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1 A bill to be entitled
 2 An act relating to education; amending s. 20.15, F.S.;
 3 establishing the Division of Accountability, Research,
 4 and Measurement in the Department of Education; amending
 5 s. 1000.041, F.S.; revising purposes and guiding
 6 principles of BEST Florida Teaching; amending s.
 7 1008.22, F.S.; providing intent and duties relating to
 8 administration of the Florida Comprehensive Assessment
 9 Test (FCAT); specifying grade level and subject area
 10 testing requirements; deleting a limitation on the use
 11 of alternative assessments to the grade 10 FCAT;
 12 requiring an annual report on student performance;
 13 amending s. 1008.31, F.S.; deleting provisions relating
 14 to performance-based funding; revising goals, measures,
 15 and data quality for the K-20 accountability system;
 16 requiring the adoption of rules; amending s. 1008.33,
 17 F.S.; authorizing district school boards to transfer
 18 teachers, faculty, and staff as needed; amending s.
 19 1008.34, F.S.; revising terminology and provisions
 20 relating to designation and determination of school
 21 grades; requiring an annual school report card; creating
 22 s. 1008.341, F.S.; providing for grading of alternative
 23 schools; providing evaluation components for
 24 determination of school grades; providing for school
 25 recognition funding; requiring an annual report card;
 26 requiring adoption of rules; amending s. 1008.36, F.S.;
 27 modifying procedures for distribution and use of school

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28 recognition program awards; creating s. 1011.6855, F.S.;
 29 creating an operating categorical fund to fund minimum
 30 pay requirements for certain instructional personnel
 31 contingent upon constitutional amendment; amending s.
 32 1012.21, F.S.; requiring the department to annually post
 33 online school district collective bargaining contracts;
 34 amending s. 1012.22, F.S.; requiring each district
 35 school board to adopt a differentiated-pay policy and
 36 annually provide its negotiated collective bargaining
 37 contract to the department; authorizing the State Board
 38 of Education to withhold funds under certain
 39 circumstances; creating s. 1012.2305, F.S.; establishing
 40 minimum pay for certain instructional personnel
 41 contingent upon constitutional amendment; amending s.
 42 1012.231, F.S.; deleting provisions relating to teacher
 43 assignment and obsolete provisions relating to school
 44 district plans for the teacher salary career ladder;
 45 creating s. 1012.2315, F.S.; providing requirements for
 46 the assignment of teachers and authorizing incentives;
 47 providing requirements relating to collective
 48 bargaining; repealing s. 1008.51, F.S., relating to the
 49 Council for Education Policy Research and Improvement;
 50 amending ss. 1000.01, 1001.11, 1001.42, 1002.38,
 51 1003.62, 1005.22, 1007.33, 1008.345, 1008.45, 1011.62,
 52 and 1011.64, F.S.; conforming provisions; providing a
 53 duty of the department relating to reporting of progress
 54 toward performance goals; modifying the deadline for

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55 | applying for a scholarship; providing for severability;
56 | providing effective dates.

57 |
58 | WHEREAS, the Legislature finds that teacher quality has a
59 | greater impact on student learning and development than class
60 | size, and

61 | WHEREAS, providing a system of high-quality public
62 | education for children is an important goal of this state, and

63 | WHEREAS, the Legislature recognizes that it has an
64 | important, but not exclusive, role in providing children with
65 | the opportunity to obtain a high-quality education in this
66 | state, and

67 | WHEREAS, among the most prominent influences on the
68 | educational success of children are the positive influences of
69 | parents on their children's lives and on their children's
70 | desire to learn, the active involvement of parents in the
71 | education of their children, and the quality of the teacher
72 | and principal leaders in the school, and

73 | WHEREAS, the presence of these influences is
74 | indispensable to successfully providing a system that allows
75 | students to obtain a high-quality education, and

76 | WHEREAS, children will have the best opportunity to
77 | obtain a high-quality education in the public education system
78 | of this state, and that system can best be enhanced, when
79 | positive parental influences are present, when resources are
80 | allocated efficiently and are concentrated to enhance a safe,
81 | secure, and disciplined classroom learning environment, when

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82 teachers and principals are supported, when high-quality
 83 education is reinforced through shared high academic
 84 expectations, and when successes are rewarded, failures are
 85 identified, and the public is apprised of both successes and
 86 failures, NOW, THEREFORE,

87
 88 Be It Enacted by the Legislature of the State of Florida:

89
 90 Section 1. Paragraph (f) is added to subsection (3) of
 91 section 20.15, Florida Statutes, to read:

92 20.15 Department of Education.--There is created a
 93 Department of Education.

94 (3) DIVISIONS.--The following divisions of the
 95 Department of Education are established:

96 (f) Division of Accountability, Research, and
 97 Measurement.

98 Section 2. Subsection (1) of section 1000.041, Florida
 99 Statutes, is amended to read:

100 1000.041 Better Educated Students and Teachers (BEST)
 101 Florida Teaching; legislative purposes; guiding
 102 principles.--The legislative purposes and guiding principles
 103 of BEST Florida Teaching are:

104 (1) Teachers teach ~~lead~~, students learn.

105
 106 Each teacher preparation program, each postsecondary
 107 educational institution providing dual enrollment or other
 108 acceleration programs, each district school board, and each

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109 district and school-based administrator fully supports and
 110 cooperates in the accomplishment of these purposes and guiding
 111 principles.

112 Section 3. Subsection (1), paragraphs (c) and (e) of
 113 subsection (3), and paragraph (a) of subsection (9) of section
 114 1008.22, Florida Statutes, are amended, subsection (10) is
 115 renumbered as subsection (11), and a new subsection (10) is
 116 added to said section, to read:

117 1008.22 Student assessment program for public schools.--

118 (1) PURPOSE AND INTENT; DUTIES.--

119 (a) The primary purposes of the student assessment
 120 program are to provide information needed to improve the
 121 public schools by enhancing the learning gains of all students
 122 and to inform parents of the educational progress of their
 123 public school children. The program must be designed to:

124 1.(a) Assess the annual learning gains of each student
 125 toward achieving the Sunshine State Standards appropriate for
 126 the student's grade level.

127 2.(b) Provide data for making decisions regarding school
 128 accountability and recognition.

129 3.(e) Identify the educational strengths and needs of
 130 students and the readiness of students to be promoted to the
 131 next grade level or to graduate from high school with a
 132 standard high school diploma.

133 4.(d) Assess how well educational goals and performance
 134 standards are met at the school, district, and state levels.

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135 5.(e) Provide information to aid in the evaluation and
 136 development of educational programs and policies.

137 6.(f) Provide information on the performance of Florida
 138 students compared with other students ~~others~~ across the United
 139 States.

140 (b)1. It is the intent of the Legislature that the
 141 Department of Education pursue technology and assessment
 142 innovations to allow the Florida Comprehensive Assessment Test
 143 (FCAT), developed and implemented pursuant to subsection (3),
 144 to be administered as late as possible in the school year and
 145 to receive the scores prior to the end of the school year. The
 146 Commissioner of Education shall report to the Governor, the
 147 President of the Senate, and the Speaker of the House of
 148 Representatives on the state of the art in large-scale online
 149 assessment capabilities of the industry, the capacity of the
 150 state's public schools to implement a statewide program, and
 151 the estimated cost of implementation.

152 2. It is the intent of the Legislature that the
 153 department make accessible to the public copies of actual
 154 scored FCAT items when sufficient items are available through
 155 the test item databank to ensure the security and validity of
 156 the test.

157 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner
 158 shall design and implement a statewide program of educational
 159 assessment that provides information for the improvement of
 160 the operation and management of the public schools, including
 161 schools operating for the purpose of providing educational

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162 services to youth in Department of Juvenile Justice programs.
 163 The commissioner may enter into contracts for the continued
 164 administration of the assessment, testing, and evaluation
 165 programs authorized and funded by the Legislature. Contracts
 166 may be initiated in 1 fiscal year and continue into the next
 167 and may be paid from the appropriations of either or both
 168 fiscal years. The commissioner is authorized to negotiate for
 169 the sale or lease of tests, scoring protocols, test scoring
 170 services, and related materials developed pursuant to law.
 171 Pursuant to the statewide assessment program, the commissioner
 172 shall:

173 (c) Develop and implement a student achievement testing
 174 program known as the Florida Comprehensive Assessment Test
 175 (FCAT) as part of the statewide assessment program, ~~to be~~
 176 ~~administered annually in grades 3 through 10~~ to measure
 177 reading, writing, science, and mathematics. Other content
 178 areas may be included as directed by the commissioner. The
 179 assessment of reading and mathematics shall be administered
 180 annually in grades 3 through 10. The assessment of writing and
 181 science shall be administered at least once at the elementary,
 182 middle, and high school levels. The testing program must be
 183 designed so that:

184 1. The tests measure student skills and competencies
 185 adopted by the State Board of Education as specified in
 186 paragraph (a). The tests must measure and report student
 187 proficiency levels in reading, writing, mathematics, and
 188 science. The commissioner shall provide for the tests to be

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189 developed or obtained, as appropriate, through contracts and
 190 project agreements with private vendors, public vendors,
 191 public agencies, postsecondary educational institutions, or
 192 school districts. The commissioner shall obtain input with
 193 respect to the design and implementation of the testing
 194 program from state educators and the public.

195 2. The testing program will include a combination of
 196 norm-referenced and criterion-referenced tests and include, to
 197 the extent determined by the commissioner, questions that
 198 require the student to produce information or perform tasks in
 199 such a way that the skills and competencies he or she uses can
 200 be measured.

201 3. Each testing program, whether at the elementary,
 202 middle, or high school level, includes a test of writing in
 203 which students are required to produce writings that are then
 204 scored by appropriate methods.

