

CHAMBER ACTION

1 The Education Appropriations Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to education; amending s. 20.15, F.S.;
7 establishing the Division of Accountability, Research, and
8 Measurement in the Department of Education; amending s.
9 1000.041, F.S.; revising purposes and guiding principles
10 of BEST Florida Teaching; creating s. 1003.035, F.S.;
11 providing requirements for calculation of district average
12 class size and certain reporting contingent upon
13 constitutional amendment; amending s. 1008.22, F.S.;
14 providing intent and duties relating to administration of
15 the Florida Comprehensive Assessment Test (FCAT);
16 specifying grade level and subject area testing
17 requirements; deleting a limitation on the use of
18 alternative assessments to the grade 10 FCAT; requiring an
19 annual report on student performance; amending s. 1008.31,
20 F.S.; deleting provisions relating to performance-based
21 funding; revising goals, measures, and data quality for
22 the K-20 accountability system; requiring the adoption of
23 rules; amending s. 1008.33, F.S.; authorizing district

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24 school boards to transfer teachers, faculty, and staff as
25 needed; amending s. 1008.34, F.S.; revising terminology
26 and provisions relating to designation and determination
27 of school grades; requiring an annual school report card;
28 creating s. 1008.341, F.S.; providing for grading of
29 alternative schools; providing evaluation components for
30 determination of school grades; providing for school
31 recognition funding; requiring an annual report card;
32 requiring adoption of rules; amending s. 1008.36, F.S.;
33 modifying procedures for distribution and use of school
34 recognition program awards; creating s. 1011.6855, F.S.;
35 creating an operating categorical fund to fund minimum pay
36 requirements for certain instructional personnel
37 contingent upon constitutional amendment; amending s.
38 1012.21, F.S.; requiring the department to annually post
39 online school district collective bargaining contracts;
40 amending s. 1012.22, F.S.; requiring each district school
41 board to adopt a differentiated-pay policy and annually
42 provide its negotiated collective bargaining contract to
43 the department; authorizing the State Board of Education
44 to withhold funds under certain circumstances; creating s.
45 1012.2305, F.S.; establishing minimum pay for certain
46 instructional personnel contingent upon constitutional
47 amendment; amending s. 1012.231, F.S.; deleting provisions
48 relating to teacher assignment and obsolete provisions
49 relating to school district plans for the teacher salary
50 career ladder; creating s. 1012.2315, F.S.; providing
51 requirements for the assignment of teachers and

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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52 | authorizing incentives; providing requirements relating to
 53 | collective bargaining; repealing s. 1008.51, F.S.,
 54 | relating to the Council for Education Policy Research and
 55 | Improvement; amending ss. 1000.01, 1001.11, 1001.42,
 56 | 1002.38, 1003.62, 1005.22, 1007.33, 1008.345, 1008.45,
 57 | 1011.62, and 1011.64, F.S.; conforming provisions;
 58 | providing a duty of the department relating to reporting
 59 | of progress toward performance goals; modifying the
 60 | deadline for applying for a scholarship; providing for
 61 | severability; providing effective dates.

62 |
 63 | WHEREAS, the Legislature finds that teacher quality has a
 64 | greater impact on student learning and development than class
 65 | size, and

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

68 | WHEREAS, the Legislature recognizes that it has an
 69 | important, but not exclusive, role in providing children with
 70 | the opportunity to obtain a high-quality education in this
 71 | state, and

72 | WHEREAS, among the most prominent influences on the
 73 | educational success of children are the positive influences of
 74 | parents on their children's lives and on their children's desire
 75 | to learn, the active involvement of parents in the education of
 76 | their children, and the quality of the teacher and principal
 77 | leaders in the school, and

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78 WHEREAS, the presence of these influences is indispensable
79 to successfully providing a system that allows students to
80 obtain a high-quality education, and

81 WHEREAS, children will have the best opportunity to obtain
82 a high-quality education in the public education system of this
83 state, and that system can best be enhanced, when positive
84 parental influences are present, when resources are allocated
85 efficiently and are concentrated to enhance a safe, secure, and
86 disciplined classroom learning environment, when teachers and
87 principals are supported, when high-quality education is
88 reinforced through shared high academic expectations, and when
89 successes are rewarded, failures are identified, and the public
90 is apprised of both successes and failures, NOW, THEREFORE,

91

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

93

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

96 20.15 Department of Education.--There is created a
97 Department of Education.

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

100 (f) Division of Accountability, Research, and Measurement.

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

103 1000.041 Better Educated Students and Teachers (BEST)
104 Florida Teaching; legislative purposes; guiding principles.--The

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105 legislative purposes and guiding principles of BEST Florida
106 Teaching are:

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

108
109 Each teacher preparation program, each postsecondary educational
110 institution providing dual enrollment or other acceleration
111 programs, each district school board, and each district and
112 school-based administrator fully supports and cooperates in the
113 accomplishment of these purposes and guiding principles.

114 Section 3. Section 1003.035, Florida Statutes, is created
115 to read:

116 1003.035 Class size requirements.--

117 (1) Beginning with the school year following an amendment
118 to the State Constitution requiring that class size be
119 calculated at the district average:

120 (a) The district average number of students assigned to
121 each teacher who is teaching core-curricula courses in public
122 school classrooms for prekindergarten through grade 3 may not
123 exceed 18 students.

124 (b) The district average number of students assigned to
125 each teacher who is teaching core-curricula courses in public
126 school classrooms for grades 4 through 8 may not exceed 22
127 students.

128 (c) The district average number of students assigned to
129 each teacher who is teaching core-curricula courses in public
130 school classrooms for grades 9 through 12 may not exceed 25
131 students.

132

133 However, in no event shall any such classroom exceed five
 134 students over the district average allowable maximum.

135 (2) The Department of Education shall annually calculate
 136 each of the three average class size measures based upon the
 137 October student membership survey. As part of this calculation,
 138 the department shall identify and report to the State Board of
 139 Education any individual classrooms that exceed the required
 140 district average class size.

141 Section 4. Subsection (1), paragraphs (c) and (e) of
 142 subsection (3), and paragraph (a) of subsection (9) of section
 143 1008.22, Florida Statutes, are amended, subsection (10) is
 144 renumbered as subsection (11), and a new subsection (10) is
 145 added to said section, to read:

146 1008.22 Student assessment program for public schools.--

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

148 (a) The primary purposes of the student assessment program
 149 are to provide information needed to improve the public schools
 150 by enhancing the learning gains of all students and to inform
 151 parents of the educational progress of their public school
 152 children. The program must be designed to:

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

156 2.(b) Provide data for making decisions regarding school
 157 accountability and recognition.

158 3.(c) Identify the educational strengths and needs of
 159 students and the readiness of students to be promoted to the

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160 next grade level or to graduate from high school with a standard
161 high school diploma.

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

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

166 6.(f) Provide information on the performance of Florida
167 students compared with other students ~~others~~ across the United
168 States.

169 (b)1. It is the intent of the Legislature that the
170 Department of Education pursue technology and assessment
171 innovations to allow the Florida Comprehensive Assessment Test
172 (FCAT), developed and implemented pursuant to subsection (3), to
173 be administered as late as possible in the school year and to
174 receive the scores prior to the end of the school year. The
175 Commissioner of Education shall report to the Governor, the
176 President of the Senate, and the Speaker of the House of
177 Representatives on the state of the art in large-scale online
178 assessment capabilities of the industry, the capacity of the
179 state's public schools to implement a statewide program, and the
180 estimated cost of implementation.

181 2. It is the intent of the Legislature that the department
182 make accessible to the public copies of actual scored FCAT items
183 when sufficient items are available through the test item
184 databank to ensure the security and validity of the test.

