improvement plan that includes all schools in the district
 135 operating for the purpose of providing educational services to
 136 youth in Department of Juvenile Justice programs. Such plan
 137 shall be designed to achieve the state education priorities
 138 pursuant to s. 1000.03(5) and student performance standards. ~~In~~
 139 ~~addition, any school required to implement a rigorous reading~~
 140 ~~requirement pursuant to s. 1003.415 must include such component~~
 141 ~~in its school improvement plan.~~ Each plan shall also address
 142 issues relative to budget, training, instructional materials,
 143 technology, staffing, student support services, specific school
 144 safety and discipline strategies, student health and fitness,
 145 including physical fitness, parental information on student
 146 health and fitness, and indoor environmental air quality, and
 147 other matters of resource allocation, as determined by district
 148 school board policy, and shall be based on an analysis of
 149 student achievement and other school performance data.

150 Section 5. Section 1003.415, Florida Statutes, is amended
 151 to read:

152 1003.415 The Middle Grades Reform Act.--

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

155 (2) PURPOSE AND INTENT.--

156 (a) The purpose of this section is to provide added focus
 157 and rigor to academics in the middle grades. Using reading as
 158 the foundation, all middle grade students should receive
 159 rigorous academic instruction through challenging curricula
 160 delivered by highly qualified teachers in schools with

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161 outstanding leadership, which schools are supported by engaged
162 and informed parents.

163 (b) It is the intent of the Legislature that students
164 promoted from the eighth grade will be ready for success in high
165 school and that the mission of middle grades is to prepare
166 students to graduate from high school.

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

169 (4) CURRICULA AND COURSES.--The Department of Education
170 shall review course offerings, teacher qualifications,
171 instructional materials, and teaching practices used in reading
172 and language arts programs in the middle grades. The department
173 must consult with the Florida Center for Reading Research at
174 Florida State University, the Just Read, Florida! Office,
175 reading researchers, reading specialists, and district
176 supervisors of curriculum in the development of findings and
177 recommendations. The Commissioner of Education shall make
178 recommendations to the State Board of Education regarding
179 changes to reading and language arts curricula in the middle
180 grades based on research-based proven effective programs. The
181 State Board of Education shall adopt rules based upon the
182 commissioner's recommendations no later than March 1, 2005.
183 Implementation of new or revised reading and language arts
184 courses in all middle grades shall be phased in beginning no
185 later than the 2005-2006 school year with completion no later
186 than the 2008-2009 school year.

187 ~~(5) RIGOROUS READING REQUIREMENT.~~

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188 ~~(a) Beginning with the 2004-2005 school year, each public~~
189 ~~school serving middle grade students, including charter schools,~~
190 ~~with fewer than 75 percent of its students reading at or above~~
191 ~~grade level in grade 6, grade 7, or grade 8 as measured by a~~
192 ~~student scoring at Level 3 or above on the FCAT during the prior~~
193 ~~school year, must incorporate by October 1 a rigorous reading~~
194 ~~requirement for reading and language arts programs as the~~
195 ~~primary component of its school improvement plan. The department~~
196 ~~shall annually provide to each district school board by June 30~~
197 ~~a list of its schools that are required to incorporate a~~
198 ~~rigorous reading requirement as the primary component of the~~
199 ~~school's improvement plan. The department shall provide~~
200 ~~technical assistance to school districts and school~~
201 ~~administrators required to implement the rigorous reading~~
202 ~~requirement.~~

203 ~~(b) The purpose of the rigorous reading requirement is to~~
204 ~~assist each student who is not reading at or above grade level~~
205 ~~to do so before entering high school. The rigorous reading~~
206 ~~requirement must include for a middle school's low-performing~~
207 ~~student population specific areas that address phonemic~~
208 ~~awareness, phonics, fluency, comprehension, and vocabulary; the~~
209 ~~desired levels of performance in those areas; and the~~
210 ~~instructional and support services to be provided to meet the~~
211 ~~desired levels of performance. The school shall use research-~~
212 ~~based reading activities that have been shown to be successful~~
213 ~~in teaching reading to low-performing students.~~

214 ~~(c) Schools required to implement the rigorous reading~~
215 ~~requirement must provide quarterly reports to the district~~

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216 ~~school superintendent on the progress of students toward~~
217 ~~increased reading achievement.~~

218 ~~(d) The results of implementation of a school's rigorous~~
219 ~~reading requirement shall be used as part of the annual~~
220 ~~evaluation of the school's instructional personnel and school~~
221 ~~administrators as required in s. 1012.34.~~