205 4. A score is designated for each subject area tested,
 206 below which score a student's performance is deemed
 207 inadequate. The school districts shall provide appropriate
 208 remedial instruction to students who score below these levels.

209 5. Except as provided in s. 1003.43(11)(b), students
 210 must earn a passing score on the grade 10 assessment test
 211 described in this paragraph or on an alternate assessment as
 212 described in subsection (9) in reading, writing, and
 213 mathematics to qualify for a regular high school diploma. The
 214 State Board of Education shall designate a passing score for
 215 each part of the grade 10 assessment test. In establishing

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216 passing scores, the state board shall consider any possible
 217 negative impact of the test on minority students. ~~All students~~
 218 ~~who took the grade 10 FCAT during the 2000-2001 school year~~
 219 ~~shall be required to earn the passing scores in reading and~~
 220 ~~mathematics established by the State Board of Education for~~
 221 ~~the March 2001 test administration. Such students who did not~~
 222 ~~earn the established passing scores and must repeat the grade~~
 223 ~~10 FCAT are required to earn the passing scores established~~
 224 ~~for the March 2001 test administration. All students who take~~
 225 ~~the grade 10 FCAT for the first time in March 2002 shall be~~
 226 ~~required to earn the passing scores in reading and mathematics~~
 227 ~~established by the State Board of Education for the March 2002~~
 228 ~~test administration.~~ The State Board of Education shall adopt
 229 rules which specify the passing scores for the grade 10 FCAT.
 230 Any such rules, which have the effect of raising the required
 231 passing scores, shall only apply to students taking the grade
 232 10 FCAT for the first time after such rules are adopted by the
 233 State Board of Education.

234 6. Participation in the testing program is mandatory for
 235 all students attending public school, including students
 236 served in Department of Juvenile Justice programs, except as
 237 otherwise prescribed by the commissioner. If a student does
 238 not participate in the statewide assessment, the district must
 239 notify the student's parent and provide the parent with
 240 information regarding the implications of such
 241 nonparticipation. If modifications are made in the student's
 242 instruction to provide accommodations that would not be

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243 permitted on the statewide assessment tests, the district must
 244 notify the student's parent of the implications of such
 245 instructional modifications. A parent must provide signed
 246 consent for a student to receive instructional modifications
 247 that would not be permitted on the statewide assessments and
 248 must acknowledge in writing that he or she understands the
 249 implications of such accommodations. The State Board of
 250 Education shall adopt rules, based upon recommendations of the
 251 commissioner, for the provision of test accommodations and
 252 modifications of procedures as necessary for students in
 253 exceptional education programs and for students who have
 254 limited English proficiency. Accommodations that negate the
 255 validity of a statewide assessment are not allowable.

256 7. A student seeking an adult high school diploma must
 257 meet the same testing requirements that a regular high school
 258 student must meet.

259 8. District school boards must provide instruction to
 260 prepare students to demonstrate proficiency in the skills and
 261 competencies necessary for successful grade-to-grade
 262 progression and high school graduation. If a student is
 263 provided with accommodations or modifications that are not
 264 allowable in the statewide assessment program, as described in
 265 the test manuals, the district must inform the parent in
 266 writing and must provide the parent with information regarding
 267 the impact on the student's ability to meet expected
 268 proficiency levels in reading, writing, and math. The
 269 commissioner shall conduct studies as necessary to verify that

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270 the required skills and competencies are part of the district
 271 instructional programs.

272 9. The Department of Education must develop, or select,
 273 and implement a common battery of assessment tools that will
 274 be used in all juvenile justice programs in the state. These
 275 tools must accurately measure the skills and competencies
 276 established in the Florida Sunshine State Standards.

277
 278 The commissioner may design and implement student testing
 279 programs, for any grade level and subject area, necessary to
 280 effectively monitor educational achievement in the state.

281 (e) Conduct ongoing research and analysis of student
 282 achievement data, including, without limitation, monitoring
 283 trends in student achievement by grade level and overall
 284 student achievement, identifying school programs that are
 285 successful, and analyzing correlates of school achievement.

286 (9) EQUIVALENCIES FOR STANDARDIZED TESTS.--

287 (a) The Commissioner of Education shall approve the use
 288 of the SAT and ACT tests as alternative assessments to the
 289 grade 10 FCAT ~~for the 2003-2004 school year~~. Students who
 290 attain scores on the SAT or ACT which equate to the passing
 291 scores on the grade 10 FCAT for purposes of high school
 292 graduation shall satisfy the assessment requirement for a
 293 standard high school diploma as provided in s. 1003.429(6)(a)
 294 or s. 1003.43(5)(a) ~~for the 2003-2004 school year~~ if the
 295 students meet the requirement in paragraph (b).

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296 (10) REPORTS.--The Department of Education shall
 297 annually provide a report to the Governor, the President of
 298 the Senate, and the Speaker of the House of Representatives on
 299 the following:

300 (a) Longitudinal performance of students in mathematics
 301 and reading.

302 (b) Longitudinal performance of students by grade level
 303 in mathematics and reading.

304 (c) Longitudinal performance regarding efforts to close
 305 the achievement gap.

306 (d) Longitudinal performance of students on the norm-
 307 referenced component of the FCAT.

308 (e) Other student performance data based on national
 309 norm-referenced and criterion-referenced tests, when
 310 available.

311 Section 4. Section 1008.31, Florida Statutes, is amended
 312 to read:

313 1008.31 Florida's K-20 education performance
 314 accountability system; legislative intent; public
 315 accountability and reporting ~~performance-based funding~~;
 316 mission, goals, and systemwide measures.--

317 (1) LEGISLATIVE INTENT.--It is the intent of the
 318 Legislature that:

319 (a) The performance accountability system implemented to
 320 assess the effectiveness of Florida's seamless K-20 education
 321 delivery system provide answers to the following questions in
 322 relation to its mission and goals:

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323 1. What is the public receiving in return for funds it
324 invests in education?

325 2. How effectively is Florida's K-20 education system
326 educating its students?

327 3. How effectively are the major delivery sectors
328 promoting student achievement?

329 4. How are individual schools and postsecondary
330 education institutions performing their responsibility to
331 educate their students as measured by how students are
332 performing and how much they are learning?

333 (b) The K-20 education performance accountability system
334 be established as a single, unified accountability system with
335 multiple components, including, but not limited to, measures
336 of adequate yearly progress, individual student learning gains
337 in public schools, school grades, and return on investment.

338 (c) The K-20 education performance accountability system
339 comply with the accountability requirements of the "No Child
340 Left Behind Act of 2001," Pub. L. No. 107-110.

341 (d) The State Board of Education recommend to the
342 Legislature systemwide performance standards; the Legislature
343 establish systemwide performance measures and standards; and
344 the systemwide measures and standards provide Floridians with
345 information on what the public is receiving in return for the
346 funds it invests in education and how well the K-20 system
347 educates its students.

348 (e) The State Board of Education establish performance
349 measures and set performance standards for individual

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350 components of the public education system, including
 351 individual schools and postsecondary educational institutions,
 352 with measures and standards based primarily on student
 353 achievement.

354 ~~(2) PERFORMANCE-BASED FUNDING.—~~

355 ~~(a) The State Board of Education shall cooperate with~~
 356 ~~each delivery system to develop proposals for performance-~~
 357 ~~based funding, using performance measures adopted pursuant to~~
 358 ~~this section.~~

359 ~~(b) The State Board of Education proposals must provide~~
 360 ~~that at least 10 percent of the state funds appropriated for~~
 361 ~~the K-20 education system are conditional upon meeting or~~
 362 ~~exceeding established performance standards.~~

363 ~~(c) The State Board of Education shall adopt guidelines~~
 364 ~~required to implement performance-based funding that allow 1~~
 365 ~~year to demonstrate achievement of specified performance~~
 366 ~~standards prior to a reduction in appropriations pursuant to~~
 367 ~~this section.~~

368 ~~(d) By December 1, 2003, the State Board of Education~~
 369 ~~shall adopt common definitions, measures, standards, and~~
 370 ~~performance improvement targets required to:~~

371 ~~1. Use the state core measures and the sector-specific~~
 372 ~~measures to evaluate the progress of each sector of the~~
 373 ~~educational delivery system toward meeting the systemwide~~
 374 ~~goals for public education.~~

375 ~~2. Notify the sectors of their progress in achieving the~~
 376 ~~specified measures so that they may develop improvement plans~~

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377 ~~that directly influence decisions about policy, program~~
 378 ~~development, and management.~~

379 ~~3. Implement the performance-based budgeting system~~
 380 ~~described in this section.~~

381 ~~(e) During the 2003-2004 fiscal year, the Department of~~
 382 ~~Education shall collect data required to establish progress,~~
 383 ~~rewards, and sanctions.~~

384 ~~(f) By December 1, 2004, the Department of Education~~
 385 ~~shall recommend to the Legislature a formula for performance-~~
 386 ~~based funding that applies accountability standards for the~~
 387 ~~individual components of the public education system at every~~
 388 ~~level, kindergarten through graduate school. Effective for the~~
 389 ~~2004-2005 fiscal year and thereafter, subject to annual~~
 390 ~~legislative approval in the General Appropriations Act,~~
 391 ~~performance-based funds shall be allocated based on the~~
 392 ~~progress, rewards, and sanctions established pursuant to this~~
 393 ~~section.~~

394 ~~(2)(3)~~ MISSION, GOALS, AND SYSTEMWIDE MEASURES.--

395 (a) The mission of Florida's K-20 education system shall
 396 be to increase the proficiency of all students within one
 397 seamless, efficient system, by allowing them the opportunity
 398 to expand their knowledge and skills through learning
 399 opportunities and research valued by students, parents, and
 400 communities.