185 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
186 design and implement a statewide program of educational
187 assessment that provides information for the improvement of the

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188 operation and management of the public schools, including
 189 schools operating for the purpose of providing educational
 190 services to youth in Department of Juvenile Justice programs.
 191 The commissioner may enter into contracts for the continued
 192 administration of the assessment, testing, and evaluation
 193 programs authorized and funded by the Legislature. Contracts may
 194 be initiated in 1 fiscal year and continue into the next and may
 195 be paid from the appropriations of either or both fiscal years.
 196 The commissioner is authorized to negotiate for the sale or
 197 lease of tests, scoring protocols, test scoring services, and
 198 related materials developed pursuant to law. Pursuant to the
 199 statewide assessment program, the commissioner shall:

200 (c) Develop and implement a student achievement testing
 201 program known as the Florida Comprehensive Assessment Test
 202 (FCAT) as part of the statewide assessment program, ~~to be~~
 203 ~~administered annually in grades 3 through 10~~ to measure reading,
 204 writing, science, and mathematics. Other content areas may be
 205 included as directed by the commissioner. The assessment of
 206 reading and mathematics shall be administered annually in grades
 207 3 through 10. The assessment of writing and science shall be
 208 administered at least once at the elementary, middle, and high
 209 school levels. The testing program must be designed so that:

210 1. The tests measure student skills and competencies
 211 adopted by the State Board of Education as specified in
 212 paragraph (a). The tests must measure and report student
 213 proficiency levels in reading, writing, mathematics, and
 214 science. The commissioner shall provide for the tests to be
 215 developed or obtained, as appropriate, through contracts and

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216 project agreements with private vendors, public vendors, public
217 agencies, postsecondary educational institutions, or school
218 districts. The commissioner shall obtain input with respect to
219 the design and implementation of the testing program from state
220 educators and the public.

221 2. The testing program will include a combination of norm-
222 referenced and criterion-referenced tests and include, to the
223 extent determined by the commissioner, questions that require
224 the student to produce information or perform tasks in such a
225 way that the skills and competencies he or she uses can be
226 measured.

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

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

235 5. Except as provided in s. 1003.43(11)(b), students must
236 earn a passing score on the grade 10 assessment test described
237 in this paragraph or on an alternate assessment as described in
238 subsection (9) in reading, writing, and mathematics to qualify
239 for a regular high school diploma. The State Board of Education
240 shall designate a passing score for each part of the grade 10
241 assessment test. In establishing passing scores, the state board
242 shall consider any possible negative impact of the test on
243 minority students. ~~All students who took the grade 10 FCAT~~

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244 ~~during the 2000-2001 school year shall be required to earn the~~
245 ~~passing scores in reading and mathematics established by the~~
246 ~~State Board of Education for the March 2001 test administration.~~
247 ~~Such students who did not earn the established passing scores~~
248 ~~and must repeat the grade 10 FCAT are required to earn the~~
249 ~~passing scores established for the March 2001 test~~
250 ~~administration. All students who take the grade 10 FCAT for the~~
251 ~~first time in March 2002 shall be required to earn the passing~~
252 ~~scores in reading and mathematics established by the State Board~~
253 ~~of Education for the March 2002 test administration. The State~~
254 Board of Education shall adopt rules which specify the passing
255 scores for the grade 10 FCAT. Any such rules, which have the
256 effect of raising the required passing scores, shall only apply
257 to students taking the grade 10 FCAT for the first time after
258 such rules are adopted by the State Board of Education.

259 6. Participation in the testing program is mandatory for
260 all students attending public school, including students served
261 in Department of Juvenile Justice programs, except as otherwise
262 prescribed by the commissioner. If a student does not
263 participate in the statewide assessment, the district must
264 notify the student's parent and provide the parent with
265 information regarding the implications of such nonparticipation.
266 If modifications are made in the student's instruction to
267 provide accommodations that would not be permitted on the
268 statewide assessment tests, the district must notify the
269 student's parent of the implications of such instructional
270 modifications. A parent must provide signed consent for a
271 student to receive instructional modifications that would not be

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272 permitted on the statewide assessments and must acknowledge in
 273 writing that he or she understands the implications of such
 274 accommodations. The State Board of Education shall adopt rules,
 275 based upon recommendations of the commissioner, for the
 276 provision of test accommodations and modifications of procedures
 277 as necessary for students in exceptional education programs and
 278 for students who have limited English proficiency.
 279 Accommodations that negate the validity of a statewide
 280 assessment are not allowable.

281 7. A student seeking an adult high school diploma must
 282 meet the same testing requirements that a regular high school
 283 student must meet.

284 8. District school boards must provide instruction to
 285 prepare students to demonstrate proficiency in the skills and
 286 competencies necessary for successful grade-to-grade progression
 287 and high school graduation. If a student is provided with
 288 accommodations or modifications that are not allowable in the
 289 statewide assessment program, as described in the test manuals,
 290 the district must inform the parent in writing and must provide
 291 the parent with information regarding the impact on the
 292 student's ability to meet expected proficiency levels in
 293 reading, writing, and math. The commissioner shall conduct
 294 studies as necessary to verify that the required skills and
 295 competencies are part of the district instructional programs.

296 9. The Department of Education must develop, or select,
 297 and implement a common battery of assessment tools that will be
 298 used in all juvenile justice programs in the state. These tools

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299 | must accurately measure the skills and competencies established
300 | in the Florida Sunshine State Standards.

301 |
302 | The commissioner may design and implement student testing
303 | programs, for any grade level and subject area, necessary to
304 | effectively monitor educational achievement in the state.

305 | (e) Conduct ongoing research and analysis of student
306 | achievement data, including, without limitation, monitoring
307 | trends in student achievement by grade level and overall student
308 | achievement, identifying school programs that are successful,
309 | and analyzing correlates of school achievement.

310 | (9) EQUIVALENCIES FOR STANDARDIZED TESTS.--

311 | (a) The Commissioner of Education shall approve the use of
312 | the SAT and ACT tests as alternative assessments to the grade 10
313 | FCAT ~~for the 2003-2004 school year~~. Students who attain scores
314 | on the SAT or ACT which equate to the passing scores on the
315 | grade 10 FCAT for purposes of high school graduation shall
316 | satisfy the assessment requirement for a standard high school
317 | diploma as provided in s. 1003.429(6)(a) or s. 1003.43(5)(a) ~~for~~
318 | ~~the 2003-2004 school year~~ if the students meet the requirement
319 | in paragraph (b).

320 | (10) REPORTS.--The Department of Education shall annually
321 | provide a report to the Governor, the President of the Senate,
322 | and the Speaker of the House of Representatives on the
323 | following:

324 | (a) Longitudinal performance of students in mathematics
325 | and reading.

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326 (b) Longitudinal performance of students by grade level in
327 mathematics and reading.

328 (c) Longitudinal performance regarding efforts to close
329 the achievement gap.

330 (d) Longitudinal performance of students on the norm-
331 referenced component of the FCAT.

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

334 Section 5. Section 1008.31, Florida Statutes, is amended
335 to read:

336 1008.31 Florida's K-20 education performance
337 accountability system; legislative intent; public accountability
338 and reporting performance-based funding; mission, goals, and
339 systemwide measures.--

340 (1) LEGISLATIVE INTENT.--It is the intent of the
341 Legislature that:

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

346 1. What is the public receiving in return for funds it
347 invests in education?

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

350 3. How effectively are the major delivery sectors
351 promoting student achievement?

352 4. How are individual schools and postsecondary education
353 institutions performing their responsibility to educate their

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354 students as measured by how students are performing and how much
355 they are learning?

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

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

364 (d) The State Board of Education recommend to the
365 Legislature systemwide performance standards; the Legislature
366 establish systemwide performance measures and standards; and the
367 systemwide measures and standards provide Floridians with
368 information on what the public is receiving in return for the
369 funds it invests in education and how well the K-20 system
370 educates its students.

371 (e) The State Board of Education establish performance
372 measures and set performance standards for individual components
373 of the public education system, including individual schools and
374 postsecondary educational institutions, with measures and
375 standards based primarily on student achievement.

376 ~~(2) PERFORMANCE-BASED FUNDING.~~

377 ~~(a) The State Board of Education shall cooperate with each~~
378 ~~delivery system to develop proposals for performance-based~~
379 ~~funding, using performance measures adopted pursuant to this~~
380 ~~section.~~

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

385 ~~(c) The State Board of Education shall adopt guidelines~~
 386 ~~required to implement performance-based funding that allow 1~~
 387 ~~year to demonstrate achievement of specified performance~~
 388 ~~standards prior to a reduction in appropriations pursuant to~~
 389 ~~this section.~~

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

393 ~~1. Use the state core measures and the sector-specific~~
 394 ~~measures to evaluate the progress of each sector of the~~
 395 ~~educational delivery system toward meeting the systemwide goals~~
 396 ~~for public education.~~

397 ~~2. Notify the sectors of their progress in achieving the~~
 398 ~~specified measures so that they may develop improvement plans~~
 399 ~~that directly influence decisions about policy, program~~
 400 ~~development, and management.~~

401 ~~3. Implement the performance-based budgeting system~~
 402 ~~described in this section.~~

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

406 ~~(f) By December 1, 2004, the Department of Education shall~~
 407 ~~recommend to the Legislature a formula for performance-based~~
 408 ~~funding that applies accountability standards for the individual~~

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409 ~~components of the public education system at every level,~~
 410 ~~kindergarten through graduate school. Effective for the 2004-~~
 411 ~~2005 fiscal year and thereafter, subject to annual legislative~~
 412 ~~approval in the General Appropriations Act, performance-based~~
 413 ~~funds shall be allocated based on the progress, rewards, and~~
 414 ~~sanctions established pursuant to this section.~~

415 (2)~~(3)~~ MISSION, GOALS, AND SYSTEMWIDE MEASURES.--

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

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

- 424 1. Focused on student success.
- 425 2. Addressable through policy and program changes.
- 426 3. High quality and efficient.
- 427 4. Measurable over time.
- 428 5. Simple to explain and display to the public.
- 429 6. Aligned with other measures and other sectors to
 430 support a coordinated K-20 education system.