222 ~~(6) COMPREHENSIVE REFORM STUDY ON THE ACADEMIC PERFORMANCE~~
223 ~~OF STUDENTS AND SCHOOLS.—~~

224 ~~(a) The department shall conduct a study on how the~~
225 ~~overall academic performance of middle grade students and~~
226 ~~schools can be improved. The department must consult with the~~
227 ~~Florida Center for Reading Research at Florida State University,~~
228 ~~the Just Read, Florida! Office, and key education stakeholders,~~
229 ~~including district school board members, district school~~
230 ~~superintendents, principals, parents, teachers, district~~
231 ~~supervisors of curriculum, and students across the state, in the~~
232 ~~development of its findings and recommendations. The department~~
233 ~~shall review, at a minimum, each of the following elements:~~

234 ~~1. Academic expectations, which include, but are not~~
235 ~~limited to:~~

236 ~~a. Alignment of middle school expectations with elementary~~
237 ~~and high school graduation requirements.~~

238 ~~b. Best practices to improve reading and language arts~~
239 ~~courses based on research-based programs for middle school~~
240 ~~students in alignment with the Sunshine State Standards.~~

241 ~~c. Strategies that focus on improving academic success for~~
242 ~~low-performing students.~~

243 ~~d. Rigor of curricula and courses.~~

- 244 | ~~e. Instructional materials.~~
- 245 | ~~f. Course enrollment by middle school students.~~
- 246 | ~~g. Student support services.~~
- 247 | ~~h. Measurement and reporting of student achievement.~~
- 248 | ~~2. Attendance policies and student mobility issues.~~
- 249 | ~~3. Teacher quality, which includes, but is not limited to:~~
- 250 | ~~a. Preparedness of teachers to teach rigorous courses to~~
- 251 | ~~middle school students.~~
- 252 | ~~b. Teacher evaluations.~~
- 253 | ~~e. Substitute teachers.~~
- 254 | ~~d. Certification and recertification requirements.~~
- 255 | ~~e. Staff development requirements.~~
- 256 | ~~f. Availability of effective staff development training.~~
- 257 | ~~g. Teacher recruitment and vacancy issues.~~
- 258 | ~~h. Federal requirements for highly qualified teachers~~
- 259 | ~~pursuant to the No Child Left Behind Act of 2001.~~
- 260 | ~~4. Identification and availability of diagnostic testing.~~
- 261 | ~~5. Availability of personnel and scheduling issues.~~
- 262 | ~~6. Middle school leadership and performance.~~
- 263 | ~~7. Parental and community involvement.~~
- 264 | ~~(b) By December 1, 2004, the Commissioner of Education~~
- 265 | ~~shall submit to the President of the Senate, the Speaker of the~~
- 266 | ~~House of Representatives, the chairs of the education committees~~
- 267 | ~~in the Senate and the House of Representatives, and the State~~
- 268 | ~~Board of Education recommendations to increase the academic~~
- 269 | ~~performance of middle grade students and schools.~~
- 270 | (5)~~(7)~~ PERSONALIZED MIDDLE SCHOOL SUCCESS PLAN.--

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271 (a) ~~Beginning with the 2004-2005 school year,~~ Each
272 principal of a school with a middle grade shall designate
273 certified staff members at the school to develop and administer
274 a personalized middle school success plan for each entering
275 sixth grade student who scored below Level 2.5 ~~3~~ in reading on
276 the most recently administered FCAT. The purpose of the success
277 plan is to assist the student in meeting state and school
278 district expectations in academic proficiency and to prepare the
279 student for a rigorous high school curriculum. The success plan
280 shall be developed in collaboration with the student and his or
281 her parent and must be implemented until the student completes
282 the eighth grade or achieves a score at Level 2.5 ~~3~~ or above in
283 reading on the FCAT, whichever occurs first. The success plan
284 must minimize paperwork and may be incorporated into a
285 parent/teacher conference, included as part of a progress report
286 or report card, included as part of a general orientation at the
287 beginning of the school year, or provided by electronic mail or
288 other written correspondence.

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

290 1. Identify educational goals and intermediate benchmarks
291 for the student in the core curriculum areas which will prepare
292 the student for high school.

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

295 3. Include academic intervention strategies with frequent
296 progress monitoring.

297 4. Provide innovative methods to promote the student's
298 advancement which may include, but not be limited to, flexible

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299 | scheduling, tutoring, focus on core curricula, online
 300 | instruction, an alternative learning environment, or other
 301 | interventions that have been shown to accelerate the learning
 302 | process.