401 (b) The process ~~State Board of Education shall adopt~~
 402 ~~guiding principles~~ for establishing state and sector-specific
 403 standards and measures must be:

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- 404 1. Focused on student success.
- 405 2. Addressable through policy and program changes.
- 406 3. High quality and efficient.
- 407 4. Measurable over time.
- 408 5. Simple to explain and display to the public.
- 409 6. Aligned with other measures and other sectors to
- 410 support a coordinated K-20 education system.

411 (c) The Department ~~State Board~~ of Education shall
 412 maintain an accountability system that measures student
 413 progress toward the following goals:

414 1. Highest student achievement, as indicated by evidence
 415 of student learning gains at all levels ~~measured by: student~~
 416 ~~FCAT performance and annual learning gains; the number and~~
 417 ~~percentage of schools that improve at least one school~~
 418 ~~performance grade designation or maintain a school performance~~
 419 ~~grade designation of "A" pursuant to s. 1008.34; graduation or~~
 420 ~~completion rates at all learning levels; and other measures~~
 421 ~~identified in law or rule.~~

422 2. Seamless articulation and maximum access, as measured
 423 by evidence of progression, readiness, and access by targeted
 424 groups of students identified by the Commissioner of
 425 Education; ~~the percentage of students who demonstrate~~
 426 ~~readiness for the educational level they are entering, from~~
 427 ~~kindergarten through postsecondary education and into the~~
 428 ~~workforce; the number and percentage of students needing~~
 429 ~~remediation; the percentage of Floridians who complete~~
 430 ~~associate, baccalaureate, graduate, professional, and~~

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431 ~~postgraduate degrees; the number and percentage of credits~~
 432 ~~that articulate; the extent to which each set of exit-point~~
 433 ~~requirements matches the next set of entrance-point~~
 434 ~~requirements; the degree to which underserved populations~~
 435 ~~access educational opportunity; the extent to which access is~~
 436 ~~provided through innovative educational delivery strategies;~~
 437 ~~and other measures identified in law or rule.~~

438 3. Skilled workforce and economic development, as
 439 measured by evidence of employment and earnings; ~~the number~~
 440 ~~and percentage of graduates employed in their areas of~~
 441 ~~preparation; the percentage of Floridians with high school~~
 442 ~~diplomas and postsecondary education credentials; the~~
 443 ~~percentage of business and community members who find that~~
 444 ~~Florida's graduates possess the skills they need; national~~
 445 ~~rankings; and other measures identified in law or rule.~~

446 4. Quality efficient services, as measured by evidence
 447 of return on investment; ~~cost per completer or graduate;~~
 448 ~~average cost per noncompleter at each educational level; cost~~
 449 ~~disparity across institutions offering the same degrees; the~~
 450 ~~percentage of education customers at each educational level~~
 451 ~~who are satisfied with the education provided; and other~~
 452 ~~measures identified in law or rule.~~

453 5. Other goals as identified by law or rule.

454 (3)(4) K-20 EDUCATION DATA QUALITY IMPROVEMENTS
 455 SYSTEMWIDE DATA COLLECTION.--To provide data required to
 456 implement education performance accountability measures in
 457 state and federal law, the Commissioner of Education shall

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458 initiate and maintain strategies to improve data quality and
 459 timeliness.

460 (a) School districts and public postsecondary
 461 educational institutions shall maintain information systems
 462 that will provide the State Board of Education, the Board of
 463 Governors, and the Legislature with information and reports
 464 necessary to address the specifications of the accountability
 465 system. ~~The State Board of Education shall determine the~~
 466 ~~standards for the required data.~~ The level of
 467 comprehensiveness and quality shall be no less than that which
 468 was available as of June 30, 2001.

469 (b) The Commissioner of Education shall determine the
 470 standards for the required data, monitor data quality, and
 471 measure improvements. The commissioner shall report annually
 472 to the State Board of Education, the Board of Governors, and
 473 the Legislature data quality indicators and ratings for all
 474 school districts and public postsecondary educational
 475 institutions.

476 (4) RULES.--The State Board of Education shall adopt
 477 rules pursuant to ss. 120.536(1) and 120.54 to implement the
 478 provisions of this section.

479 Section 5. Subsections (1) and (2) of section 1008.33,
 480 Florida Statutes, are amended to read:

481 1008.33 Authority to enforce public school
 482 improvement.--It is the intent of the Legislature that all
 483 public schools be held accountable for students performing at
 484 acceptable levels. A system of school improvement and

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485 | accountability that assesses student performance by school,
 486 | identifies schools in which students are not making adequate
 487 | progress toward state standards, institutes appropriate
 488 | measures for enforcing improvement, and provides rewards and
 489 | sanctions based on performance shall be the responsibility of
 490 | the State Board of Education.

491 | (1) Pursuant to Art. IX of the State Constitution
 492 | prescribing the duty of the State Board of Education to
 493 | supervise Florida's public school system and notwithstanding
 494 | any other statutory provisions to the contrary, the State
 495 | Board of Education shall intervene in the operation of a
 496 | district school system when one or more schools in the school
 497 | district have failed to make adequate progress for 2 school
 498 | years in a 4-year period. For purposes of determining when a
 499 | school is eligible for state board action and opportunity
 500 | scholarships for its students, the terms "2 years in any 4-
 501 | year period" and "2 years in a 4-year period" mean that in any
 502 | year that a school has a grade of "F," the school is eligible
 503 | for state board action and opportunity scholarships for its
 504 | students if it also has had a grade of "F" in any of the
 505 | previous 3 school years. The State Board of Education may
 506 | determine that the school district or school has not taken
 507 | steps sufficient for students in the school to be academically
 508 | well served. Considering recommendations of the Commissioner
 509 | of Education, the State Board of Education shall recommend
 510 | action to a district school board intended to improve
 511 | educational services to students in each school that is

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512 designated with a ~~as~~ performance grade of ~~category~~ "F."
 513 Recommendations for actions to be taken in the school district
 514 shall be made only after thorough consideration of the unique
 515 characteristics of a school, which shall include student
 516 mobility rates, the number and type of exceptional students
 517 enrolled in the school, and the availability of options for
 518 improved educational services. The state board shall adopt by
 519 rule steps to follow in this process. Such steps shall provide
 520 school districts sufficient time to improve student
 521 performance in schools and the opportunity to present evidence
 522 of assistance and interventions that the district school board
 523 has implemented.

524 (2) The State Board of Education may recommend one or
 525 more of the following actions to district school boards to
 526 enable students in schools designated with a ~~as~~ performance
 527 grade of ~~category~~ "F" to be academically well served by the
 528 public school system:

529 (a) Provide additional resources, change certain
 530 practices, and provide additional assistance if the state
 531 board determines the causes of inadequate progress to be
 532 related to school district policy or practice;

533 (b) Implement a plan that satisfactorily resolves the
 534 education equity problems in the school;

535 (c) Contract for the educational services of the school,
 536 or reorganize the school at the end of the school year under a
 537 new school principal who is authorized to hire new staff and

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538 implement a plan that addresses the causes of inadequate
539 progress;

540 (d) Transfer high-quality teachers, faculty, and staff
541 as needed to ensure adequate educational opportunities
542 designed to improve the performance of students in a low-
543 performing school;

544 (e)~~(d)~~ Allow parents of students in the school to send
545 their children to another district school of their choice; or

546 (f)~~(e)~~ Other action appropriate to improve the school's
547 performance.

548 Section 6. Section 1008.34, Florida Statutes, is amended
549 to read:

550 1008.34 School grading system; school report cards;
551 district ~~performance~~ grade.--

552 (1) ANNUAL REPORTS.--The Commissioner of Education shall
553 prepare annual reports of the results of the statewide
554 assessment program which describe student achievement in the
555 state, each district, and each school. The commissioner shall
556 prescribe the design and content of these reports, which must
557 include, without limitation, descriptions of the performance
558 of all schools participating in the assessment program and all
559 of their major student populations as determined by the
560 Commissioner of Education, and must also include the median
561 scores of all eligible students who scored at or in the lowest
562 25th percentile of the state in the previous school year;
563 provided, however, that the provisions of s. 1002.22
564 pertaining to student records apply to this section.

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565 (2) SCHOOL GRADES ~~PERFORMANCE GRADE CATEGORIES~~.--The
 566 annual report shall identify schools as having one of the
 567 following grades being in one of the following grade
 568 ~~categories~~ defined according to rules of the State Board of
 569 Education:

- 570 (a) "A," schools making excellent progress.
- 571 (b) "B," schools making above average progress.
- 572 (c) "C," schools making satisfactory progress.
- 573 (d) "D," schools making less than satisfactory progress.
- 574 (e) "F," schools failing to make adequate progress.

575
 576 Each school designated with a ~~in performance~~ grade of ~~category~~
 577 "A," making excellent progress, or having improved at least
 578 two ~~performance~~ grade levels ~~categories~~, shall have greater
 579 authority over the allocation of the school's total budget
 580 generated from the FEFP, state categoricals, lottery funds,
 581 grants, and local funds, as specified in state board rule. The
 582 rule must provide that the increased budget authority shall
 583 remain in effect until the school's ~~performance~~ grade
 584 declines.