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

- 434 1. Highest student achievement, as indicated by evidence
 435 of student learning gains at all levels ~~measured by: student~~
 436 ~~FCAT performance and annual learning gains; the number and~~

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437 ~~percentage of schools that improve at least one school~~
438 ~~performance grade designation or maintain a school performance~~
439 ~~grade designation of "A" pursuant to s. 1008.34; graduation or~~
440 ~~completion rates at all learning levels; and other measures~~
441 ~~identified in law or rule.~~

442 2. Seamless articulation and maximum access, as measured
443 by evidence of progression, readiness, and access by targeted
444 groups of students identified by the Commissioner of Education;
445 ~~the percentage of students who demonstrate readiness for the~~
446 ~~educational level they are entering, from kindergarten through~~
447 ~~postsecondary education and into the workforce; the number and~~
448 ~~percentage of students needing remediation; the percentage of~~
449 ~~Floridians who complete associate, baccalaureate, graduate,~~
450 ~~professional, and postgraduate degrees; the number and~~
451 ~~percentage of credits that articulate; the extent to which each~~
452 ~~set of exit-point requirements matches the next set of entrance-~~
453 ~~point requirements; the degree to which underserved populations~~
454 ~~access educational opportunity; the extent to which access is~~
455 ~~provided through innovative educational delivery strategies; and~~
456 ~~other measures identified in law or rule.~~

457 3. Skilled workforce and economic development, as measured
458 by evidence of employment and earnings; ~~the number and~~
459 ~~percentage of graduates employed in their areas of preparation;~~
460 ~~the percentage of Floridians with high school diplomas and~~
461 ~~postsecondary education credentials; the percentage of business~~
462 ~~and community members who find that Florida's graduates possess~~
463 ~~the skills they need; national rankings; and other measures~~
464 ~~identified in law or rule.~~

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465 4. Quality efficient services, as measured by evidence of
 466 return on investment; ~~cost per completer or graduate; average~~
 467 ~~cost per noncompleter at each educational level; cost disparity~~
 468 ~~across institutions offering the same degrees; the percentage of~~
 469 ~~education customers at each educational level who are satisfied~~
 470 ~~with the education provided; and other measures identified in~~
 471 ~~law or rule.~~

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

473 (3)(4) K-20 EDUCATION DATA QUALITY IMPROVEMENTS SYSTEMWIDE
 474 DATA COLLECTION.--To provide data required to implement
 475 education performance accountability measures in state and
 476 federal law, the Commissioner of Education shall initiate and
 477 maintain strategies to improve data quality and timeliness.

478 (a) School districts and public postsecondary educational
 479 institutions shall maintain information systems that will
 480 provide the State Board of Education, the Board of Governors,
 481 and the Legislature with information and reports necessary to
 482 address the specifications of the accountability system. The
 483 State Board of Education shall determine the standards for the
 484 required data. The level of comprehensiveness and quality shall
 485 be no less than that which was available as of June 30, 2001.

486 (b) The Commissioner of Education shall determine the
 487 standards for the required data, monitor data quality, and
 488 measure improvements. The commissioner shall report annually to
 489 the State Board of Education, the Board of Governors, and the
 490 Legislature data quality indicators and ratings for all school
 491 districts and public postsecondary educational institutions.

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

495 Section 6. Subsections (1) and (2) of section 1008.33,
 496 Florida Statutes, are amended to read:

497 1008.33 Authority to enforce public school
 498 improvement.--It is the intent of the Legislature that all
 499 public schools be held accountable for students performing at
 500 acceptable levels. A system of school improvement and
 501 accountability that assesses student performance by school,
 502 identifies schools in which students are not making adequate
 503 progress toward state standards, institutes appropriate measures
 504 for enforcing improvement, and provides rewards and sanctions
 505 based on performance shall be the responsibility of the State
 506 Board of Education.

507 (1) Pursuant to Art. IX of the State Constitution
 508 prescribing the duty of the State Board of Education to
 509 supervise Florida's public school system and notwithstanding any
 510 other statutory provisions to the contrary, the State Board of
 511 Education shall intervene in the operation of a district school
 512 system when one or more schools in the school district have
 513 failed to make adequate progress for 2 school years in a 4-year
 514 period. For purposes of determining when a school is eligible
 515 for state board action and opportunity scholarships for its
 516 students, the terms "2 years in any 4-year period" and "2 years
 517 in a 4-year period" mean that in any year that a school has a
 518 grade of "F," the school is eligible for state board action and
 519 opportunity scholarships for its students if it also has had a

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520 grade of "F" in any of the previous 3 school years. The State
 521 Board of Education may determine that the school district or
 522 school has not taken steps sufficient for students in the school
 523 to be academically well served. Considering recommendations of
 524 the Commissioner of Education, the State Board of Education
 525 shall recommend action to a district school board intended to
 526 improve educational services to students in each school that is
 527 designated with a ~~as performance~~ grade of ~~category~~ "F."
 528 Recommendations for actions to be taken in the school district
 529 shall be made only after thorough consideration of the unique
 530 characteristics of a school, which shall include student
 531 mobility rates, the number and type of exceptional students
 532 enrolled in the school, and the availability of options for
 533 improved educational services. The state board shall adopt by
 534 rule steps to follow in this process. Such steps shall provide
 535 school districts sufficient time to improve student performance
 536 in schools and the opportunity to present evidence of assistance
 537 and interventions that the district school board has
 538 implemented.

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

544 (a) Provide additional resources, change certain
 545 practices, and provide additional assistance if the state board
 546 determines the causes of inadequate progress to be related to
 547 school district policy or practice;

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

550 (c) Contract for the educational services of the school,
551 or reorganize the school at the end of the school year under a
552 new school principal who is authorized to hire new staff and
553 implement a plan that addresses the causes of inadequate
554 progress;

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

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

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

562 Section 7. Section 1008.34, Florida Statutes, is amended
563 to read:

564 1008.34 School grading system; school report cards;
565 district ~~performance~~ grade.--

566 (1) ANNUAL REPORTS.--The Commissioner of Education shall
567 prepare annual reports of the results of the statewide
568 assessment program which describe student achievement in the
569 state, each district, and each school. The commissioner shall
570 prescribe the design and content of these reports, which must
571 include, without limitation, descriptions of the performance of
572 all schools participating in the assessment program and all of
573 their major student populations as determined by the
574 Commissioner of Education, and must also include the median
575 scores of all eligible students who scored at or in the lowest

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576 25th percentile of the state in the previous school year;
577 provided, however, that the provisions of s. 1002.22 pertaining
578 to student records apply to this section.

579 (2) SCHOOL GRADES PERFORMANCE GRADE CATEGORIES.--The
580 annual report shall identify schools as having one of the
581 following grades being in one of the following grade categories
582 defined according to rules of the State Board of Education:

- 583 (a) "A," schools making excellent progress.
- 584 (b) "B," schools making above average progress.
- 585 (c) "C," schools making satisfactory progress.
- 586 (d) "D," schools making less than satisfactory progress.
- 587 (e) "F," schools failing to make adequate progress.

588
589 Each school designated with a in performance grade of category
590 "A," making excellent progress, or having improved at least two
591 performance grade levels categories, shall have greater
592 authority over the allocation of the school's total budget
593 generated from the FEFP, state categoricals, lottery funds,
594 grants, and local funds, as specified in state board rule. The
595 rule must provide that the increased budget authority shall
596 remain in effect until the school's performance grade declines.