303 | (c) The personalized middle school success plan must be
 304 | incorporated into any individual student plan required by
 305 | federal or state law, including the academic improvement plan
 306 | required in s. 1008.25, an individual education plan (IEP) for a
 307 | student with disabilities, a federal 504 plan, or an ESOL plan.

308 | (d) The Department of Education shall provide technical
 309 | assistance for districts, school administrators, and
 310 | instructional personnel regarding the development of
 311 | personalized middle school success plans. The assistance shall
 312 | include strategies and techniques designed to maximize
 313 | interaction between students, parents, teachers, and other
 314 | instructional and administrative staff while minimizing
 315 | paperwork.

316 | (6)~~(8)~~ STATE BOARD OF EDUCATION AUTHORITY.--

317 | (a) The State Board of Education shall have authority to
 318 | adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
 319 | the provisions of this section.

320 | (b) The State Board of Education shall have authority
 321 | pursuant to s. 1008.32 to enforce the provisions of this
 322 | section.

323 | Section 6. Section 1003.4155, Florida Statutes, is created
 324 | to read:

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325 1003.4155 Middle school grading system.--The grading
 326 system and interpretation of letter grades used in grades 6
 327 through 8 shall be as follows:

328 (1) Grade "A" equals 90 percent through 100 percent, has a
 329 grade point average value of 4, and is defined as "outstanding
 330 progress."

331 (2) Grade "B" equals 80 percent through 89 percent, has a
 332 grade point average value of 3, and is defined as "above average
 333 progress."

334 (3) Grade "C" equals 70 percent through 79 percent, has a
 335 grade point average value of 2, and is defined as "average
 336 progress."

337 (4) Grade "D" equals 60 percent through 69 percent, has a
 338 grade point average value of 1, and is defined as "lowest
 339 acceptable progress."

340 (5) Grade "F" equals zero percent through 59 percent, has
 341 a grade point average value of zero, and is defined as
 342 "failure."

343 (6) Grade "I" equals zero percent, has a grade point
 344 average value of zero, and is defined as "incomplete."

345 Section 7. Section 1003.4156, Florida Statutes, is created
 346 to read:

347 1003.4156 General requirements for middle school
 348 promotion.--

349 (1) Beginning with students entering grade 6 in the 2005-
 350 2006 school year, promotion from a middle school with grades 6
 351 through 8 requires that:

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352 (a) A student must successfully complete 12 academic
353 credits as follows:

354 1. Three middle school or higher credits in
355 English/language arts.

356 2. Three middle school or higher credits in mathematics.

357 3. Three middle school or higher credits in social
358 studies.

359 4. Three middle school or higher credits in science.

360
361 Other courses offered in middle school, including music, band,
362 physical education, and art, shall be considered electives.

363 (b) For each year in which a student scores at Level 1 or
364 Level 2 on FCAT Reading, the student must the following year be
365 enrolled in and complete a full-year intensive reading course
366 based on frameworks developed by the Florida Center for Reading
367 Research pursuant to s. 1004.64(4).

368 (2) One full credit means a minimum of 135 hours of
369 instruction in a designated course of study that contains
370 student performance standards. For schools authorized by the
371 district school board to implement block scheduling, one full
372 credit means a minimum of 120 hours of instruction in a
373 designated course of study that contains student performance
374 standards.

375 (3) District school boards may establish a process for
376 waiving the requirements of this section. The State Board of
377 Education shall approve each school district's waiver process
378 prior to implementation by the school district. A waiver process

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379 must include, but is not limited to, opportunities for students
380 to:

381 (a) Recover credits.

382 (b) Be promoted on time to high school.

383 (c) Be placed in alternative programs that emphasize
384 applied integrated curricula, small learning communities,
385 support services, increased discipline, or other strategies
386 documented to improve student achievement.

387 (4) The State Board of Education shall adopt rules
388 pursuant to ss. 120.536(1) and 120.54 to provide for alternative
389 middle school promotion standards for students in grades 6, 7,
390 or 8 who are not enrolled in schools with a grade 6 through 8
391 middle school configuration.

392 Section 8. Section 1004.64, Florida Statutes, is created
393 to read:

394 1004.64 Florida Center for Reading Research.--There is
395 created the Florida Center for Reading Research (FCRR) which
396 shall be administratively assigned as determined by the Board of
397 Governors. The center shall:

398 (1) Provide technical assistance and support to all school
399 districts and schools in the state in the implementation of
400 evidence-based literacy instruction, assessments, and programs.

401 (2) Conduct applied research that will have an immediate
402 impact on policy and practices related to literacy instruction
403 and assessment in the state.