585 (3) DESIGNATION OF SCHOOL GRADES ~~PERFORMANCE GRADE~~
 586 ~~CATEGORIES~~.--School grades ~~performance grade category~~
 587 ~~designations~~ itemized in subsection (2) shall be based on the
 588 following:

- 589 (a) Criteria Timeframes.--A school's grade shall be
 590 based on a combination of:

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591 1. Student achievement scores ~~School performance grade~~
 592 ~~category designations shall be based on the school's current~~
 593 ~~year performance and the school's annual learning gains.~~

594 2. ~~A school's performance grade category designation~~
 595 ~~shall be based on a combination of student achievement scores,~~
 596 Student learning gains as measured by annual FCAT assessments
 597 in grades 3 through 10., ~~and~~

598 3. Improvement of the lowest 25th percentile of students
 599 in the school ~~in reading, math, or writing on the FCAT~~
 600 Reading, unless these students are performing above
 601 satisfactory performance.

602 (b) Student assessment data.--Student assessment data
 603 used in determining school grades ~~performance grade categories~~
 604 shall include:

605 1. The aggregate scores of all eligible students
 606 enrolled in the school who have been assessed on the FCAT.

607 2. The aggregate scores of all eligible students
 608 enrolled in the school who have been assessed on the FCAT,
 609 including Florida Writes, and who have scored at or in the
 610 lowest 25th percentile of students in the school in reading,
 611 math, or writing, unless these students are performing above
 612 satisfactory performance.

613 3. The scores of students attending alternative schools
 614 that provide dropout prevention and academic intervention
 615 services pursuant to s. 1003.53, which shall be used in the
 616 calculation of the school grade of the school the student
 617 attended before attending the alternative school. The

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618 student's test scores shall be attributable to the school from
 619 which the student transferred for up to 2 years. The student's
 620 test scores shall also be used in the calculation of the grade
 621 of the alternative school pursuant to s. 1008.341.

622
 623 ~~The Department of Education shall study the effects of~~
 624 ~~mobility on the performance of highly mobile students and~~
 625 ~~recommend programs to improve the performance of such~~
 626 ~~students.~~ The State Board of Education shall adopt appropriate
 627 criteria for each school ~~performanee~~ grade ~~eategory~~. The
 628 criteria must also give added weight to student achievement in
 629 reading. Schools designated with a ~~as~~ ~~performanee~~ grade of
 630 ~~eategory~~ "C," making satisfactory progress, shall be required
 631 to demonstrate that adequate progress has been made by
 632 students in the school who are in the lowest 25th percentile
 633 in reading, math, or writing on the FCAT, including Florida
 634 Writes, unless these students are performing above
 635 satisfactory performance.

636 (4) SCHOOL IMPROVEMENT RATINGS.--The annual report shall
 637 identify each school's performance as having improved,
 638 remained the same, or declined. This school improvement rating
 639 shall be based on a comparison of the current year's and
 640 previous year's student and school performance data. Schools
 641 that improve at least one ~~performanee~~ grade ~~eategory~~ are
 642 eligible for school recognition awards pursuant to s. 1008.36.

643 (5) SCHOOL REPORT CARD PERFORMANCE GRADE CATEGORY AND
 644 ~~IMPROVEMENT RATING REPORTS~~.--The Department of Education shall

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645 annually develop a school report card to be delivered to
 646 parents through each school district. The report card shall
 647 include the school's grade, information regarding school
 648 improvement, an explanation of school performance as evaluated
 649 by the federal No Child Left Behind Act of 2001, and
 650 indicators of return on investment. School performance grade
 651 category designations and improvement ratings shall apply to
 652 each school's performance for the year in which performance is
 653 measured. Each school's report card designation and rating
 654 shall be published annually by the department on its website,
 655 ~~of Education~~ and the school district shall provide the school
 656 report card to each parent. ~~Parents shall be entitled to an~~
 657 ~~easy to read report card about the designation and rating of~~
 658 ~~the school in which their child is enrolled.~~

659 (6)~~(7)~~ PERFORMANCE-BASED FUNDING.--The Legislature may
 660 factor in the performance of schools in calculating any
 661 performance-based funding policy that is provided for annually
 662 in the General Appropriations Act.

663 (7)~~(8)~~ DISTRICT PERFORMANCE GRADE.--The annual report
 664 required by subsection (1) shall include district ~~performance~~
 665 grades, which shall consist of weighted district average
 666 grades, by level, for all elementary schools, middle schools,
 667 and high schools in the district. A district's weighted
 668 average grade shall be calculated by weighting individual
 669 school grades determined pursuant to subsection (2) by school
 670 enrollment.

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671 (8)~~(6)~~ RULES.--The State Board of Education shall adopt
 672 rules pursuant to ss. 120.536(1) and 120.54 to implement the
 673 provisions of this section.

674 Section 7. Section 1008.341, Florida Statutes, is
 675 created to read:

676 1008.341 Grading for alternative schools.--

677 (1) ANNUAL REPORTS.--The Commissioner of Education shall
 678 prepare an annual report on the performance of each school
 679 graded pursuant to this section provided that the provisions
 680 of s. 1002.22 pertaining to student records shall apply.

681 (2) DESIGNATION OF SCHOOL GRADES.--Notwithstanding the
 682 provisions of s. 1008.34, alternative schools that provide
 683 dropout prevention and academic intervention services pursuant
 684 to s. 1003.53 shall be graded pursuant to this section.

685 (a) School grade designations shall be those prescribed
 686 in s. 1008.34(2) and shall be based on a combination of the
 687 following factors weighted equally:

688 1. Aggregate student academic growth rate which shall be
 689 based on a student's developmental scale score on the FCAT for
 690 the school year in which the student is currently enrolled
 691 compared to the developmental scale score on the FCAT for the
 692 preceding school year.

693 2. Aggregate student attendance at or above 80 percent.

694 3. School performance on indicators related to parent
 695 involvement, community involvement, and customer satisfaction
 696 as measured by surveys in which at least 70 percent of
 697 respondents indicate satisfaction with these indicators.

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698 4. Improvement of students in the school who are in the
 699 lowest 25th percentile of students in the state on FCAT
 700 Reading.

701 (b) Student assessment data used in determining school
 702 grades shall include:

703 1. The aggregate scores of all eligible students who
 704 were enrolled in the school during the October and February
 705 FTE counts, who have been assessed on the FCAT, and who have
 706 FCAT or comparable scores for the preceding school year.

707 2. The aggregate scores of all eligible students who
 708 were enrolled in the school during the October and February
 709 FTE counts, who have been assessed on the FCAT, including
 710 Florida Writes, and who have scored at or in the lowest 25th
 711 percentile of students in the state on FCAT Reading.

712 (3) SCHOOL IMPROVEMENT RATINGS.--The annual report shall
 713 identify each school's performance as having improved,
 714 remained the same, or declined. This school improvement rating
 715 shall be based on a comparison of the current year's and
 716 previous year's student and school performance data. Schools
 717 that improve at least one grade are eligible for school
 718 recognition awards pursuant to s. 1008.36.

719 (4) SCHOOL REPORT CARD.--The Department of Education
 720 shall annually develop a school report card to be delivered to
 721 parents through each school district. The report card shall
 722 include the school's grade, information regarding school
 723 improvement, an explanation of school performance as evaluated
 724 by the federal No Child Left Behind Act of 2001, and

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725 indicators of return on investment.

726 (5) RULES.--The State Board of Education shall adopt
 727 rules pursuant to ss. 120.536(1) and 120.54 to implement the
 728 provisions of this section.

729 Section 8. Subsections (4) and (5) of section 1008.36,
 730 Florida Statutes, are amended to read:

731 1008.36 Florida School Recognition Program.--

732 (4) All selected schools shall receive financial awards
 733 depending on the availability of funds appropriated and the
 734 number and size of schools selected to receive an award. Funds
 735 must be distributed to the school's fiscal agent and placed in
 736 the school's account and must be used for purposes listed in
 737 subsection (5) as determined jointly by the school's staff and
 738 school advisory council. If school staff and the school
 739 advisory council cannot reach agreement by November 1, the
 740 awards must be equally distributed with 50 percent distributed
 741 to the school staff and 50 percent distributed to the school
 742 advisory council to be used according to the provisions of
 743 subsection (5) as determined by the school staff and school
 744 advisory council, respectively ~~to all classroom teachers~~
 745 ~~currently teaching in the school.~~

746 (5) School recognition awards must be used for the
 747 following:

748 (a) Nonrecurring bonuses to the faculty and staff who
 749 currently teach at the school or who taught at the school
 750 during the year of improved performance;

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751 (b) Nonrecurring expenditures for educational equipment,
 752 ~~or materials, or student incentives~~ to assist in maintaining
 753 and improving student performance; or

754 (c) Temporary personnel for the school to assist in
 755 maintaining and improving student performance.

756
 757 Notwithstanding statutory provisions to the contrary,
 758 incentive awards are not subject to collective bargaining.

759 Section 9. Section 1011.6855, Florida Statutes, is
 760 created to read:

761 1011.6855 Minimum pay for instructional personnel;
 762 operating categorical fund.--An operating categorical fund is
 763 created through which funds shall be used to:

764 (1) Provide minimum pay of \$35,000 or higher as
 765 specified in the General Appropriations Act for all full-time
 766 certified instructional personnel identified in s.
 767 1012.01(2)(a)-(d).

768 (2) Provide elevation funds of at least \$2,000 or higher
 769 as specified in the General Appropriations Act to increase the
 770 salary of all full-time certified instructional personnel
 771 identified in s. 1012.01(2)(a)-(d) who are earning \$33,000 or
 772 higher.

773
 774 Operating categorical funds remaining after the obligations in
 775 subsections (1) and (2) have been met must be used to reduce
 776 the district average class size until the district average

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777 class size meets the requirements specified in the State
 778 Constitution.

779 Section 10. Subsection (6) is added to section 1012.21,
 780 Florida Statutes, to read:

781 1012.21 Department of Education duties; K-12
 782 personnel.--

783 (6) REPORTING.--The Department of Education shall
 784 annually post online the collective bargaining contracts of
 785 each school district received pursuant to s. 1012.22. The
 786 department shall prescribe the format for district school
 787 boards to provide the information.