597 (3) DESIGNATION OF SCHOOL GRADES PERFORMANCE GRADE
598 CATEGORIES.--School grades performance grade category
599 designations itemized in subsection (2) shall be based on the
600 following:

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

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

606 2. ~~A school's performance grade category designation shall~~
607 ~~be based on a combination of student achievement scores, Student~~
608 learning gains as measured by annual FCAT assessments in grades
609 3 through 10., ~~and~~

610 3. Improvement of the lowest 25th percentile of students
611 in the school ~~in reading, math, or writing~~ on the FCAT Reading,
612 unless these students are performing above satisfactory
613 performance.

614 (b) Student assessment data.--Student assessment data used
615 in determining school grades ~~performance grade categories~~ shall
616 include:

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

619 2. The aggregate scores of all eligible students enrolled
620 in the school who have been assessed on the FCAT, including
621 Florida Writes, and who have scored at or in the lowest 25th
622 percentile of students in the school in reading, math, or
623 writing, unless these students are performing above satisfactory
624 performance.

625 3. The scores of students attending alternative schools
626 that provide dropout prevention and academic intervention
627 services pursuant to s. 1003.53, which shall be used in the
628 calculation of the school grade of the school the student
629 attended before attending the alternative school. The student's
630 test scores shall be attributable to the school from which the

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631 student transferred for up to 2 years. The student's test scores
 632 shall also be used in the calculation of the grade of the
 633 alternative school pursuant to s. 1008.341.

634
 635 ~~The Department of Education shall study the effects of mobility~~
 636 ~~on the performance of highly mobile students and recommend~~
 637 ~~programs to improve the performance of such students.~~ The State
 638 Board of Education shall adopt appropriate criteria for each
 639 school ~~performance grade category~~. The criteria must also give
 640 added weight to student achievement in reading. Schools
 641 designated with a ~~as performance grade of category~~ "C," making
 642 satisfactory progress, shall be required to demonstrate that
 643 adequate progress has been made by students in the school who
 644 are in the lowest 25th percentile in reading, math, or writing
 645 on the FCAT, including Florida Writes, unless these students are
 646 performing above satisfactory performance.

647 (4) SCHOOL IMPROVEMENT RATINGS.--The annual report shall
 648 identify each school's performance as having improved, remained
 649 the same, or declined. This school improvement rating shall be
 650 based on a comparison of the current year's and previous year's
 651 student and school performance data. Schools that improve at
 652 least one ~~performance grade category~~ are eligible for school
 653 recognition awards pursuant to s. 1008.36.

654 (5) SCHOOL REPORT CARD ~~PERFORMANCE GRADE CATEGORY AND~~
 655 ~~IMPROVEMENT RATING REPORTS~~.--The Department of Education shall
 656 annually develop a school report card to be delivered to parents
 657 through each school district. The report card shall include the
 658 school's grade, information regarding school improvement, an

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659 explanation of school performance as evaluated by the federal No
 660 Child Left Behind Act of 2001, and indicators of return on
 661 investment. School performance grade category designations and
 662 improvement ratings shall apply to each school's performance for
 663 the year in which performance is measured. Each school's report
 664 card designation and rating shall be published annually by the
 665 department on its website, of Education and the school district
 666 shall provide the school report card to each parent. Parents
 667 shall be entitled to an easy-to-read report card about the
 668 designation and rating of the school in which their child is
 669 enrolled.

670 (6)(7) PERFORMANCE-BASED FUNDING.--The Legislature may
 671 factor in the performance of schools in calculating any
 672 performance-based funding policy that is provided for annually
 673 in the General Appropriations Act.

674 (7)(8) DISTRICT PERFORMANCE GRADE.--The annual report
 675 required by subsection (1) shall include district ~~performance~~
 676 grades, which shall consist of weighted district average grades,
 677 by level, for all elementary schools, middle schools, and high
 678 schools in the district. A district's weighted average grade
 679 shall be calculated by weighting individual school grades
 680 determined pursuant to subsection (2) by school enrollment.

681 (8)(6) RULES.--The State Board of Education shall adopt
 682 rules pursuant to ss. 120.536(1) and 120.54 to implement the
 683 provisions of this section.

684 Section 8. Section 1008.341, Florida Statutes, is created
 685 to read:

686 1008.341 Grading for alternative schools.--

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

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

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

698 1. Aggregate student academic growth rate which shall be
699 based on a student's developmental scale score on the FCAT for
700 the school year in which the student is currently enrolled
701 compared to the developmental scale score on the FCAT for the
702 preceding school year.

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

704 3. School performance on indicators related to parent
705 involvement, community involvement, and customer satisfaction as
706 measured by surveys in which at least 70 percent of respondents
707 indicate satisfaction with these indicators.

708 4. Improvement of students in the school who are in the
709 lowest 25th percentile of students in the state on FCAT Reading.

710 (b) Student assessment data used in determining school
711 grades shall include:

712 1. The aggregate scores of all eligible students who were
713 enrolled in the school during the October and February FTE

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714 counts, who have been assessed on the FCAT, and who have FCAT or
715 comparable scores for the preceding school year.

716 2. The aggregate scores of all eligible students who were
717 enrolled in the school during the October and February FTE
718 counts, who have been assessed on the FCAT, including Florida
719 Writes, and who have scored at or in the lowest 25th percentile
720 of students in the state on FCAT Reading.

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

728 (4) SCHOOL REPORT CARD.--The Department of Education shall
729 annually develop a school report card to be delivered to parents
730 through each school district. The report card shall include the
731 school's grade, information regarding school improvement, an
732 explanation of school performance as evaluated by the federal No
733 Child Left Behind Act of 2001, and indicators of return on
734 investment.

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

738 Section 9. Subsections (4) and (5) of section 1008.36,
739 Florida Statutes, are amended to read:

740 1008.36 Florida School Recognition Program.--

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

755 (5) School recognition awards must be used for the
 756 following:

757 (a) Nonrecurring bonuses to the faculty and staff who
 758 currently teach at the school or who taught at the school during
 759 the year of improved performance;

760 (b) Nonrecurring expenditures for educational equipment,
 761 ~~or~~ materials, or student incentives to assist in maintaining and
 762 improving student performance; or

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

765
 766 Notwithstanding statutory provisions to the contrary, incentive
 767 awards are not subject to collective bargaining.

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768 Section 10. Section 1011.6855, Florida Statutes, is
 769 created to read:
 770 1011.6855 Minimum pay for instructional personnel;
 771 operating categorical fund.--An operating categorical fund is
 772 created through which funds shall be used to:
 773 (1) Provide minimum pay of \$35,000 or higher as specified
 774 in the General Appropriations Act for all full-time certified
 775 instructional personnel identified in s. 1012.01(2)(a)-(d).
 776 (2) Provide elevation funds of at least \$2,000 or higher
 777 as specified in the General Appropriations Act to increase the
 778 salary of all full-time certified instructional personnel
 779 identified in s. 1012.01(2)(a)-(d) who are earning \$33,000 or
 780 higher.
 781
 782 Operating categorical funds remaining after the obligations in
 783 subsections (1) and (2) have been met must be used to reduce the
 784 district average class size until the district average class
 785 size meets the requirements specified in the State Constitution.
 786 Section 11. Subsection (6) is added to section 1012.21,
 787 Florida Statutes, to read:
 788 1012.21 Department of Education duties; K-12 personnel.--
 789 (6) REPORTING.--The Department of Education shall annually
 790 post online the collective bargaining contracts of each school
 791 district received pursuant to s. 1012.22. The department shall
 792 prescribe the format for district school boards to provide the
 793 information.

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794 Section 12. Paragraph (c) of subsection (1) of section
795 1012.22, Florida Statutes, is amended, and subsection (3) is
796 added to said section, to read:

797 1012.22 Public school personnel; powers and duties of the
798 district school board.--The district school board shall:

799 (1) Designate positions to be filled, prescribe
800 qualifications for those positions, and provide for the
801 appointment, compensation, promotion, suspension, and dismissal
802 of employees as follows, subject to the requirements of this
803 chapter:

804 (c) Compensation and salary schedules.--

805 1. The district school board shall adopt a salary schedule
806 or salary schedules designed to furnish incentives for
807 improvement in training and for continued efficient service to
808 be used as a basis for paying all school employees and fix and
809 authorize the compensation of school employees on the basis
810 thereof.

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

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820 3. In developing the salary schedule, the district school
821 board shall seek input from parents, teachers, and
822 representatives of the business community.