404 (3) Conduct basic research on reading, reading growth,
405 reading assessment, and reading instruction that will contribute
406 to scientific knowledge about reading.

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407 (4) Develop comprehensive reading intervention course
408 frameworks for middle and high schools.

409 (5) Disseminate information about research-based practices
410 related to literacy instruction, assessment, and programs for
411 children in preschool through grade 12.

412 (6) Collect, manage, and report on assessment information
413 from screening, progress monitoring, and outcome assessments
414 through Florida's Progress Monitoring and Reporting Network,
415 which is a statewide resource that is operated to provide valid
416 and timely reading assessment data for parents, teachers,
417 principals, district-level staff, and state-level staff in the
418 management of instruction at the individual, classroom, and
419 school levels.

420 (7) In order to fulfill the requirements of this section,
421 establish regional partnerships with state universities as
422 determined by the Board of Governors, with community colleges as
423 determined by the State Board of Education, and with independent
424 postsecondary institutions as determined by their individual
425 governing boards.

426
427 Persons engaged in activities on behalf of the Florida Center
428 for Reading Research pursuant to this section must be
429 individuals who do not have, and none of whose relatives as
430 defined in s. 112.3143 has, a substantial financial interest in
431 the design or delivery of reading-related instructional
432 materials, programs, courses, or training. For purposes of this
433 section, such persons are defined as employees of an agency
434 pursuant to s. 112.313.

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435 Section 9. Paragraph (b) of subsection (8) of section
436 1008.25, Florida Statutes, is amended, and paragraph (c) is
437 added to said subsection, to read:

438 1008.25 Public school student progression; remedial
439 instruction; reporting requirements.--

440 (8) ANNUAL REPORT.--

441 (b) ~~Beginning with the 2001-2002 school year,~~ Each
442 district school board must annually publish in the local
443 newspaper, and report in writing to the State Board of Education
444 by September 1 of each year, the following information on the
445 prior school year:

446 1. The provisions of this section relating to public
447 school student progression and the district school board's
448 policies and procedures on student retention and promotion.

449 2. By grade, the number and percentage of all students in
450 grades 3 through 10 performing at Levels 1 and 2 on the reading
451 portion of the FCAT.

452 3. By grade, the number and percentage of all students
453 retained in grades 3 through 10.

454 4. Information on the total number of students who were
455 promoted for good cause, by each category of good cause as
456 specified in paragraph (6)(b).

457 5. Any revisions to the district school board's policy on
458 student retention and promotion from the prior year.

459 (c) The Department of Education shall establish a uniform
460 format for school districts to report the information required
461 in paragraph (b). The format shall be developed with input from
462 school districts and shall be provided not later than 60 days

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463 prior to the annual due date. The department shall annually
 464 compile the information required in subparagraphs (b)2., 3., and
 465 4., along with state-level summary information, and report such
 466 information to the Governor, the President of the Senate, and
 467 the Speaker of the House of Representatives.

468 Section 10. Paragraph (f) of subsection (1) and paragraphs
 469 (a) and (b) of subsection (4) of section 1011.62, Florida
 470 Statutes, are amended, subsections (8) and (9) are renumbered as
 471 subsections (9) and (10), respectively, and amended, and a new
 472 subsection (8) is added to said section, to read:

473 1011.62 Funds for operation of schools.--If the annual
 474 allocation from the Florida Education Finance Program to each
 475 district for operation of schools is not determined in the
 476 annual appropriations act or the substantive bill implementing
 477 the annual appropriations act, it shall be determined as
 478 follows:

479 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 480 OPERATION.--The following procedure shall be followed in
 481 determining the annual allocation to each district for
 482 operation:

483 (f) Supplemental academic instruction; categorical fund.--

484 1. There is created a categorical fund to provide
 485 supplemental academic instruction to students in kindergarten
 486 through grade 12. This paragraph may be cited as the
 487 "Supplemental Academic Instruction Categorical Fund."

488 2. Categorical funds for supplemental academic instruction
 489 shall be allocated annually to each school district in the
 490 amount provided in the General Appropriations Act. These funds

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491 shall be in addition to the funds appropriated on the basis of
492 FTE student membership in the Florida Education Finance Program
493 and shall be included in the total potential funds of each
494 district. These funds shall be used to provide supplemental
495 academic instruction to students enrolled in the K-12 program.
496 Supplemental instruction strategies may include, but are not
497 limited to: modified curriculum, reading instruction, after-
498 school instruction, tutoring, mentoring, class size reduction,
499 extended school year, intensive skills development in summer
500 school, and other methods for improving student achievement.
501 Supplemental instruction may be provided to a student in any
502 manner and at any time during or beyond the regular 180-day term
503 identified by the school as being the most effective and
504 efficient way to best help that student progress from grade to
505 grade and to graduate.