788 Section 11. Paragraph (c) of subsection (1) of section
 789 1012.22, Florida Statutes, is amended, and subsection (3) is
 790 added to said section, to read:

791 1012.22 Public school personnel; powers and duties of
 792 the district school board.--The district school board shall:

793 (1) Designate positions to be filled, prescribe
 794 qualifications for those positions, and provide for the
 795 appointment, compensation, promotion, suspension, and
 796 dismissal of employees as follows, subject to the requirements
 797 of this chapter:

798 (c) Compensation and salary schedules.--

799 1. The district school board shall adopt a salary
 800 schedule or salary schedules designed to furnish incentives
 801 for improvement in training and for continued efficient
 802 service to be used as a basis for paying all school employees

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803 and fix and authorize the compensation of school employees on
 804 the basis thereof.

805 2. A district school board, in determining the salary
 806 schedule for instructional personnel, must base a portion of
 807 each employee's compensation on performance demonstrated under
 808 s. 1012.34, must consider the prior teaching experience of a
 809 person who has been designated state teacher of the year by
 810 any state in the United States, and must consider prior
 811 professional experience in the field of education gained in
 812 positions in addition to district level instructional and
 813 administrative positions.

814 3. In developing the salary schedule, the district
 815 school board shall seek input from parents, teachers, and
 816 representatives of the business community.

817 4.a. ~~Beginning with the 2002-2003 fiscal year,~~ Each
 818 district school board must adopt a performance-pay policy for
 819 school administrators and instructional personnel. The
 820 district's performance-pay policy is subject to negotiation as
 821 provided in chapter 447; however, the adopted salary schedule
 822 must allow school administrators and instructional personnel
 823 who demonstrate outstanding performance, as measured under s.
 824 1012.34, to earn a 5-percent supplement in addition to their
 825 individual, negotiated salary. The supplements shall be funded
 826 from the performance-pay reserve funds adopted in the salary
 827 schedule. ~~Beginning with the 2004-2005 academic year,~~ The
 828 district's 5-percent performance-pay policy must provide for

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829 the evaluation of classroom teachers within each level of the
 830 salary career ladder provided in s. 1012.231.

831 b. The Commissioner of Education shall determine whether
 832 the district school board's adopted salary schedule complies
 833 with the requirement for performance-based pay. If the
 834 district school board fails to comply with this section, the
 835 commissioner shall recommend to the State Board of Education
 836 and the state board is authorized to withhold disbursements
 837 from the Educational Enhancement Trust Fund to the district
 838 until compliance is verified.

839 5.a. Beginning with the 2005-2006 fiscal year, each
 840 district school board must adopt a differentiated-pay policy
 841 for school administrators and instructional personnel. The
 842 district's differentiated-pay policy is subject to negotiation
 843 as provided in chapter 447; however, the adopted salary
 844 schedule must allow school administrators and instructional
 845 personnel to receive meaningful differentiated pay based upon
 846 factors, including, but not limited to:

847 (I) The subject areas taught, with classroom teachers
 848 who teach in critical shortage areas receiving higher pay.

849 (II) The economic demographics of the school, with
 850 school administrators and instructional personnel in schools
 851 with a majority of free and reduced-price lunch students
 852 receiving higher pay.

853 (III) The environment in and surrounding the school,
 854 with school administrators and instructional personnel in

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855 schools with higher than average community crime or school
 856 safety issues receiving higher pay.

857 (IV) The responsibilities of the classroom teacher as
 858 provided in the BEST Florida Teaching salary career ladder
 859 program pursuant to s. 1012.231.

860 b. The Commissioner of Education shall determine whether
 861 the district school board's adopted salary schedule complies
 862 with the requirement for differentiated pay. If the district
 863 school board does not adopt a meaningful differentiated-pay
 864 scale, the commissioner shall recommend to the State Board of
 865 Education and the state board is authorized to withhold
 866 disbursements from the Educational Enhancement Trust Fund to
 867 the district until compliance is verified.

868 (3) Annually provide to the Department of Education the
 869 negotiated collective bargaining contract for the school
 870 district. The district school board shall report in the format
 871 prescribed by the department pursuant to s. 1012.21.

872 Section 12. Section 1012.2305, Florida Statutes, is
 873 created to read:

874 1012.2305 Minimum pay for instructional personnel.--

875 (1) LEGISLATIVE INTENT.--The Legislature recognizes that
 876 higher pay does not guarantee quality performance in
 877 education. The Legislature also recognizes that competitive
 878 pay, differentiated pay, and performance incentives are
 879 necessary to attract and retain the highest quality teachers
 880 and that the prospect of higher pay and career opportunities

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881 are important to attract talented individuals to the field of
 882 teaching.

883 (2) MINIMUM PAY.--The minimum pay for full-time
 884 certified instructional personnel identified in s.
 885 1012.01(2)(a)-(d) shall be \$35,000 or higher as specified in
 886 the General Appropriations Act.

887 Section 13. Section 1012.231, Florida Statutes, is
 888 amended to read:

889 1012.231 BEST Florida Teaching salary career ladder
 890 program; ~~assignment of teachers.--~~

891 (1) SALARY CAREER LADDER FOR CLASSROOM
 892 TEACHERS.--~~Beginning with the 2005-2006 academic year,~~ Each
 893 district school board shall implement a salary career ladder
 894 for classroom teachers as defined in s. 1012.01(2)(a).
 895 Performance shall be defined as designated in s.
 896 1012.34(3)(a)1.-7. District school boards shall designate
 897 categories of classroom teachers reflecting these salary
 898 career ladder levels as follows:

899 (a) Associate teacher.--Classroom teachers in the school
 900 district who have not yet received a professional certificate
 901 or those with a professional certificate who are evaluated as
 902 low-performing teachers.

903 (b) Professional teacher.--Classroom teachers in the
 904 school district who have received a professional certificate.

905 (c) Lead teacher.--Classroom teachers in the school
 906 district who are responsible for leading others in the school
 907 as department chair, lead teacher, grade-level leader, intern

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908 coordinator, or professional development coordinator. Lead
 909 teachers must participate on a regular basis in the direct
 910 instruction of students and serve as faculty for professional
 911 development activities as determined by the State Board of
 912 Education. To be eligible for designation as a lead teacher, a
 913 teacher must demonstrate outstanding performance pursuant to
 914 s. 1012.34(3)(a)1.-7. and must have been a "professional
 915 teacher" pursuant to paragraph (b) for at least 1 year.

916 (d) Mentor teacher.--Classroom teachers in the school
 917 district who serve as regular mentors to other teachers who
 918 are either not performing satisfactorily or who strive to
 919 become more proficient. Mentor teachers must serve as faculty-
 920 based professional development coordinators and regularly
 921 demonstrate and share their expertise with other teachers in
 922 order to remain mentor teachers. Mentor teachers must also
 923 participate on a regular basis in the direct instruction of
 924 low-performing students. To be eligible for designation as a
 925 mentor teacher, a teacher must demonstrate outstanding
 926 performance pursuant to s. 1012.34(3)(a)1.-7. and must have
 927 been a "lead teacher" pursuant to paragraph (c) for at least 2
 928 years.

929
 930 Promotion of a teacher to a higher level on the salary career
 931 ladder shall be based upon prescribed performance criteria and
 932 not based upon length of service.

933 ~~(2) TEACHER ASSIGNMENT. School districts may not assign~~
 934 ~~a higher percentage than the school district average of first-~~

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935 ~~time teachers, temporarily certified teachers, teachers in~~
 936 ~~need of improvement, or out-of-field teachers to schools with~~
 937 ~~above the school district average of minority and economically~~
 938 ~~disadvantaged students or schools that are graded "D" or "F."~~
 939 ~~District school boards are authorized to provide salary~~
 940 ~~incentives to meet this requirement. No district school board~~
 941 ~~shall sign a collective bargaining agreement that fails to~~
 942 ~~provide sufficient incentives to meet this requirement.~~

943 (2)~~(3)~~ STATE BOARD AND SCHOOL DISTRICT PLANS.--The State
 944 Board of Education shall develop a long-range plan to
 945 implement a career ladder ~~differentiated pay~~ model for
 946 teachers ~~beginning in the 2005-2006 academic year~~, based upon
 947 the differentiated classroom teacher categories in subsection
 948 (1). ~~No later than December 1, 2003, the State Board of~~
 949 ~~Education shall approve guidelines and criteria for the~~
 950 ~~district plans. District school boards shall develop plans to~~
 951 ~~implement the salary career ladder prescribed in this section~~
 952 ~~and submit these plans to the State Board of Education by~~
 953 ~~March 1, 2004.~~

954 Section 14. Section 1012.2315, Florida Statutes, is
 955 created to read:

956 1012.2315 Assignment of teachers.--

957 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
 958 finds disparity between teachers assigned to teach in a
 959 majority of "A" schools compared to teachers assigned to teach
 960 in a majority of "F" schools. The disparity can be found in
 961 the average years of experience, median salary, and the

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962 performance of the teachers on teacher certification
 963 examinations. It is the intent of the Legislature that
 964 district school boards have flexibility through the collective
 965 bargaining process to assign teachers more equitably across
 966 the schools in the district.

967 (2) ASSIGNMENT TO "D" and "F" SCHOOLS.--School districts
 968 may not assign a higher percentage than the school district
 969 average of first-time teachers, temporarily certified
 970 teachers, teachers in need of improvement, or out-of-field
 971 teachers to schools with above the school district average of
 972 minority and economically disadvantaged students or schools
 973 that are graded "D" or "F". Each school district shall
 974 annually certify to the Commissioner of Education that this
 975 requirement has been met. If the commissioner determines that
 976 a school district is not in compliance with this subsection,
 977 the State Board of Education shall be notified and shall take
 978 action in the next regularly scheduled meeting to require
 979 compliance.