823 4.a. ~~Beginning with the 2002-2003 fiscal year,~~ Each
824 district school board must adopt a performance-pay policy for
825 school administrators and instructional personnel. The
826 district's performance-pay policy is subject to negotiation as
827 provided in chapter 447; however, the adopted salary schedule
828 must allow school administrators and instructional personnel who
829 demonstrate outstanding performance, as measured under s.
830 1012.34, to earn a 5-percent supplement in addition to their
831 individual, negotiated salary. The supplements shall be funded
832 from the performance-pay reserve funds adopted in the salary
833 schedule. ~~Beginning with the 2004-2005 academic year,~~ The
834 district's 5-percent performance-pay policy must provide for the
835 evaluation of classroom teachers within each level of the salary
836 career ladder provided in s. 1012.231.

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

845 5.a. Beginning with the 2005-2006 fiscal year, each
846 district school board must adopt a differentiated-pay policy for
847 school administrators and instructional personnel. The

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848 district's differentiated-pay policy is subject to negotiation
849 as provided in chapter 447; however, the adopted salary schedule
850 must allow school administrators and instructional personnel to
851 receive meaningful differentiated pay based upon factors,
852 including, but not limited to:

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

855 (II) The economic demographics of the school, with school
856 administrators and instructional personnel in schools with a
857 majority of free and reduced-price lunch students receiving
858 higher pay.

859 (III) The environment in and surrounding the school, with
860 school administrators and instructional personnel in schools
861 with higher than average community crime or school safety issues
862 receiving higher pay.

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

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

874 (3) Annually provide to the Department of Education the
875 negotiated collective bargaining contract for the school

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876 district. The district school board shall report in the format
877 prescribed by the department pursuant to s. 1012.21.

878 Section 13. Section 1012.2305, Florida Statutes, is
879 created to read:

880 1012.2305 Minimum pay for instructional personnel.--

881 (1) LEGISLATIVE INTENT.--The Legislature recognizes that
882 higher pay does not guarantee quality performance in education.
883 The Legislature also recognizes that competitive pay,
884 differentiated pay, and performance incentives are necessary to
885 attract and retain the highest quality teachers and that the
886 prospect of higher pay and career opportunities are important to
887 attract talented individuals to the field of teaching.

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

892 Section 14. Section 1012.231, Florida Statutes, is amended
893 to read:

894 1012.231 BEST Florida Teaching salary career ladder
895 program; ~~assignment of teachers.~~--

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

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903 (a) Associate teacher.--Classroom teachers in the school
904 district who have not yet received a professional certificate or
905 those with a professional certificate who are evaluated as low-
906 performing teachers.

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

909 (c) Lead teacher.--Classroom teachers in the school
910 district who are responsible for leading others in the school as
911 department chair, lead teacher, grade-level leader, intern
912 coordinator, or professional development coordinator. Lead
913 teachers must participate on a regular basis in the direct
914 instruction of students and serve as faculty for professional
915 development activities as determined by the State Board of
916 Education. To be eligible for designation as a lead teacher, a
917 teacher must demonstrate outstanding performance pursuant to s.
918 1012.34(3)(a)1.-7. and must have been a "professional teacher"
919 pursuant to paragraph (b) for at least 1 year.

920 (d) Mentor teacher.--Classroom teachers in the school
921 district who serve as regular mentors to other teachers who are
922 either not performing satisfactorily or who strive to become
923 more proficient. Mentor teachers must serve as faculty-based
924 professional development coordinators and regularly demonstrate
925 and share their expertise with other teachers in order to remain
926 mentor teachers. Mentor teachers must also participate on a
927 regular basis in the direct instruction of low-performing
928 students. To be eligible for designation as a mentor teacher, a
929 teacher must demonstrate outstanding performance pursuant to s.

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930 1012.34(3)(a)1.-7. and must have been a "lead teacher" pursuant
931 to paragraph (c) for at least 2 years.

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

936 ~~(2) TEACHER ASSIGNMENT.-- School districts may not assign a~~
937 ~~higher percentage than the school district average of first-time~~
938 ~~teachers, temporarily certified teachers, teachers in need of~~
939 ~~improvement, or out-of-field teachers to schools with above the~~
940 ~~school district average of minority and economically~~
941 ~~disadvantaged students or schools that are graded "D" or "F."~~
942 ~~District school boards are authorized to provide salary~~
943 ~~incentives to meet this requirement. No district school board~~
944 ~~shall sign a collective bargaining agreement that fails to~~
945 ~~provide sufficient incentives to meet this requirement.~~

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

956 Section 15. Section 1012.2315, Florida Statutes, is
957 created to read:

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958 1012.2315 Assignment of teachers.--
 959 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
 960 finds disparity between teachers assigned to teach in a majority
 961 of "A" schools compared to teachers assigned to teach in a
 962 majority of "F" schools. The disparity can be found in the
 963 average years of experience, median salary, and the performance
 964 of the teachers on teacher certification examinations. It is the
 965 intent of the Legislature that district school boards have
 966 flexibility through the collective bargaining process to assign
 967 teachers more equitably across the schools in the district.
 968 (2) ASSIGNMENT TO "D" and "F" SCHOOLS.--School districts
 969 may not assign a higher percentage than the school district
 970 average of first-time teachers, temporarily certified teachers,
 971 teachers in need of improvement, or out-of-field teachers to
 972 schools with above the school district average of minority and
 973 economically disadvantaged students or schools that are graded
 974 "D" or "F". Each school district shall annually certify to the
 975 Commissioner of Education that this requirement has been met. If
 976 the commissioner determines that a school district is not in
 977 compliance with this subsection, the State Board of Education
 978 shall be notified and shall take action in the next regularly
 979 scheduled meeting to require compliance.
 980 (3) SALARY INCENTIVES.--District school boards are
 981 authorized to provide salary incentives to meet the requirement
 982 of subsection (2). No district school board shall sign a
 983 collective bargaining agreement that fails to provide sufficient
 984 incentives to meet this requirement.

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985 (4) COLLECTIVE BARGAINING.--Notwithstanding provisions of
 986 chapter 447 relating to district school board collective
 987 bargaining, collective bargaining provisions may not preclude a
 988 school district from providing incentives to high-quality
 989 teachers and assigning such teachers to low-performing schools;
 990 however, no teacher should be assigned to a school at which he
 991 or she does not wish to teach.

992 Section 16. Section 1008.51, Florida Statutes, is
 993 repealed.

994 Section 17. 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 appropriations,
 1003 allocations, and other funds; administrative authority;
 1004 administrative rules; pending issues; and existing contracts of
 1005 the Board of Regents are transferred by a type two transfer,
 1006 pursuant to s. 20.06(2), to the State Board of Education.

1007 3. The State Board of Community Colleges is abolished.

1008 4. All of the powers, duties, functions, records,
 1009 personnel, and property; unexpended balances of appropriations,
 1010 allocations, and other funds; administrative authority;
 1011 administrative rules; pending issues; and existing contracts of
 1012 the State Board of Community Colleges are transferred by a type

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1013 two transfer, pursuant to s. 20.06(2), from the Department of
1014 Education to the State Board of Education.

1015 5. The Postsecondary Education Planning Commission is
1016 abolished.

1017 ~~6. The Council for Education Policy Research and~~
1018 ~~Improvement is created as an independent office under the Office~~
1019 ~~of Legislative Services.~~

1020 ~~7. All personnel, unexpended balances of appropriations,~~
1021 ~~and allocations of the Postsecondary Education Planning~~
1022 ~~Commission are transferred to the Council for Education Policy~~
1023 ~~Research and Improvement.~~

1024 6.8. The Articulation Coordinating Committee and the
1025 Education Standards Commission are transferred by a type two
1026 transfer, pursuant to s. 20.06(2), from the Department of
1027 Education to the State Board of Education.

1028 Section 18. Paragraph (a) of subsection (2) of section
1029 1001.11, Florida Statutes, is amended to read:

1030 1001.11 Commissioner of Education; other duties.--

1031 (2)(a) The Commissioner of Education shall recommend to
1032 the State Board of Education performance goals addressing the
1033 educational needs of the state for the K-20 education system.