506 3. Effective with the 1999-2000 fiscal year, funding on
507 the basis of FTE membership beyond the 180-day regular term
508 shall be provided in the FEFP only for students enrolled in
509 juvenile justice education programs. Funding for instruction
510 beyond the regular 180-day school year for all other K-12
511 students shall be provided through the supplemental academic
512 instruction categorical fund and other state, federal, and local
513 fund sources with ample flexibility for schools to provide
514 supplemental instruction to assist students in progressing from
515 grade to grade and graduating.

516 4. The Florida State University School, as a lab school,
517 is authorized to expend from its FEFP or Lottery Enhancement
518 Trust Fund allocation the cost to the student of remediation in

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519 reading, writing, or mathematics for any graduate who requires
520 remediation at a postsecondary educational institution.

521 5. Beginning in the 1999-2000 school year, dropout
522 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
523 (b), and (c), and 1003.54 shall be included in group 1 programs
524 under subparagraph (d)3.

525 6. Beginning in the 2005-2006 school year, parents of
526 students who score at Level 1 on FCAT Reading in non-Title I
527 schools shall be offered the opportunity to choose supplemental
528 services from a list of providers approved by the Department of
529 Education, funded in an amount per student as determined
530 annually in the General Appropriations Act.

531 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.--The
532 Legislature shall prescribe the aggregate required local effort
533 for all school districts collectively as an item in the General
534 Appropriations Act for each fiscal year. The amount that each
535 district shall provide annually toward the cost of the Florida
536 Education Finance Program for kindergarten through grade 12
537 programs shall be calculated as follows:

538 (a) Estimated taxable value calculations.--

539 1.a. Not later than 2 working days prior to July 19, the
540 Department of Revenue shall certify to the Commissioner of
541 Education its most recent estimate of the taxable value for
542 school purposes in each school district and the total for all
543 school districts in the state for the current calendar year
544 based on the latest available data obtained from the local
545 property appraisers. Not later than July 19, the Commissioner of
546 Education shall compute a millage rate, rounded to the next

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547 highest one one-thousandth of a mill, which, when applied to 95
 548 percent of the estimated state total taxable value for school
 549 purposes, would generate the prescribed aggregate required local
 550 effort for that year for all districts. The Commissioner of
 551 Education shall certify to each district school board the
 552 millage rate, computed as prescribed in this subparagraph, as
 553 the minimum millage rate necessary to provide the district
 554 required local effort for that year.

555 b. The General Appropriations Act shall direct the
 556 computation of the statewide adjusted aggregate amount for
 557 required local effort for all school districts collectively from
 558 ad valorem taxes to ensure that no school district's revenue
 559 from required local effort millage will produce more than 90
 560 percent of the district's total Florida Education Finance
 561 Program calculation, and the adjustment of the required local
 562 effort millage rate of each district that produces more than 90
 563 percent of its total Florida Education Finance Program
 564 entitlement to a level that will produce only 90 percent of its
 565 total Florida Education Finance Program entitlement in the July
 566 calculation.

567 2. As revised data are received from property appraisers,
 568 the Department of Revenue shall amend the certification of the
 569 estimate of the taxable value for school purposes. The
 570 Commissioner of Education, in administering the provisions of
 571 subparagraph (10)~~(9)~~(a)2., shall use the most recent taxable
 572 value for the appropriate year.

573 (b) Final calculation.--

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574 1. The Department of Revenue shall, upon receipt of the
 575 official final assessed value of property from each of the
 576 property appraisers, certify to the Commissioner of Education
 577 the taxable value total for school purposes in each school
 578 district, subject to the provisions of paragraph (d). The
 579 commissioner shall use the official final taxable value for
 580 school purposes for each school district in the final
 581 calculation of the annual Florida Education Finance Program
 582 allocations.

583 2. For the purposes of this paragraph, the official final
 584 taxable value for school purposes shall be the taxable value for
 585 school purposes on which the tax bills are computed and mailed
 586 to the taxpayers, adjusted to reflect final administrative
 587 actions of value adjustment boards and judicial decisions
 588 pursuant to part I of chapter 194. By September 1 of each year,
 589 the Department of Revenue shall certify to the commissioner the
 590 official prior year final taxable value for school purposes. For
 591 each county that has not submitted a revised tax roll reflecting
 592 final value adjustment board actions and final judicial
 593 decisions, the Department of Revenue shall certify the most
 594 recent revision of the official taxable value for school
 595 purposes. The certified value shall be the final taxable value
 596 for school purposes, and no further adjustments shall be made,
 597 except those made pursuant to subparagraph (10)~~(9)~~(a)2.