980 (3) SALARY INCENTIVES.--District school boards are
 981 authorized to provide salary incentives to meet the
 982 requirement of subsection (2). No district school board shall
 983 sign a collective bargaining agreement that fails to provide
 984 sufficient incentives to meet this requirement.

985 (4) COLLECTIVE BARGAINING.--Notwithstanding provisions
 986 of chapter 447 relating to district school board collective
 987 bargaining, collective bargaining provisions may not preclude
 988 a school district from providing incentives to high-quality

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989 teachers and assigning such teachers to low-performing
 990 schools; however, no teacher should be assigned to a school at
 991 which he or she does not wish to teach.

992 Section 15. Section 1008.51, Florida Statutes, is
 993 repealed.

994 Section 16. Paragraph (a) of subsection (5) of section
 995 1000.01, Florida Statutes, is amended to read:

996 1000.01 The Florida K-20 education system; technical
 997 provisions.--

998 (5) EDUCATION GOVERNANCE TRANSFERS.--

999 (a) Effective July 1, 2001:

1000 1. The Board of Regents is abolished.

1001 2. All of the powers, duties, functions, records,
 1002 personnel, and property; unexpended balances of
 1003 appropriations, allocations, and other funds; administrative
 1004 authority; administrative rules; pending issues; and existing
 1005 contracts of the Board of Regents are transferred by a type
 1006 two transfer, pursuant to s. 20.06(2), to the State Board of
 1007 Education.

1008 3. The State Board of Community Colleges is abolished.

1009 4. All of the powers, duties, functions, records,
 1010 personnel, and property; unexpended balances of
 1011 appropriations, allocations, and other funds; administrative
 1012 authority; administrative rules; pending issues; and existing
 1013 contracts of the State Board of Community Colleges are
 1014 transferred by a type two transfer, pursuant to s. 20.06(2),

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1015 from the Department of Education to the State Board of
 1016 Education.

1017 5. The Postsecondary Education Planning Commission is
 1018 abolished.

1019 ~~6. The Council for Education Policy Research and~~
 1020 ~~Improvement is created as an independent office under the~~
 1021 ~~Office of Legislative Services.~~

1022 ~~7. All personnel, unexpended balances of appropriations,~~
 1023 ~~and allocations of the Postsecondary Education Planning~~
 1024 ~~Commission are transferred to the Council for Education Policy~~
 1025 ~~Research and Improvement.~~

1026 6.8. The Articulation Coordinating Committee and the
 1027 Education Standards Commission are transferred by a type two
 1028 transfer, pursuant to s. 20.06(2), from the Department of
 1029 Education to the State Board of Education.

1030 Section 17. Paragraph (a) of subsection (2) of section
 1031 1001.11, Florida Statutes, is amended to read:

1032 1001.11 Commissioner of Education; other duties.--

1033 (2)(a) The Commissioner of Education shall recommend to
 1034 the State Board of Education performance goals addressing the
 1035 educational needs of the state for the K-20 education system.
 1036 The Department of Council for ~~Education Policy Research and~~
 1037 ~~Improvement, as an independent entity,~~ shall develop a report
 1038 card assigning grades to indicate Florida's progress toward
 1039 meeting those goals. The annual report card shall contain
 1040 information showing Florida's performance relative to other
 1041 states on selected measures, as well as Florida's ability to

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1042 meet the need for postsecondary degrees and programs and how
 1043 well the Legislature has provided resources to meet this need.
 1044 The information shall include the results of the National
 1045 Assessment of Educational Progress or a similar national
 1046 assessment program administered to students in Florida. By
 1047 January 1 of each year, the department ~~Council for Education~~
 1048 ~~Policy Research and Improvement~~ shall submit the report card
 1049 to the Legislature, the Governor, and the public.

1050 Section 18. Paragraphs (c), (d), and (e) of subsection
 1051 (16), paragraph (d) of subsection (17), and subsection (18) of
 1052 section 1001.42, Florida Statutes, are amended to read:

1053 1001.42 Powers and duties of district school board.--The
 1054 district school board, acting as a board, shall exercise all
 1055 powers and perform all duties listed below:

1056 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
 1057 ACCOUNTABILITY.--Maintain a system of school improvement and
 1058 education accountability as provided by statute and State
 1059 Board of Education rule. This system of school improvement and
 1060 education accountability shall be consistent with, and
 1061 implemented through, the district's continuing system of
 1062 planning and budgeting required by this section and ss.
 1063 1008.385, 1010.01, and 1011.01. This system of school
 1064 improvement and education accountability shall include, but is
 1065 not limited to, the following:

1066 (c) Assistance and intervention.--

1067 1. Develop a 2-year plan of increasing individualized
 1068 assistance and intervention for each school in danger of not

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1069 meeting state standards or making adequate progress, as
 1070 defined pursuant to statute and State Board of Education rule,
 1071 toward meeting the goals and standards of its approved school
 1072 improvement plan.

1073 2. Provide assistance and intervention to a school that
 1074 is designated with a ~~identified as being in performance~~ grade
 1075 of category "D" pursuant to s. 1008.34 and is in danger of
 1076 failing.

1077 3. Develop a plan to encourage teachers with
 1078 demonstrated mastery in improving student performance to
 1079 remain at or transfer to a school designated with a ~~as~~
 1080 ~~performance~~ grade of category "D" or "F" or to an alternative
 1081 school that serves disruptive or violent youths. If a
 1082 classroom teacher, as defined by s. 1012.01(2)(a), who meets
 1083 the definition of teaching mastery developed according to the
 1084 provisions of this paragraph, requests assignment to a school
 1085 designated with a ~~as performance~~ grade of category "D" or "F"
 1086 or to an alternative school that serves disruptive or violent
 1087 youths, the district school board shall make every practical
 1088 effort to grant the request.

1089 4. Prioritize, to the extent possible, the expenditures
 1090 of funds received from the supplemental academic instruction
 1091 categorical fund under s. 1011.62(1)(f) to improve student
 1092 performance in schools that receive a ~~performance~~ grade
 1093 ~~category designation~~ of "D" or "F."

1094 (d) After 2 years.--Notify the Commissioner of Education
 1095 and the State Board of Education in the event any school does

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1096 not make adequate progress toward meeting the goals and
 1097 standards of a school improvement plan by the end of 2 years
 1098 of failing to make adequate progress and proceed according to
 1099 guidelines developed pursuant to statute and State Board of
 1100 Education rule. School districts shall provide intervention
 1101 and assistance to schools in danger of being designated with a
 1102 ~~as performance~~ grade of ~~category~~ "F," failing to make adequate
 1103 progress.

1104 (e) Public disclosure.--Provide information regarding
 1105 performance of students and educational programs as required
 1106 pursuant to ss. 1008.22 and 1008.385 and implement a system of
 1107 school reports as required by statute and State Board of
 1108 Education rule that shall include schools operating for the
 1109 purpose of providing educational services to youth in
 1110 Department of Juvenile Justice programs, and for those
 1111 schools, report on the elements specified in s. 1003.52(19).
 1112 Annual public disclosure reports shall be in an easy-to-read
 1113 report card format and shall include the school's student and
 1114 school ~~performance~~ grade ~~category~~ ~~designation~~ and performance
 1115 data as specified in state board rule.

1116 (17) LOCAL-LEVEL DECISIONMAKING.--

1117 (d) Adopt policies that assist in giving greater
 1118 autonomy, including authority over the allocation of the
 1119 school's budget, to schools designated with a ~~as performance~~
 1120 grade of ~~category~~ "A," making excellent progress, and schools
 1121 rated as having improved at least two grades ~~performance~~ ~~grade~~
 1122 ~~categories~~.

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1123 (18) OPPORTUNITY SCHOLARSHIPS.--Adopt policies allowing
 1124 students attending schools that have been designated with a ~~as~~
 1125 ~~performance grade of category~~ "F," failing to make adequate
 1126 progress, for 2 school years in a 4-year period to attend a
 1127 higher performing school in the district or an adjoining
 1128 district or be granted a state opportunity scholarship to a
 1129 private school, in conformance with s. 1002.38 and State Board
 1130 of Education rule.

1131 Section 19. Subsection (2) and paragraphs (a) and (b) of
 1132 subsection (3) of section 1002.38, Florida Statutes, are
 1133 amended to read:

1134 1002.38 Opportunity Scholarship Program.--

1135 (2) OPPORTUNITY SCHOLARSHIP ELIGIBILITY.--A public
 1136 school student's parent may request and receive from the state
 1137 an opportunity scholarship for the student to enroll in and
 1138 attend a private school in accordance with the provisions of
 1139 this section if:

1140 (a)1. By assigned school attendance area or by special
 1141 assignment, the student has spent the prior school year in
 1142 attendance at a public school that has been designated
 1143 pursuant to s. 1008.34 with a ~~as~~ ~~performance grade of category~~
 1144 "F," failing to make adequate progress, and that has had 2
 1145 school years in a 4-year period of such low performance, and
 1146 the student's attendance occurred during a school year in
 1147 which such designation was in effect;

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1148 2. The student has been in attendance elsewhere in the
 1149 public school system and has been assigned to such school for
 1150 the next school year; or

1151 3. The student is entering kindergarten or first grade
 1152 and has been notified that the student has been assigned to
 1153 such school for the next school year.