1034 The Department of ~~Council for~~ Education Policy Research and
1035 ~~Improvement, as an independent entity,~~ shall develop a report

1036 card assigning grades to indicate Florida's progress toward
1037 meeting those goals. The annual report card shall contain

1038 information showing Florida's performance relative to other
1039 states on selected measures, as well as Florida's ability to

1040 meet the need for postsecondary degrees and programs and how

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1041 well the Legislature has provided resources to meet this need.
 1042 The information shall include the results of the National
 1043 Assessment of Educational Progress or a similar national
 1044 assessment program administered to students in Florida. By
 1045 January 1 of each year, the department ~~Council for Education~~
 1046 ~~Policy Research and Improvement~~ shall submit the report card to
 1047 the Legislature, the Governor, and the public.

1048 Section 19. Paragraphs (c), (d), and (e) of subsection
 1049 (16), paragraph (d) of subsection (17), and subsection (18) of
 1050 section 1001.42, Florida Statutes, are amended to read:

1051 1001.42 Powers and duties of district school board.--The
 1052 district school board, acting as a board, shall exercise all
 1053 powers and perform all duties listed below:

1054 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
 1055 ACCOUNTABILITY.--Maintain a system of school improvement and
 1056 education accountability as provided by statute and State Board
 1057 of Education rule. This system of school improvement and
 1058 education accountability shall be consistent with, and
 1059 implemented through, the district's continuing system of
 1060 planning and budgeting required by this section and ss.
 1061 1008.385, 1010.01, and 1011.01. This system of school
 1062 improvement and education accountability shall include, but is
 1063 not limited to, the following:

1064 (c) Assistance and intervention.--

1065 1. Develop a 2-year plan of increasing individualized
 1066 assistance and intervention for each school in danger of not
 1067 meeting state standards or making adequate progress, as defined
 1068 pursuant to statute and State Board of Education rule, toward

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1069 meeting the goals and standards of its approved school
1070 improvement plan.

1071 2. Provide assistance and intervention to a school that is
1072 designated with a identified as being in performance grade of
1073 ~~category~~ "D" pursuant to s. 1008.34 and is in danger of failing.

1074 3. Develop a plan to encourage teachers with demonstrated
1075 mastery in improving student performance to remain at or
1076 transfer to a school designated with a as performance grade of
1077 ~~category~~ "D" or "F" or to an alternative school that serves
1078 disruptive or violent youths. If a classroom teacher, as defined
1079 by s. 1012.01(2)(a), who meets the definition of teaching
1080 mastery developed according to the provisions of this paragraph,
1081 requests assignment to a school designated with a as performance
1082 grade of ~~category~~ "D" or "F" or to an alternative school that
1083 serves disruptive or violent youths, the district school board
1084 shall make every practical effort to grant the request.

1085 4. Prioritize, to the extent possible, the expenditures of
1086 funds received from the supplemental academic instruction
1087 categorical fund under s. 1011.62(1)(f) to improve student
1088 performance in schools that receive a ~~performance~~ grade ~~category~~
1089 ~~designation~~ of "D" or "F."

1090 (d) After 2 years.--Notify the Commissioner of Education
1091 and the State Board of Education in the event any school does
1092 not make adequate progress toward meeting the goals and
1093 standards of a school improvement plan by the end of 2 years of
1094 failing to make adequate progress and proceed according to
1095 guidelines developed pursuant to statute and State Board of
1096 Education rule. School districts shall provide intervention and

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1097 assistance to schools in danger of being designated with a as
 1098 ~~performance~~ grade of category "F," failing to make adequate
 1099 progress.

1100 (e) Public disclosure.--Provide information regarding
 1101 performance of students and educational programs as required
 1102 pursuant to ss. 1008.22 and 1008.385 and implement a system of
 1103 school reports as required by statute and State Board of
 1104 Education rule that shall include schools operating for the
 1105 purpose of providing educational services to youth in Department
 1106 of Juvenile Justice programs, and for those schools, report on
 1107 the elements specified in s. 1003.52(19). Annual public
 1108 disclosure reports shall be in an easy-to-read report card
 1109 format and shall include the school's student and school
 1110 ~~performance grade category designation~~ and performance data as
 1111 specified in state board rule.

1112 (17) LOCAL-LEVEL DECISIONMAKING.--

1113 (d) Adopt policies that assist in giving greater autonomy,
 1114 including authority over the allocation of the school's budget,
 1115 to schools designated with a as ~~performance~~ grade of category
 1116 "A," making excellent progress, and schools rated as having
 1117 improved at least two grades ~~performance grade categories~~.

1118 (18) OPPORTUNITY SCHOLARSHIPS.--Adopt policies allowing
 1119 students attending schools that have been designated with a as
 1120 ~~performance~~ grade of category "F," failing to make adequate
 1121 progress, for 2 school years in a 4-year period to attend a
 1122 higher performing school in the district or an adjoining
 1123 district or be granted a state opportunity scholarship to a

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1124 private school, in conformance with s. 1002.38 and State Board
1125 of Education rule.

1126 Section 20. Subsection (2) and paragraphs (a) and (b) of
1127 subsection (3) of section 1002.38, Florida Statutes, are amended
1128 to read:

1129 1002.38 Opportunity Scholarship Program.--

1130 (2) OPPORTUNITY SCHOLARSHIP ELIGIBILITY.--A public school
1131 student's parent may request and receive from the state an
1132 opportunity scholarship for the student to enroll in and attend
1133 a private school in accordance with the provisions of this
1134 section if:

1135 (a)1. By assigned school attendance area or by special
1136 assignment, the student has spent the prior school year in
1137 attendance at a public school that has been designated pursuant
1138 to s. 1008.34 with a ~~as~~ performance grade of ~~category~~ "F,"
1139 failing to make adequate progress, and that has had 2 school
1140 years in a 4-year period of such low performance, and the
1141 student's attendance occurred during a school year in which such
1142 designation was in effect;

1143 2. The student has been in attendance elsewhere in the
1144 public school system and has been assigned to such school for
1145 the next school year; or

1146 3. The student is entering kindergarten or first grade and
1147 has been notified that the student has been assigned to such
1148 school for the next school year.

1149 (b) The parent has obtained acceptance for admission of
1150 the student to a private school eligible for the program
1151 pursuant to subsection (4), and has notified the Department of

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1152 Education and the school district of the request for an
 1153 opportunity scholarship no later than September 15 ~~July 1~~ of the
 1154 first year in which the student intends to use the scholarship.

1155
 1156 The provisions of this section shall not apply to a student who
 1157 is enrolled in a school operating for the purpose of providing
 1158 educational services to youth in Department of Juvenile Justice
 1159 commitment programs. For purposes of continuity of educational
 1160 choice, the opportunity scholarship shall remain in force until
 1161 the student returns to a public school or, if the student
 1162 chooses to attend a private school the highest grade of which is
 1163 grade 8, until the student matriculates to high school and the
 1164 public high school to which the student is assigned is an
 1165 accredited school with a ~~performance grade category designation~~
 1166 of "C" or better. However, at any time upon reasonable notice to
 1167 the Department of Education and the school district, the
 1168 student's parent may remove the student from the private school
 1169 and place the student in a public school, as provided in
 1170 subparagraph (3)(a)2.

1171 (3) SCHOOL DISTRICT OBLIGATIONS.--

1172 (a) A school district shall, for each student enrolled in
 1173 or assigned to a school that has been designated with a ~~as~~
 1174 ~~performance grade of category~~ "F" for 2 school years in a 4-year
 1175 period:

- 1176 1. Timely notify the parent of the student as soon as such
- 1177 designation is made of all options available pursuant to this
- 1178 section.

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1179 2. Offer that student's parent an opportunity to enroll
 1180 the student in the public school within the district that has
 1181 been designated by the state pursuant to s. 1008.34 as a school
 1182 performing higher than that in which the student is currently
 1183 enrolled or to which the student has been assigned, but not less
 1184 than ~~performance~~ grade ~~category~~ "C." The parent is not required
 1185 to accept this offer in lieu of requesting a state opportunity
 1186 scholarship to a private school. The opportunity to continue
 1187 attending the higher performing public school shall remain in
 1188 force until the student graduates from high school.

1189 (b) The parent of a student enrolled in or assigned to a
 1190 school that has been designated with a performance grade of
 1191 ~~category~~ "F" for 2 school years in a 4-year period may choose as
 1192 an alternative to enroll the student in and transport the
 1193 student to a higher-performing public school that has available
 1194 space in an adjacent school district, and that school district
 1195 shall accept the student and report the student for purposes of
 1196 the district's funding pursuant to the Florida Education Finance
 1197 Program.