598 (8) RESEARCH-BASED READING INSTRUCTION ALLOCATION.--

599 (a) The research-based reading instruction allocation is
 600 created to provide comprehensive reading instruction to students
 601 in kindergarten through grade 12.

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602 (b) Funds for comprehensive, research-based reading
603 instruction shall be allocated annually to each school district
604 in the amount provided in the General Appropriations Act. Each
605 eligible school district shall receive the same minimum amount
606 as specified in the General Appropriations Act, and any
607 remaining funds shall be distributed to eligible school
608 districts based on each school district's proportionate share of
609 K-12 base funding.

610 (c) Funds must be used to provide a system of
611 comprehensive reading instruction to students enrolled in the K-
612 12 programs, which may include the following:

613 1. The provision of highly qualified reading coaches.

614 2. Professional development for school district teachers
615 in scientifically based reading instruction.

616 3. The provision of summer reading camps for students who
617 score at Level 1 on the FCAT.

618 4. The provision of supplemental instructional materials
619 that are grounded in scientifically based reading research, and
620 comprehensive training in their use, for which teachers shall
621 receive inservice credit. Each school district and the publisher
622 of the material shall jointly certify that the teacher has
623 achieved mastery in using the material correctly. Data on this
624 training shall be collected by the Department of Education.

625 5. The provision of intensive interventions for middle and
626 high school students reading below grade level.

627 (d) Annually, by a date determined by the Department of
628 Education but before May 1, school districts shall submit a plan
629 for the specific use of the research-based reading instruction

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630 allocation in the format prescribed by the department for review
631 and approval by the Just Read, Florida! Office created pursuant
632 to s. 1001.215. The plan annually submitted by school districts
633 shall be deemed approved unless the department rejects the plan
634 on or before June 1. If a school district and the Just Read,
635 Florida! Office cannot reach agreement on the contents of the
636 plan, the school district may appeal to the State Board of
637 Education. The plan format shall be developed with input from
638 school district personnel, including teachers and principals. No
639 later than July 1 annually, the department shall release the
640 school district's allocation of appropriated funds to those
641 districts with approved plans. A school district that spends 100
642 percent of this allocation on its approved plan shall be deemed
643 to have been in compliance with the plan. The department may
644 withhold funds upon a determination that reading instruction
645 allocation funds are not being used to implement the approved
646 plan.

647 (9)(8) QUALITY ASSURANCE GUARANTEE.--The Legislature may
648 annually in the General Appropriations Act determine a
649 percentage increase in funds per K-12 unweighted FTE as a
650 minimum guarantee to each school district. The guarantee shall
651 be calculated from prior year base funding per unweighted FTE
652 student which shall include the adjusted FTE dollars as provided
653 in subsection (10)(9), quality guarantee funds, and actual
654 nonvoted discretionary local effort from taxes. From the base
655 funding per unweighted FTE, the increase shall be calculated for
656 the current year. The current year funds from which the
657 guarantee shall be determined shall include the adjusted FTE

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658 dollars as provided in subsection ~~(10)(9)~~ and potential nonvoted
 659 discretionary local effort from taxes. A comparison of current
 660 year funds per unweighted FTE to prior year funds per unweighted
 661 FTE shall be computed. For those school districts which have
 662 less than the legislatively assigned percentage increase, funds
 663 shall be provided to guarantee the assigned percentage increase
 664 in funds per unweighted FTE student. Should appropriated funds
 665 be less than the sum of this calculated amount for all
 666 districts, the commissioner shall prorate each district's
 667 allocation. This provision shall be implemented to the extent
 668 specifically funded.

669 ~~(10)(9)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT
 670 FOR CURRENT OPERATION.--The total annual state allocation to
 671 each district for current operation for the FEFP shall be
 672 distributed periodically in the manner prescribed in the General
 673 Appropriations Act.

674 (a) The basic amount for current operation for the FEFP as
 675 determined in subsection (1), multiplied by the district cost
 676 differential factor as determined in subsection (2), plus the
 677 amounts provided for categorical components within the FEFP,
 678 plus the amount for the sparsity supplement as determined in
 679 subsection (6), the decline in full-time equivalent students as
 680 determined in subsection (7), the research-based reading
 681 instruction allocation as determined in subsection (8), and the
 682 quality assurance guarantee as determined in subsection ~~(9)(8)~~,
 683 less the required local effort as determined in subsection (4).
 684 If the funds appropriated for the purpose of funding the total
 685 amount for current operation as provided in this paragraph are

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686 | not sufficient to pay the state requirement in full, the
687 | department shall prorate the available state funds to each
688 | district in the following manner:

689 | 1. Determine the percentage of proration by dividing the
690 | sum of the total amount for current operation, as provided in
691 | this paragraph for all districts collectively, and the total
692 | district required local effort into the sum of the state funds
693 | available for current operation and the total district required
694 | local effort.

