

1 scholarship programs; requiring compliance with
2 requirements relating to notice, student
3 enrollment and attendance verification, fiscal
4 soundness, academic assessment, and
5 criminal-background checks and to applicable
6 state and local health, safety, and welfare
7 laws, codes, and rules; providing grounds for
8 ineligibility to participate in certain
9 scholarship programs; providing rulemaking
10 authority to the State Board of Education;
11 creating s. 1002.423, F.S.; prescribing
12 obligations of the Department of Education for
13 education scholarship programs; requiring the
14 department to identify certain assessments;
15 requiring the department to select a private
16 research organization to which private schools
17 report student scores; providing reporting
18 requirements; amending s. 1003.03, F.S.;
19 revising dates for implementation of class size
20 maximums; creating s. 1003.035, F.S.; providing
21 for the contingent application of the section
22 upon the adoption of an amendment to the State
23 Constitution; prescribing district average
24 class size limitations for grades
25 prekindergarten through 3, grades 4 through 8,
26 and grades 9 through 12; requiring the
27 Department of Education to annually calculate
28 class size measures based on a specified
29 student-membership survey; providing
30 implementation options; providing for
31 accountability and for transfer of funds in

1 certain circumstances; providing for the
2 department redrawing attendance zones in
3 certain circumstances; amending s. 1003.05,
4 F.S.; relating to military families; limiting
5 certain enrollment opportunities; creating s.
6 1003.413, F.S.; requiring school districts to
7 adopt certain reading policies in high schools;
8 requiring that certain high schools offer
9 specific support services for students scoring
10 at Level 1 on the FCAT reading test; creating a
11 high school task force; providing membership;
12 providing reporting requirements; amending s.
13 1003.415, F.S., relating to the Middle School
14 Grades Reform Act; revising legislative intent;
15 deleting obsolete references; creating s.
16 1003.4155, F.S.; establishing a grading system
17 for middle schools; creating s. 1003.4156,
18 F.S.; establishing general requirements for
19 promotion from middle school; requiring the
20 successful completion of 12 academic credits in
21 certain courses; requiring an intensive reading
22 course under certain circumstances; defining a
23 middle school academic credit for purposes of
24 the section; requiring district school boards
25 to adopt policies for alternatives to obtain
26 credits; amending s. 1003.42, F.S., relating to
27 required instruction; revising and increasing
28 the requirements for studying U.S. history and
29 free enterprise; providing rulemaking authority
30 to the State Board of Education; amending s.
31 1003.52, F.S.; requiring the Department of

1 Education to develop procedures for reporting
2 performance and participation data of students
3 in juvenile justice education programs;
4 amending s. 1003.57, F.S.; providing guidelines
5 for determining the residency of a student who
6 receives instruction as an exceptional student
7 with a disability; requiring the student's
8 placing authority or parent to pay the cost of
9 such instruction, facilities, and services;
10 providing responsibilities of the Department of
11 Education; providing responsibilities of
12 residential facilities that educate exceptional
13 students with disabilities; providing
14 applicability; creating s. 1003.575, F.S.;
15 requiring the Department of Education to devise
16 an individual education plan form for use in
17 developing and implementing individual
18 education plans for exceptional students;
19 requiring school districts to use the form;
20 amending s. 1003.58, F.S.; conforming a
21 cross-reference; amending s. 1004.04, F.S.;
22 requiring the Council for Education Policy
23 Research and Improvement to review and report
24 on the effectiveness of the graduates of
25 state-approved teacher preparation programs and
26 alternative certification programs; creating s.
27 1004.64, F.S.; establishing the Florida Center
28 for Reading Research; specifying duties of the
29 center; amending s. 1008.22, F.S., relating to
30 student assessment; expressing legislative
31 intent; identifying grade levels for state