1198 Section 21. Paragraph (a) of subsection (1) and paragraph
 1199 (a) of subsection (2) of section 1003.62, Florida Statutes, are
 1200 amended to read:

1201 1003.62 Academic performance-based charter school
 1202 districts.--The State Board of Education may enter into a
 1203 performance contract with district school boards as authorized
 1204 in this section for the purpose of establishing them as academic
 1205 performance-based charter school districts. The purpose of this
 1206 section is to examine a new relationship between the State Board

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1207 of Education and district school boards that will produce
 1208 significant improvements in student achievement, while complying
 1209 with constitutional and statutory requirements assigned to each
 1210 entity.

1211 (1) ACADEMIC PERFORMANCE-BASED CHARTER SCHOOL DISTRICT.--

1212 (a) A school district shall be eligible for designation as
 1213 an academic performance-based charter school district if it is a
 1214 high-performing school district in which a minimum of 50 percent
 1215 of the schools earn a ~~performance grade~~ of category "A" or "B"
 1216 and in which no school earns a ~~performance grade~~ of category "D"
 1217 or "F" for 2 consecutive years pursuant to s. 1008.34. Schools
 1218 that receive a ~~performance grade~~ of category "I" or "N" shall
 1219 not be included in this calculation. The performance contract
 1220 for a school district that earns a charter based on school
 1221 ~~performance~~ grades shall be predicated on maintenance of at
 1222 least 50 percent of the schools in the school district earning a
 1223 ~~performance grade~~ of category "A" or "B" with no school in the
 1224 school district earning a ~~performance grade~~ of category "D" or
 1225 "F" for 2 consecutive years. A school district in which the
 1226 number of schools that earn a ~~performance~~ grade of "A" or "B" is
 1227 less than 50 percent may have its charter renewed for 1 year;
 1228 however, if the percentage of "A" or "B" schools is less than 50
 1229 percent for 2 consecutive years, the charter shall not be
 1230 renewed.

1231 (2) EXEMPTION FROM STATUTES AND RULES.--

1232 (a) An academic performance-based charter school district
 1233 shall operate in accordance with its charter and shall be exempt
 1234 from certain State Board of Education rules and statutes if the

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1235 State Board of Education determines such an exemption will
 1236 assist the district in maintaining or improving its high-
 1237 performing status pursuant to paragraph (1)(a). However, the
 1238 State Board of Education may not exempt an academic performance-
 1239 based charter school district from any of the following
 1240 statutes:

1241 1. Those statutes pertaining to the provision of services
 1242 to students with disabilities.

1243 2. Those statutes pertaining to civil rights, including s.
 1244 1000.05, relating to discrimination.

1245 3. Those statutes pertaining to student health, safety,
 1246 and welfare.

1247 4. Those statutes governing the election or compensation
 1248 of district school board members.

1249 5. Those statutes pertaining to the student assessment
 1250 program and the school grading system, including chapter 1008.

1251 6. Those statutes pertaining to financial matters,
 1252 including chapter 1010.

1253 7. Those statutes pertaining to planning and budgeting,
 1254 including chapter 1011, except that ss. 1011.64 and 1011.69
 1255 shall be eligible for exemption.

1256 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
 1257 performance-pay and differentiated-pay policies for school
 1258 administrators and instructional personnel. Professional service
 1259 contracts shall be subject to the provisions of ss. 1012.33 and
 1260 1012.34.

1261 9. Those statutes pertaining to educational facilities,
 1262 including chapter 1013, except as specified under contract with

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1263 | the State Board of Education. However, no contractual provision
 1264 | that could have the effect of requiring the appropriation of
 1265 | additional capital outlay funds to the academic performance-
 1266 | based charter school district shall be valid.

1267 | Section 22. Paragraph (e) of subsection (2) of section
 1268 | 1005.22, Florida Statutes, is amended to read:

1269 | 1005.22 Powers and duties of commission.--

1270 | (2) The commission may:

1271 | (e) Advise the Governor, the Legislature, the State Board
 1272 | of Education, ~~the Council for Education Policy Research and~~
 1273 | ~~Improvement~~, and the Commissioner of Education on issues
 1274 | relating to private postsecondary education.

1275 | Section 23. Subsection (3) of section 1007.33, Florida
 1276 | Statutes, is amended to read:

1277 | 1007.33 Site-determined baccalaureate degree access.--

1278 | (3) A community college may develop a proposal to deliver
 1279 | specified baccalaureate degree programs in its district to meet
 1280 | local workforce needs. The proposal must be submitted to the
 1281 | State Board of Education for approval. The community college's
 1282 | proposal must include the following information:

1283 | (a) Demand for the baccalaureate degree program is
 1284 | identified by the workforce development board, local businesses
 1285 | and industry, local chambers of commerce, and potential
 1286 | students.

1287 | (b) Unmet need for graduates of the proposed degree
 1288 | program is substantiated.

1289 | (c) The community college has the facilities and academic
 1290 | resources to deliver the program.

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1291
1292 ~~The proposal must be submitted to the Council for Education~~
1293 ~~Policy Research and Improvement for review and comment.~~ Upon
1294 approval of the State Board of Education for the specific degree
1295 program or programs, the community college shall pursue regional
1296 accreditation by the Commission on Colleges of the Southern
1297 Association of Colleges and Schools. Any additional
1298 baccalaureate degree programs the community college wishes to
1299 offer must be approved by the State Board of Education.

1300 Section 24. Paragraphs (b) and (d) of subsection (6) and
1301 subsection (7) of section 1008.345, Florida Statutes, are
1302 amended to read:

1303 1008.345 Implementation of state system of school
1304 improvement and education accountability.--

1305 (6)

1306 (b) Upon request, the department shall provide technical
1307 assistance and training to any school, including any school
1308 operating for the purpose of providing educational services to
1309 youth in Department of Juvenile Justice programs, school
1310 advisory council, district, or district school board for
1311 conducting needs assessments, developing and implementing school
1312 improvement plans, developing and implementing assistance and
1313 intervention plans, or implementing other components of school
1314 improvement and accountability. Priority for these services
1315 shall be given to schools designated with a ~~as~~ performance grade
1316 of category "D" or "F" and school districts in rural and
1317 sparsely populated areas of the state.

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1318 (d) The department shall assign a community assessment
 1319 team to each school district with a school designated with a ~~as~~
 1320 ~~performance~~ grade of ~~category~~ "D" or "F" to review the school
 1321 performance data and determine causes for the low performance.
 1322 The team shall make recommendations to the school board, to the
 1323 department, and to the State Board of Education for implementing
 1324 an assistance and intervention plan that will address the causes
 1325 of the school's low performance. The assessment team shall
 1326 include, but not be limited to, a department representative,
 1327 parents, business representatives, educators, and community
 1328 activists, and shall represent the demographics of the community
 1329 from which they are appointed.

1330 (7)(a) Schools designated with a ~~in-performance~~ grade of
 1331 ~~category~~ "A," making excellent progress, shall, if requested by
 1332 the school, be given deregulated status as specified in s.
 1333 1003.63(5), (7), (8), (9), and (10).

1334 (b) Schools that have improved at least two grades
 1335 ~~performance-grade-categories~~ and that meet the criteria of the
 1336 Florida School Recognition Program pursuant to s. 1008.36 may be
 1337 given deregulated status as specified in s. 1003.63(5), (7),
 1338 (8), (9), and (10).