1154 (b) The parent has obtained acceptance for admission of
 1155 the student to a private school eligible for the program
 1156 pursuant to subsection (4), and has notified the Department of
 1157 Education and the school district of the request for an
 1158 opportunity scholarship no later than September 15 ~~July 1~~ of
 1159 the first year in which the student intends to use the
 1160 scholarship.

1161
 1162 The provisions of this section shall not apply to a student
 1163 who is enrolled in a school operating for the purpose of
 1164 providing educational services to youth in Department of
 1165 Juvenile Justice commitment programs. For purposes of
 1166 continuity of educational choice, the opportunity scholarship
 1167 shall remain in force until the student returns to a public
 1168 school or, if the student chooses to attend a private school
 1169 the highest grade of which is grade 8, until the student
 1170 matriculates to high school and the public high school to
 1171 which the student is assigned is an accredited school with a
 1172 ~~performance grade category designation~~ of "C" or better.
 1173 However, at any time upon reasonable notice to the Department
 1174 of Education and the school district, the student's parent may

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1175 | remove the student from the private school and place the
 1176 | student in a public school, as provided in subparagraph
 1177 | (3)(a)2.

1178 | (3) SCHOOL DISTRICT OBLIGATIONS.--

1179 | (a) A school district shall, for each student enrolled
 1180 | in or assigned to a school that has been designated with a ~~as~~
 1181 | ~~performance grade~~ of category "F" for 2 school years in a 4-
 1182 | year period:

1183 | 1. Timely notify the parent of the student as soon as
 1184 | such designation is made of all options available pursuant to
 1185 | this section.

1186 | 2. Offer that student's parent an opportunity to enroll
 1187 | the student in the public school within the district that has
 1188 | been designated by the state pursuant to s. 1008.34 as a
 1189 | school performing higher than that in which the student is
 1190 | currently enrolled or to which the student has been assigned,
 1191 | but not less than ~~performance grade~~ category "C." The parent
 1192 | is not required to accept this offer in lieu of requesting a
 1193 | state opportunity scholarship to a private school. The
 1194 | opportunity to continue attending the higher performing public
 1195 | school shall remain in force until the student graduates from
 1196 | high school.

1197 | (b) The parent of a student enrolled in or assigned to a
 1198 | school that has been designated with a ~~performance grade~~ of
 1199 | ~~category~~ "F" for 2 school years in a 4-year period may choose
 1200 | as an alternative to enroll the student in and transport the
 1201 | student to a higher-performing public school that has

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1202 available space in an adjacent school district, and that
 1203 school district shall accept the student and report the
 1204 student for purposes of the district's funding pursuant to the
 1205 Florida Education Finance Program.

1206 Section 20. Paragraph (a) of subsection (1) and
 1207 paragraph (a) of subsection (2) of section 1003.62, Florida
 1208 Statutes, are amended to read:

1209 1003.62 Academic performance-based charter school
 1210 districts.--The State Board of Education may enter into a
 1211 performance contract with district school boards as authorized
 1212 in this section for the purpose of establishing them as
 1213 academic performance-based charter school districts. The
 1214 purpose of this section is to examine a new relationship
 1215 between the State Board of Education and district school
 1216 boards that will produce significant improvements in student
 1217 achievement, while complying with constitutional and statutory
 1218 requirements assigned to each entity.

1219 (1) ACADEMIC PERFORMANCE-BASED CHARTER SCHOOL
 1220 DISTRICT.--

1221 (a) A school district shall be eligible for designation
 1222 as an academic performance-based charter school district if it
 1223 is a high-performing school district in which a minimum of 50
 1224 percent of the schools earn a ~~performance~~ grade of eategory
 1225 "A" or "B" and in which no school earns a ~~performance~~ grade of
 1226 ~~eategory~~ "D" or "F" for 2 consecutive years pursuant to s.
 1227 1008.34. Schools that receive a ~~performance~~ grade of eategory
 1228 "I" or "N" shall not be included in this calculation. The

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1229 performance contract for a school district that earns a
 1230 charter based on school ~~performance~~ grades shall be predicated
 1231 on maintenance of at least 50 percent of the schools in the
 1232 school district earning a ~~performance~~ grade of category "A" or
 1233 "B" with no school in the school district earning a
 1234 ~~performance~~ grade of category "D" or "F" for 2 consecutive
 1235 years. A school district in which the number of schools that
 1236 earn a ~~performance~~ grade of "A" or "B" is less than 50 percent
 1237 may have its charter renewed for 1 year; however, if the
 1238 percentage of "A" or "B" schools is less than 50 percent for 2
 1239 consecutive years, the charter shall not be renewed.

1240 (2) EXEMPTION FROM STATUTES AND RULES.--

1241 (a) An academic performance-based charter school
 1242 district shall operate in accordance with its charter and
 1243 shall be exempt from certain State Board of Education rules
 1244 and statutes if the State Board of Education determines such
 1245 an exemption will assist the district in maintaining or
 1246 improving its high-performing status pursuant to paragraph
 1247 (1)(a). However, the State Board of Education may not exempt
 1248 an academic performance-based charter school district from any
 1249 of the following statutes:

- 1250 1. Those statutes pertaining to the provision of
 1251 services to students with disabilities.
- 1252 2. Those statutes pertaining to civil rights, including
 1253 s. 1000.05, relating to discrimination.
- 1254 3. Those statutes pertaining to student health, safety,
 1255 and welfare.

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1256 4. Those statutes governing the election or compensation
 1257 of district school board members.

1258 5. Those statutes pertaining to the student assessment
 1259 program and the school grading system, including chapter 1008.

1260 6. Those statutes pertaining to financial matters,
 1261 including chapter 1010.

1262 7. Those statutes pertaining to planning and budgeting,
 1263 including chapter 1011, except that ss. 1011.64 and 1011.69
 1264 shall be eligible for exemption.

1265 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
 1266 performance-pay and differentiated-pay policies for school
 1267 administrators and instructional personnel. Professional
 1268 service contracts shall be subject to the provisions of ss.
 1269 1012.33 and 1012.34.

1270 9. Those statutes pertaining to educational facilities,
 1271 including chapter 1013, except as specified under contract
 1272 with the State Board of Education. However, no contractual
 1273 provision that could have the effect of requiring the
 1274 appropriation of additional capital outlay funds to the
 1275 academic performance-based charter school district shall be
 1276 valid.

1277 Section 21. Paragraph (e) of subsection (2) of section
 1278 1005.22, Florida Statutes, is amended to read:

1279 1005.22 Powers and duties of commission.--

1280 (2) The commission may:

1281 (e) Advise the Governor, the Legislature, the State
 1282 Board of Education, ~~the Council for Education Policy Research~~

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1283 ~~and Improvement,~~ and the Commissioner of Education on issues
 1284 relating to private postsecondary education.

1285 Section 22. Subsection (3) of section 1007.33, Florida
 1286 Statutes, is amended to read:

1287 1007.33 Site-determined baccalaureate degree access.--

1288 (3) A community college may develop a proposal to
 1289 deliver specified baccalaureate degree programs in its
 1290 district to meet local workforce needs. The proposal must be
 1291 submitted to the State Board of Education for approval. The
 1292 community college's proposal must include the following
 1293 information:

1294 (a) Demand for the baccalaureate degree program is
 1295 identified by the workforce development board, local
 1296 businesses and industry, local chambers of commerce, and
 1297 potential students.

1298 (b) Unmet need for graduates of the proposed degree
 1299 program is substantiated.

1300 (c) The community college has the facilities and
 1301 academic resources to deliver the program.

1302
 1303 ~~The proposal must be submitted to the Council for Education~~
 1304 ~~Policy Research and Improvement for review and comment.~~ Upon
 1305 approval of the State Board of Education for the specific
 1306 degree program or programs, the community college shall pursue
 1307 regional accreditation by the Commission on Colleges of the
 1308 Southern Association of Colleges and Schools. Any additional

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1309 baccalaureate degree programs the community college wishes to
 1310 offer must be approved by the State Board of Education.

1311 Section 23. Paragraphs (b) and (d) of subsection (6) and
 1312 subsection (7) of section 1008.345, Florida Statutes, are
 1313 amended to read:

1314 1008.345 Implementation of state system of school
 1315 improvement and education accountability.--

1316 (6)

1317 (b) Upon request, the department shall provide technical
 1318 assistance and training to any school, including any school
 1319 operating for the purpose of providing educational services to
 1320 youth in Department of Juvenile Justice programs, school
 1321 advisory council, district, or district school board for
 1322 conducting needs assessments, developing and implementing
 1323 school improvement plans, developing and implementing
 1324 assistance and intervention plans, or implementing other
 1325 components of school improvement and accountability. Priority
 1326 for these services shall be given to schools designated with a
 1327 ~~as performance grade of category~~ "D" or "F" and school
 1328 districts in rural and sparsely populated areas of the state.

1329 (d) The department shall assign a community assessment
 1330 team to each school district with a school designated with a
 1331 ~~as performance grade of category~~ "D" or "F" to review the
 1332 school performance data and determine causes for the low
 1333 performance. The team shall make recommendations to the school
 1334 board, to the department, and to the State Board of Education
 1335 for implementing an assistance and intervention plan that will

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1336 address the causes of the school's low performance. The
 1337 assessment team shall include, but not be limited to, a
 1338 department representative, parents, business representatives,
 1339 educators, and community activists, and shall represent the
 1340 demographics of the community from which they are appointed.

1341 (7)(a) Schools designated with a in-performance grade of
 1342 ~~category~~ "A," making excellent progress, shall, if requested
 1343 by the school, be given deregulated status as specified in s.
 1344 1003.63(5), (7), (8), (9), and (10).