1 assessment administration; eliminating obsolete
2 references; requiring certain reports; amending
3 s. 1008.25, F.S., relating to public school
4 student progression; eliminating obsolete
5 references; directing the Department of
6 Education to establish a uniform format for
7 reporting student progression information;
8 requiring certain reports; amending s. 1008.31,
9 F.S., relating to education accountability;
10 expressing legislative intent relating to
11 performance measures established by the Board
12 of Governors with respect to the state
13 universities; eliminating certain
14 performance-based funding requirements;
15 providing guiding principles for the
16 accountability system; revising the goals of
17 the accountability system; requiring certain
18 reports; providing rulemaking authority to the
19 State Board of Education; amending s. 1008.33,
20 F.S., relating to the authority to enforce
21 public school improvement; authorizing transfer
22 of certain teachers to low-performing schools;
23 amending s. 1008.34, F.S., relating to the
24 school grading system; requiring all schools to
25 receive a school grade except certain
26 alternative schools; requiring that achievement
27 scores and learning gains be calculated in
28 alternative schools that provide certain
29 services; requiring that student test scores be
30 calculated in the alternative school in which
31 the student is enrolled and in the school

1 | previously attended by the student; providing
2 | exceptions; requiring the Department of
3 | Education to develop a school report card;
4 | creating s. 1008.341, F.S.; requiring school
5 | improvement ratings for alternative schools;
6 | providing definitions; requiring that the
7 | Commissioner of Education prepare an annual
8 | report; specifying the data to be used in
9 | determining school improvement ratings;
10 | requiring the department to identify student
11 | learning gains annually; requiring that a
12 | school report card be delivered to parents;
13 | requiring the State Board of Education to adopt
14 | rules; amending s. 1008.36, F.S., relating to
15 | the Florida School Recognition Program;
16 | providing that certain feeder schools are
17 | eligible to participate in the program;
18 | providing a definition; requiring certain
19 | feeder schools to be subject to the Opportunity
20 | Scholarship Program, as defined in s. 1002.38,
21 | F.S.; providing for the disposition of school
22 | recognition funds; defining eligibility for the
23 | receipt of school recognition funds; amending
24 | s. 1011.62, F.S., relating to funds for the
25 | operation of schools; providing for additional
26 | funding for students enrolled in education
27 | programs for juveniles; providing a methodology
28 | to calculate full-time equivalent student
29 | membership of the Florida Virtual School;
30 | creating a research-based reading-instruction
31 | allocation for students in kindergarten through

1 grade 12; providing for the use of the funds;
2 providing for fund disbursement; amending ss.
3 1011.685, and 1011.71, F.S., to conform;
4 creating s. 1011.6855, F.S.; providing for the
5 contingent application of the section upon the
6 adoption of an amendment to the State
7 Constitution; establishing an operating
8 categorical fund; providing a minimum
9 instructional personnel salary; requiring the
10 use of certain funds for class size reduction;
11 amending s. 1012.21, F.S., relating to the
12 duties of the Department of Education;
13 requiring the department to annually post
14 school district collective bargaining
15 agreements on-line; amending s. 1012.22, F.S.,
16 relating to public school personnel; requiring
17 school boards to adopt differentiated-pay
18 policies for school administrators and
19 instructional personnel; specifying factors to
20 be included in differentiated-pay policies;
21 providing for the withholding of funds for
22 failure to comply; creating s. 1012.2305, F.S.;
23 expressing legislative intent regarding minimum
24 instructional personnel pay; providing for
25 contingent application of the section upon the
26 adoption of an amendment to the State
27 Constitution; establishing minimum pay for
28 certain instructional personnel; creating s.
29 1012.2315, F.S.; establishing legislative
30 findings; expressing legislative intent;
31 providing criteria for the assignment of