1339 Section 25. Paragraph (h) of subsection (1) of section
 1340 1008.45, Florida Statutes, is amended to read:

1341 1008.45 Community college accountability process.--

1342 (1) It is the intent of the Legislature that a management
 1343 and accountability process be implemented which provides for the
 1344 systematic, ongoing improvement and assessment of the
 1345 improvement of the quality and efficiency of the Florida

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1346 | community colleges. Accordingly, the State Board of Education
 1347 | and the community college boards of trustees shall develop and
 1348 | implement an accountability plan to improve and evaluate the
 1349 | instructional and administrative efficiency and effectiveness of
 1350 | the Florida Community College System. This plan shall be
 1351 | designed in consultation with staff of the Governor and the
 1352 | Legislature and must address the following issues:

1353 | ~~(h) Other measures as identified by the Council for~~
 1354 | ~~Education Policy Research and Improvement and approved by the~~
 1355 | ~~State Board of Education.~~

1356 | Section 26. Paragraphs (h), (l), (m), and (n) of
 1357 | subsection (1) of section 1011.62, Florida Statutes, are amended
 1358 | to read:

1359 | 1011.62 Funds for operation of schools.--If the annual
 1360 | allocation from the Florida Education Finance Program to each
 1361 | district for operation of schools is not determined in the
 1362 | annual appropriations act or the substantive bill implementing
 1363 | the annual appropriations act, it shall be determined as
 1364 | follows:

1365 | (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 1366 | OPERATION.--The following procedure shall be followed in
 1367 | determining the annual allocation to each district for
 1368 | operation:

1369 | (h) Small, isolated high schools.--Districts which levy
 1370 | the maximum nonvoted discretionary millage, exclusive of millage
 1371 | for capital outlay purposes levied pursuant to s. 1011.71(2),
 1372 | may calculate full-time equivalent students for small, isolated
 1373 | high schools by multiplying the number of unweighted full-time

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1374 equivalent students times 2.75; provided the school has attained
 1375 a state accountability ~~performance~~ grade ~~category~~ of "C" or
 1376 better, pursuant to s. 1008.34, for the previous school year.
 1377 For the purpose of this section, the term "small, isolated high
 1378 school" means any high school which is located no less than 28
 1379 miles by the shortest route from another high school; which has
 1380 been serving students primarily in basic studies provided by
 1381 sub-subparagraphs (c)1.b. and c. and may include subparagraph
 1382 (c)4.; and which has a membership of no more than 100 students,
 1383 but no fewer than 28 students, in grades 9 through 12.

1384 (1) Calculation of additional full-time equivalent
 1385 membership based on international baccalaureate examination
 1386 scores of students.--A value of 0.24 full-time equivalent
 1387 student membership shall be calculated for each student enrolled
 1388 in an international baccalaureate course who receives a score of
 1389 4 or higher on a subject examination. A value of 0.3 full-time
 1390 equivalent student membership shall be calculated for each
 1391 student who receives an international baccalaureate diploma.
 1392 Such value shall be added to the total full-time equivalent
 1393 student membership in basic programs for grades 9 through 12 in
 1394 the subsequent fiscal year. The school district shall distribute
 1395 to each classroom teacher who provided international
 1396 baccalaureate instruction:

1397 1. A bonus in the amount of \$50 for each student taught by
 1398 the International Baccalaureate teacher in each international
 1399 baccalaureate course who receives a score of 4 or higher on the
 1400 international baccalaureate examination.

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1401 2. An additional bonus of \$500 to each International
 1402 Baccalaureate teacher in a school designated with a performance
 1403 grade of category "D" or "F" who has at least one student
 1404 scoring 4 or higher on the international baccalaureate
 1405 examination, regardless of the number of classes taught or of
 1406 the number of students scoring a 4 or higher on the
 1407 international baccalaureate examination.

1408
 1409 Bonuses awarded to a teacher according to this paragraph shall
 1410 not exceed \$2,000 in any given school year and shall be in
 1411 addition to any regular wage or other bonus the teacher received
 1412 or is scheduled to receive.

1413 (m) Calculation of additional full-time equivalent
 1414 membership based on Advanced International Certificate of
 1415 Education examination scores of students.--A value of 0.24 full-
 1416 time equivalent student membership shall be calculated for each
 1417 student enrolled in a full-credit Advanced International
 1418 Certificate of Education course who receives a score of 2 or
 1419 higher on a subject examination. A value of 0.12 full-time
 1420 equivalent student membership shall be calculated for each
 1421 student enrolled in a half-credit Advanced International
 1422 Certificate of Education course who receives a score of 1 or
 1423 higher on a subject examination. A value of 0.3 full-time
 1424 equivalent student membership shall be calculated for each
 1425 student who received an Advanced International Certificate of
 1426 Education diploma. Such value shall be added to the total full-
 1427 time equivalent student membership in basic programs for grades
 1428 9 through 12 in the subsequent fiscal year. The school district

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1429 shall distribute to each classroom teacher who provided Advanced
1430 International Certificate of Education instruction:

1431 1. A bonus in the amount of \$50 for each student taught by
1432 the Advanced International Certificate of Education teacher in
1433 each full-credit Advanced International Certificate of Education
1434 course who receives a score of 2 or higher on the Advanced
1435 International Certificate of Education examination. A bonus in
1436 the amount of \$25 for each student taught by the Advanced
1437 International Certificate of Education teacher in each half-
1438 credit Advanced International Certificate of Education course
1439 who receives a score of 1 or higher on the Advanced
1440 International Certificate of Education examination.

1441 2. An additional bonus of \$500 to each Advanced
1442 International Certificate of Education teacher in a school
1443 designated with a performance grade of category "D" or "F" who
1444 has at least one student scoring 2 or higher on the full-credit
1445 Advanced International Certificate of Education examination,
1446 regardless of the number of classes taught or of the number of
1447 students scoring a 2 or higher on the full-credit Advanced
1448 International Certificate of Education examination.

1449 3. Additional bonuses of \$250 each to teachers of half-
1450 credit Advanced International Certificate of Education classes
1451 in a school designated with a performance grade of category "D"
1452 or "F" which has at least one student scoring a 1 or higher on
1453 the half-credit Advanced International Certificate of Education
1454 examination in that class. The maximum additional bonus for a
1455 teacher awarded in accordance with this subparagraph shall not
1456 exceed \$500 in any given school year. Teachers receiving an

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1457 | award under subparagraph 2. are not eligible for a bonus under
1458 | this subparagraph.

1459 |
1460 | Bonuses awarded to a teacher according to this paragraph shall
1461 | not exceed \$2,000 in any given school year and shall be in
1462 | addition to any regular wage or other bonus the teacher received
1463 | or is scheduled to receive.

1464 | (n) Calculation of additional full-time equivalent
1465 | membership based on college board advanced placement scores of
1466 | students.--A value of 0.24 full-time equivalent student
1467 | membership shall be calculated for each student in each advanced
1468 | placement course who receives a score of 3 or higher on the
1469 | College Board Advanced Placement Examination for the prior year
1470 | and added to the total full-time equivalent student membership
1471 | in basic programs for grades 9 through 12 in the subsequent
1472 | fiscal year. Each district must allocate at least 80 percent of
1473 | the funds provided to the district for advanced placement
1474 | instruction, in accordance with this paragraph, to the high
1475 | school that generates the funds. The school district shall
1476 | distribute to each classroom teacher who provided advanced
1477 | placement instruction:

1478 | 1. A bonus in the amount of \$50 for each student taught by
1479 | the Advanced Placement teacher in each advanced placement course
1480 | who receives a score of 3 or higher on the College Board
1481 | Advanced Placement Examination.

1482 | 2. An additional bonus of \$500 to each Advanced Placement
1483 | teacher in a school designated with a performance grade of
1484 | ~~category~~ "D" or "F" who has at least one student scoring 3 or

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1485 higher on the College Board Advanced Placement Examination,
1486 regardless of the number of classes taught or of the number of
1487 students scoring a 3 or higher on the College Board Advanced
1488 Placement Examination.

1489
1490 Bonuses awarded to a teacher according to this paragraph shall
1491 not exceed \$2,000 in any given school year and shall be in
1492 addition to any regular wage or other bonus the teacher received
1493 or is scheduled to receive.

1494 Section 27. Paragraph (a) of subsection (2) of section
1495 1011.64, Florida Statutes, is amended to read:

1496 1011.64 School district minimum classroom expenditure
1497 requirements.--

1498 (2) For the purpose of implementing the provisions of this
1499 section, the Legislature shall prescribe minimum academic
1500 performance standards and minimum classroom expenditure
1501 requirements for districts not meeting such minimum academic
1502 performance standards in the General Appropriations Act.

1503 (a) Minimum academic performance standards may be based
1504 on, but are not limited to, district ~~performance~~ grades
1505 determined pursuant to s. 1008.34(7)~~(8)~~.

1506 Section 28. If any provision of this act or the
1507 application thereof to any person or circumstance is held
1508 invalid, the invalidity shall not affect other provisions or
1509 applications of the act which can be given effect without the
1510 invalid provision or application, and to this end the provisions
1511 of this act are declared severable.

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1512 | Section 29. This act shall take effect upon becoming a
1513 | law, except that ss. 1003.035, 1011.6855, and 1012.2305, Florida
1514 | Statutes, as created by this act, shall take effect on the
1515 | effective date of an amendment to s. 1, Art. IX of the State
1516 | Constitution approved by the electors that requires district
1517 | average maximum class sizes and minimum pay for teachers.