695 | 2. Multiply the percentage so determined by the sum of the
696 | total amount for current operation as provided in this paragraph
697 | and the required local effort for each individual district.

698 | 3. From the product of such multiplication, subtract the
699 | required local effort of each district; and the remainder shall
700 | be the amount of state funds allocated to the district for
701 | current operation.

702 | (b) The amount thus obtained shall be the net annual
703 | allocation to each school district. However, if it is determined
704 | that any school district received an underallocation or
705 | overallocation for any prior year because of an arithmetical
706 | error, assessment roll change, full-time equivalent student
707 | membership error, or any allocation error revealed in an audit
708 | report, the allocation to that district shall be appropriately
709 | adjusted. Beginning with audits for the 2001-2002 fiscal year,
710 | if the adjustment is the result of an audit finding in which
711 | group 2 FTE are reclassified to the basic program and the
712 | district weighted FTE are over the weighted enrollment ceiling
713 | for group 2 programs, the adjustment shall not result in a gain

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714 of state funds to the district. If the Department of Education
715 audit adjustment recommendation is based upon controverted
716 findings of fact, the Commissioner of Education is authorized to
717 establish the amount of the adjustment based on the best
718 interests of the state.

719 (c) The amount thus obtained shall represent the net
720 annual state allocation to each district; however,
721 notwithstanding any of the provisions herein, each district
722 shall be guaranteed a minimum level of funding in the amount and
723 manner prescribed in the General Appropriations Act.

724 Section 11. Subsection (1) of section 1011.71, Florida
725 Statutes, is amended to read:

726 1011.71 District school tax.--

727 (1) If the district school tax is not provided in the
728 General Appropriations Act or the substantive bill implementing
729 the General Appropriations Act, each district school board
730 desiring to participate in the state allocation of funds for
731 current operation as prescribed by s. 1011.62(10)(~~9~~) shall levy
732 on the taxable value for school purposes of the district,
733 exclusive of millage voted under the provisions of s. 9(b) or s.
734 12, Art. VII of the State Constitution, a millage rate not to
735 exceed the amount certified by the commissioner as the minimum
736 millage rate necessary to provide the district required local
737 effort for the current year, pursuant to s. 1011.62(4)(a)1. In
738 addition to the required local effort millage levy, each
739 district school board may levy a nonvoted current operating
740 discretionary millage. The Legislature shall prescribe annually
741 in the appropriations act the maximum amount of millage a

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742 district may levy. The millage rate prescribed shall exceed zero
743 mills but shall not exceed the lesser of 1.6 mills or 25 percent
744 of the millage which is required pursuant to s. 1011.62(4),
745 exclusive of millage levied pursuant to subsection (2).

746 Section 12. Paragraph (a) of subsection (3) of section
747 1012.34, Florida Statutes, is amended to read:

748 1012.34 Assessment procedures and criteria.--

749 (3) The assessment procedure for instructional personnel
750 and school administrators must be primarily based on the
751 performance of students assigned to their classrooms or schools,
752 as appropriate. Pursuant to this section, a school district's
753 performance assessment is not limited to basing unsatisfactory
754 performance of instructional personnel and school administrators
755 upon student performance, but may include other criteria
756 approved to assess instructional personnel and school
757 administrators' performance, or any combination of student
758 performance and other approved criteria. The procedures must
759 comply with, but are not limited to, the following requirements:

760 (a) An assessment must be conducted for each employee at
761 least once a year. The assessment must be based upon sound
762 educational principles and contemporary research in effective
763 educational practices. The assessment must primarily use data
764 and indicators of improvement in student performance assessed
765 annually as specified in s. 1008.22 and may consider results of
766 peer reviews in evaluating the employee's performance. Student
767 performance must be measured by state assessments required under
768 s. 1008.22 and by local assessments for subjects and grade
769 levels not measured by the state assessment program. The

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- 770 assessment criteria must include, but are not limited to,
 771 indicators that relate to the following:
- 772 1. Performance of students.
 - 773 2. Ability to maintain appropriate discipline.
 - 774 3. Knowledge of subject matter. The district school board
 775 shall make special provisions for evaluating teachers who are
 776 assigned to teach out-of-field.
 - 777 4. Ability to plan and deliver instruction, ~~including~~
 778 ~~implementation of the rigorous reading requirement pursuant to~~
 779 ~~s. 1003.415, when applicable,~~ and the use of technology in the
 780 classroom.
 - 781 5. Ability to evaluate instructional needs.
 - 782 6. Ability to establish and maintain a positive
 783 collaborative relationship with students' families to increase
 784 student achievement.
 - 785 7. Other professional competencies, responsibilities, and
 786 requirements as established by rules of the State Board of
 787 Education and policies of the district school board.