1 teachers to certain schools; authorizing
2 certain salary incentives; limiting certain
3 collective bargaining provisions relating to
4 assignment of teachers at certain schools;
5 amending s. 1012.72, F.S., relating to the Dale
6 Hickam Excellent Teaching Program; requiring
7 that the Department of Education administer the
8 Dale Hickam Excellent Teaching Program Trust
9 Fund; requiring the Council for Education
10 Policy Research and Improvement to evaluate the
11 benefits and effectiveness of the program;
12 creating s. 1012.986, F.S.; establishing a
13 statewide system for the professional
14 development of school leaders; providing a
15 short title; providing program purposes and
16 legislative intent; requiring the Department of
17 Education to annually determine criteria for
18 school leadership designations based on certain
19 factors; requiring certain program components;
20 providing for a program delivery system;
21 providing rulemaking authority to the State
22 Board of Education; amending s. 1013.512, F.S.;
23 requiring the release of funds remaining in
24 reserve relating to school district land
25 acquisition and facilities operations;
26 specifying when a Land Acquisition and
27 Facilities Advisory Board shall be disbanded;
28 approving a transfer of an endowment from the
29 Appleton Cultural Center, Inc., to the Central
30 Florida Community College Foundation; providing
31 restrictions on the management of the

1 endowment; releasing the foundation from
2 certain trust agreement and statutory
3 requirements; repealing s. 1012.987, F.S.,
4 relating to education leadership development;
5 repealing s. 1012.231, F.S., relating to the
6 BEST Florida Teaching Salary career ladder
7 program; providing for severability; providing
8 contingent effective dates.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Subsection (1) of section 1001.03, Florida
13 Statutes, is amended to read:

14 1001.03 Specific powers of State Board of Education.--

15 (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The
16 State Board of Education shall approve the student performance
17 standards known as the Sunshine State Standards in key
18 academic subject areas and grade levels. The board shall
19 periodically review the standards to ensure adequate rigor,
20 logical pupil progression, and articulation from grade to
21 grade, and shall evaluate the extent to which the standards
22 are being taught at each grade level.

23 Section 2. Section 1001.215, Florida Statutes, is
24 created to read:

25 1001.215 Just Read, Florida! Office.--There is created
26 within the Department of Education the Just Read, Florida!
27 Office. The office shall:

28 (1) Train professionally certified teachers to become
29 certified reading coaches.

30 (2) Train K-12 teachers, school principals, and
31 parents on research-based strategies for reading instruction.

1 (3) Provide technical assistance to districts in the
2 development and implementation of, and annually review and
3 approve district plans for use of, the Research-based Reading
4 Instruction Allocation pursuant to s. 1011.62(9).

5 (4) Work with the Florida Center for Reading Research
6 created under s. 1004.64 to provide information on
7 research-based reading programs.

8 (5) Periodically review the Sunshine State Standards
9 for reading at all grade levels.

10 (6) Periodically review the teacher certification
11 examinations to ensure that they reflect proficiency in
12 research-based strategies for reading instruction.

13 (7) Work with teacher preparation programs approved
14 under s. 1004.04 to ensure the integration of research-based
15 strategies for reading instruction into teacher preparation
16 programs.

17 (8) Administer grants and perform other functions
18 necessary to assist with meeting the goal that all students
19 are reading on grade level.

20 Section 3. Subsection (16) of section 1001.42, Florida
21 Statutes, is amended to read:

22 1001.42 Powers and duties of district school
23 board.--The district school board, acting as a board, shall
24 exercise all powers and perform all duties listed below:

25 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
26 ACCOUNTABILITY.--Maintain a system of school improvement and
27 education accountability as provided by statute and State
28 Board of Education rule. This system of school improvement and
29 education accountability shall be consistent with, and
30 implemented through, the district's continuing system of
31 planning and budgeting required by this section and ss.