1345 (b) Schools that have improved at least two grades
 1346 ~~performance grade categories~~ and that meet the criteria of the
 1347 Florida School Recognition Program pursuant to s. 1008.36 may
 1348 be given deregulated status as specified in s. 1003.63(5),
 1349 (7), (8), (9), and (10).

1350 Section 24. Paragraph (h) of subsection (1) of section
 1351 1008.45, Florida Statutes, is amended to read:

1352 1008.45 Community college accountability process.--

1353 (1) It is the intent of the Legislature that a
 1354 management and accountability process be implemented which
 1355 provides for the systematic, ongoing improvement and
 1356 assessment of the improvement of the quality and efficiency of
 1357 the Florida community colleges. Accordingly, the State Board
 1358 of Education and the community college boards of trustees
 1359 shall develop and implement an accountability plan to improve
 1360 and evaluate the instructional and administrative efficiency
 1361 and effectiveness of the Florida Community College System.
 1362 This plan shall be designed in consultation with staff of the

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1363 Governor and the Legislature and must address the following
 1364 issues:

1365 ~~(h) Other measures as identified by the Council for~~
 1366 ~~Education Policy Research and Improvement and approved by the~~
 1367 ~~State Board of Education.~~

1368 Section 25. Paragraphs (h), (l), (m), and (n) of
 1369 subsection (1) of section 1011.62, Florida Statutes, are
 1370 amended to read:

1371 1011.62 Funds for operation of schools.--If the annual
 1372 allocation from the Florida Education Finance Program to each
 1373 district for operation of schools is not determined in the
 1374 annual appropriations act or the substantive bill implementing
 1375 the annual appropriations act, it shall be determined as
 1376 follows:

1377 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 1378 OPERATION.--The following procedure shall be followed in
 1379 determining the annual allocation to each district for
 1380 operation:

1381 (h) Small, isolated high schools.--Districts which levy
 1382 the maximum nonvoted discretionary millage, exclusive of
 1383 millage for capital outlay purposes levied pursuant to s.
 1384 1011.71(2), may calculate full-time equivalent students for
 1385 small, isolated high schools by multiplying the number of
 1386 unweighted full-time equivalent students times 2.75; provided
 1387 the school has attained a state accountability ~~performance~~
 1388 grade ~~category~~ of "C" or better, pursuant to s. 1008.34, for
 1389 the previous school year. For the purpose of this section, the

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1390 term "small, isolated high school" means any high school which
 1391 is located no less than 28 miles by the shortest route from
 1392 another high school; which has been serving students primarily
 1393 in basic studies provided by sub-subparagraphs (c)1.b. and c.
 1394 and may include subparagraph (c)4.; and which has a membership
 1395 of no more than 100 students, but no fewer than 28 students,
 1396 in grades 9 through 12.

1397 (1) Calculation of additional full-time equivalent
 1398 membership based on international baccalaureate examination
 1399 scores of students.--A value of 0.24 full-time equivalent
 1400 student membership shall be calculated for each student
 1401 enrolled in an international baccalaureate course who receives
 1402 a score of 4 or higher on a subject examination. A value of
 1403 0.3 full-time equivalent student membership shall be
 1404 calculated for each student who receives an international
 1405 baccalaureate diploma. Such value shall be added to the total
 1406 full-time equivalent student membership in basic programs for
 1407 grades 9 through 12 in the subsequent fiscal year. The school
 1408 district shall distribute to each classroom teacher who
 1409 provided international baccalaureate instruction:

1410 1. A bonus in the amount of \$50 for each student taught
 1411 by the International Baccalaureate teacher in each
 1412 international baccalaureate course who receives a score of 4
 1413 or higher on the international baccalaureate examination.

1414 2. An additional bonus of \$500 to each International
 1415 Baccalaureate teacher in a school designated with a
 1416 ~~performance grade of category~~ "D" or "F" who has at least one

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1417 student scoring 4 or higher on the international baccalaureate
 1418 examination, regardless of the number of classes taught or of
 1419 the number of students scoring a 4 or higher on the
 1420 international baccalaureate examination.

1421
 1422 Bonuses awarded to a teacher according to this paragraph shall
 1423 not exceed \$2,000 in any given school year and shall be in
 1424 addition to any regular wage or other bonus the teacher
 1425 received or is scheduled to receive.

1426 (m) Calculation of additional full-time equivalent
 1427 membership based on Advanced International Certificate of
 1428 Education examination scores of students.--A value of 0.24
 1429 full-time equivalent student membership shall be calculated
 1430 for each student enrolled in a full-credit Advanced
 1431 International Certificate of Education course who receives a
 1432 score of 2 or higher on a subject examination. A value of 0.12
 1433 full-time equivalent student membership shall be calculated
 1434 for each student enrolled in a half-credit Advanced
 1435 International Certificate of Education course who receives a
 1436 score of 1 or higher on a subject examination. A value of 0.3
 1437 full-time equivalent student membership shall be calculated
 1438 for each student who received an Advanced International
 1439 Certificate of Education diploma. Such value shall be added to
 1440 the total full-time equivalent student membership in basic
 1441 programs for grades 9 through 12 in the subsequent fiscal
 1442 year. The school district shall distribute to each classroom

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1443 teacher who provided Advanced International Certificate of
 1444 Education instruction:

1445 1. A bonus in the amount of \$50 for each student taught
 1446 by the Advanced International Certificate of Education teacher
 1447 in each full-credit Advanced International Certificate of
 1448 Education course who receives a score of 2 or higher on the
 1449 Advanced International Certificate of Education examination. A
 1450 bonus in the amount of \$25 for each student taught by the
 1451 Advanced International Certificate of Education teacher in
 1452 each half-credit Advanced International Certificate of
 1453 Education course who receives a score of 1 or higher on the
 1454 Advanced International Certificate of Education examination.

1455 2. An additional bonus of \$500 to each Advanced
 1456 International Certificate of Education teacher in a school
 1457 designated with a performance grade of category "D" or "F" who
 1458 has at least one student scoring 2 or higher on the full-
 1459 credit Advanced International Certificate of Education
 1460 examination, regardless of the number of classes taught or of
 1461 the number of students scoring a 2 or higher on the full-
 1462 credit Advanced International Certificate of Education
 1463 examination.

1464 3. Additional bonuses of \$250 each to teachers of half-
 1465 credit Advanced International Certificate of Education classes
 1466 in a school designated with a performance grade of category
 1467 "D" or "F" which has at least one student scoring a 1 or
 1468 higher on the half-credit Advanced International Certificate
 1469 of Education examination in that class. The maximum additional

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1470 bonus for a teacher awarded in accordance with this
 1471 subparagraph shall not exceed \$500 in any given school year.
 1472 Teachers receiving an award under subparagraph 2. are not
 1473 eligible for a bonus under this subparagraph.

1474
 1475 Bonuses awarded to a teacher according to this paragraph shall
 1476 not exceed \$2,000 in any given school year and shall be in
 1477 addition to any regular wage or other bonus the teacher
 1478 received or is scheduled to receive.

1479 (n) Calculation of additional full-time equivalent
 1480 membership based on college board advanced placement scores of
 1481 students.--A value of 0.24 full-time equivalent student
 1482 membership shall be calculated for each student in each
 1483 advanced placement course who receives a score of 3 or higher
 1484 on the College Board Advanced Placement Examination for the
 1485 prior year and added to the total full-time equivalent student
 1486 membership in basic programs for grades 9 through 12 in the
 1487 subsequent fiscal year. Each district must allocate at least
 1488 80 percent of the funds provided to the district for advanced
 1489 placement instruction, in accordance with this paragraph, to
 1490 the high school that generates the funds. The school district
 1491 shall distribute to each classroom teacher who provided
 1492 advanced placement instruction:

1493 1. A bonus in the amount of \$50 for each student taught
 1494 by the Advanced Placement teacher in each advanced placement
 1495 course who receives a score of 3 or higher on the College
 1496 Board Advanced Placement Examination.

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1497 2. An additional bonus of \$500 to each Advanced
 1498 Placement teacher in a school designated with a performance
 1499 grade of category "D" or "F" who has at least one student
 1500 scoring 3 or higher on the College Board Advanced Placement
 1501 Examination, regardless of the number of classes taught or of
 1502 the number of students scoring a 3 or higher on the College
 1503 Board Advanced Placement Examination.

1504
 1505 Bonuses awarded to a teacher according to this paragraph shall
 1506 not exceed \$2,000 in any given school year and shall be in
 1507 addition to any regular wage or other bonus the teacher
 1508 received or is scheduled to receive.

1509 Section 26. Paragraph (a) of subsection (2) of section
 1510 1011.64, Florida Statutes, is amended to read:

1511 1011.64 School district minimum classroom expenditure
 1512 requirements.--

1513 (2) For the purpose of implementing the provisions of
 1514 this section, the Legislature shall prescribe minimum academic
 1515 performance standards and minimum classroom expenditure
 1516 requirements for districts not meeting such minimum academic
 1517 performance standards in the General Appropriations Act.

1518 (a) Minimum academic performance standards may be based
 1519 on, but are not limited to, district ~~performance~~ grades
 1520 determined pursuant to s. 1008.34(7)~~(8)~~.

1521 Section 27. If any provision of this act or the
 1522 application thereof to any person or circumstance is held
 1523 invalid, the invalidity shall not affect other provisions or

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1524 applications of the act which can be given effect without the
 1525 invalid provision or application, and to this end the
 1526 provisions of this act are declared severable.

1527 Section 28. This act shall take effect upon becoming a
 1528 law, except that ss. 1011.6855 and 1012.2305, Florida
 1529 Statutes, as created by this act, shall take effect on the
 1530 effective date of an amendment to s.1, Art. IX of the State
 1531 Constitution approved by the electors that requires district
 1532 average maximum class sizes and minimum pay for teachers.