788 Section 13. Section 1012.986, Florida Statutes, is created
 789 to read:

790 1012.986 A+ Professional Development Program for School
 791 Leaders.--

792 (1) ESTABLISHMENT.--There is established the A+
 793 Professional Development Program for School Leaders, a high-
 794 quality, competency-based, customized, comprehensive, and
 795 coordinated statewide professional development program that is
 796 aligned with the leadership standards for school leaders adopted
 797 by the State Board of Education pursuant to s. 1012.987. The

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798 program shall be administered by the Department of Education and
 799 shall provide leadership training opportunities for school
 800 leaders to enable them to be more effective instructional
 801 leaders, especially in the area of reading. The program shall
 802 provide school leaders with the opportunity to attain a school
 803 leadership designation pursuant to subsection (3).

804 (2) DEFINITION.--As used in this section, the term "school
 805 leader" means a school principal or assistant principal holding
 806 a valid Florida certificate in educational leadership.

807 (3) DESIGNATIONS.--The Department of Education shall
 808 develop criteria for high performance designations for school
 809 leaders. The designations shall include A+ Emerging School
 810 Leaders, A+ High Performing School Leaders, and A+ Sterling
 811 School Leaders.

812 (a) An A+ Emerging School Leader is a principal or
 813 assistant principal who meets the State Board of Education's
 814 leadership standards and designation criteria adopted pursuant
 815 to s. 1012.987 and leads a school that has made sustained
 816 improvement by at least one letter grade within a 3-year period
 817 or has maintained a school grade of "C" or higher for 3
 818 consecutive years as determined by the school grading system
 819 pursuant to s. 1008.34.

820 (b) An A+ High Performing School Leader is a principal or
 821 assistant principal who meets the State Board of Education's
 822 leadership standards and designation criteria adopted pursuant
 823 to s. 1012.987 and leads a school that has made sustained
 824 improvement by at least two letter grades within a 3-year period
 825 or has maintained a school grade of "B" or higher for 3

826 consecutive years as determined by the school grading system
 827 pursuant to s. 1008.34.

828 (c) An A+ Sterling School Leader is a principal who meets
 829 the State Board of Education's leadership standards and
 830 designation criteria adopted pursuant to s. 1012.987 and leads a
 831 school that has made sustained improvement by at least three
 832 letter grades within a 3-year period or has maintained a school
 833 grade of "A" for 3 consecutive years as determined by the school
 834 grading system pursuant to s. 1008.34.

835
 836 For purposes of this subsection only, school grades for middle
 837 schools shall be calculated to provide double weight to learning
 838 gains in reading and double weight to learning gains in
 839 mathematics, and school grades for high schools shall be
 840 calculated to provide triple weight to learning gains in reading
 841 and triple weight to learning gains in mathematics.

842 (4) PROGRAM REQUIREMENTS.--

843 (a) The program shall be based upon the leadership
 844 standards adopted by the State Board of Education, the standards
 845 of the National Staff Development Council, and the federal
 846 requirements for high-quality professional development under the
 847 No Child Left Behind Act of 2001.

848 (b) The program shall provide a competency-based approach
 849 that utilizes prediagnostic and postdiagnostic evaluations that
 850 shall be used to create an individualized professional
 851 development plan approved by the district school superintendent.
 852 The plan shall be structured to support the school leader's

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853 attainment of the leadership standards adopted by the State
854 Board of Education.

855 (c) The program shall incorporate instructional leadership
856 training and effective business practices for efficient school
857 operations in school leadership training.

858 (5) DELIVERY SYSTEM.--The Department of Education shall
859 deliver the program through multiple delivery systems,
860 including:

861 (a) Approved school district training programs.

862 (b) Interactive technology-based instruction.

863 (c) State, regional, or local leadership academies.

864 (6) RULES.--The State Board of Education shall adopt rules
865 pursuant to ss. 120.536(1) and 120.54 to implement the
866 provisions of this section.

867 Section 14. This act shall take effect upon becoming a
868 law.