1 1008.385, 1010.01, and 1011.01. This system of school
2 improvement and education accountability shall include, but is
3 not limited to, the following:

4 (a) School improvement plans.--Annually approve and
5 require implementation of a new, amended, or continuation
6 school improvement plan for each school in the district,
7 except that a district school board may establish a district
8 school improvement plan that includes all schools in the
9 district operating for the purpose of providing educational
10 services to youth in Department of Juvenile Justice programs.
11 Such plan shall be designed to achieve the state education
12 priorities pursuant to s. 1000.03(5) and student performance
13 standards. In addition, any school required to implement a
14 rigorous reading requirement pursuant to s. 1003.415 must
15 include such component in its school improvement plan. Each
16 plan shall also address issues relative to budget, training,
17 instructional materials, technology, staffing, student support
18 services, specific school safety and discipline strategies,
19 student health and fitness, including physical fitness,
20 parental information on student health and fitness, and indoor
21 environmental air quality, and other matters of resource
22 allocation, as determined by district school board policy, and
23 shall be based on an analysis of student achievement and other
24 school performance data.

25 (b) Improvement plan requirements.--Each district
26 school board's system of school improvement and student
27 progression must be designed to provide frequent and accurate
28 information to the teacher and student regarding each
29 student's progress toward mastering the Sunshine State
30 Standards. The system must demonstrate the alignment of the
31 Sunshine State Standards, instructional strategies,

1 assessment, and professional development. Each school's school
2 improvement plan must identify the strategies for monitoring
3 the progress of each student. The process used by each school
4 to monitor student progression must, at a minimum, contain the
5 following components that are aimed at increasing student
6 achievement:

7 1. Disaggregated student achievement data related to
8 student performance which are used to identify each individual
9 student's strengths and weaknesses and to determine the
10 effectiveness of the teaching and learning strategies that are
11 being used in the classroom;

12 2. The Sunshine State Standards instructional calendar
13 and timeline, using disaggregated student performance data to
14 focus instruction on the Sunshine State Standards, manage
15 instructional time, and allocate resources;

16 3. Prioritized instructional focus to facilitate
17 explicit and systematic instruction using research-based
18 effective practices in the classroom;

19 4. Mini-assessments of targeted Sunshine State
20 Standards benchmarks to monitor students' progress and
21 generate data to redesign instruction, if needed;

22 5. Alternative in-school, tutorial, remediation, or
23 enrichment strategies for students which are based on each
24 student's individual academic needs as defined by the
25 mini-assessments; and

26 6. Systematic monitoring of each teacher's
27 implementation of the comprehensive program for student
28 progression as described in subparagraphs 1.-5.

29 (c)(b) Approval process.--Develop a process for
30 approval of a school improvement plan presented by an
31 individual school and its advisory council. In the event a

1 district school board does not approve a school improvement
2 plan after exhausting this process, the Department of
3 Education shall be notified of the need for assistance.

4 (d)~~(e)~~ Assistance and intervention.--

5 1. Develop a 2-year plan of increasing individualized
6 assistance and intervention for each school in danger of not
7 meeting state standards or making adequate progress, as
8 defined pursuant to statute and State Board of Education rule,
9 toward meeting the goals and standards of its approved school
10 improvement plan.

11 2. Provide assistance and intervention to a school
12 that is identified as being in performance grade category "D"
13 pursuant to s. 1008.34 and is in danger of failing.

14 3. Develop a plan to encourage teachers with
15 demonstrated mastery in improving student performance to
16 remain at or transfer to a school designated as performance
17 grade category "D" or "F" or to an alternative school that
18 serves disruptive or violent youths. If a classroom teacher,
19 as defined by s. 1012.01(2)(a), who meets the definition of
20 teaching mastery developed according to the provisions of this
21 paragraph, requests assignment to a school designated as
22 performance grade category "D" or "F" or to an alternative
23 school that serves disruptive or violent youths, the district
24 school board shall make every practical effort to grant the
25 request.

26 4. Prioritize, to the extent possible, the
27 expenditures of funds received from the supplemental academic
28 instruction categorical fund under s. 1011.62(1)(f) to improve
29 student performance in schools that receive a performance
30 grade category designation of "D" or "F."
31

1 ~~(e)(d)~~ After 2 years.--Notify the Commissioner of
2 Education and the State Board of Education in the event any
3 school does not make adequate progress toward meeting the
4 goals and standards of a school improvement plan by the end of
5 2 years of failing to make adequate progress and proceed
6 according to guidelines developed pursuant to statute and
7 State Board of Education rule. School districts shall provide
8 intervention and assistance to schools in danger of being
9 designated as performance grade category "F," failing to make
10 adequate progress.

11 ~~(f)(e)~~ Public disclosure.--Provide information
12 regarding performance of students and educational programs as
13 required pursuant to ss. 1008.22 and 1008.385 and implement a
14 system of school reports as required by statute and State
15 Board of Education rule that shall include schools operating
16 for the purpose of providing educational services to youth in
17 Department of Juvenile Justice programs, and for those
18 schools, report on the elements specified in s. 1003.52(19).
19 Annual public disclosure reports shall be in an easy-to-read
20 report card format and shall include the school's student and
21 school performance grade category designation and performance
22 data as specified in state board rule.

23 ~~(g)(f)~~ School improvement funds.--Provide funds to
24 schools for developing and implementing school improvement
25 plans. Such funds shall include those funds appropriated for
26 the purpose of school improvement pursuant to s. 24.121(5)(c).

27 Section 4. Section 1002.385, Florida Statutes, is
28 created to read:

29 1002.385 The Reading Compact Scholarships
30 Program.--There is established the Reading Compact
31 Scholarships Program, a program designed to offer parents of

1 students who have not attained reading proficiency beyond
2 Level 1 an educational choice to further the students'
3 progress in reading.

4 (1) PURPOSE.--The purpose of the Reading Compact
5 Scholarships Program is to provide to each student who has
6 scored at Level 1 on the reading portion of the FCAT for 3
7 consecutive years the option to attend a public or private
8 school of choice.

9 (2) ELIGIBILITY.--The parent of a public school
10 student may request and receive from the state a Reading
11 Compact Scholarship for the student to enroll in and attend a
12 private school in accordance with this section if:

13 (a) The student has scored at Level 1 on the reading
14 portion of the FCAT for a period of 3 consecutive years.
15 However, a student shall be recommended for screening and
16 evaluation, with parental consent, to determine the student's
17 eligibility for exceptional student services if the student:

18 1. Has scored at Level 1 on the reading portion of the
19 FCAT for two consecutive years; and

20 2. Has not previously been identified as an
21 exceptional student having a disability that interferes with
22 his or her academic progress in reading.

23 (b) The parent has obtained acceptance for admission
24 of the student to a private school eligible for the program
25 under subsection (8) and has requested from the Department of
26 Education a Reading Compact Scholarship at least 60 days
27 before the date of the first scholarship payment. The parental
28 request must be made through a direct communication to the
29 Department of Education in a manner that creates a written or
30 electronic record of the request and the date of receipt of
31 the request.

1 (3) PROHIBITIONS.--A student is ineligible to receive
2 a Reading Compact Scholarship if the student is:

3 (a) Enrolled in a school operating for the purpose of
4 providing educational services to youth in Department of
5 Juvenile Justice commitment programs.

6 (b) Receiving a scholarship from an eligible nonprofit
7 scholarship-funding organization under s. 220.187.

8 (c) Receiving an educational scholarship under chapter
9 1002.

10 (d) Participating in a home education program as
11 defined in s. 1002.01(1).

12 (e) Participating in a private tutoring program under
13 s. 1002.43.

14 (f) Participating in a virtual school, correspondence
15 school, or distance learning program that receives state
16 funding pursuant to the student's participation.

17 (g) Not receiving regular and direct contact with his
18 or her private school teachers at the school's physical
19 location.

20 (4) TERM OF SCHOLARSHIP.--

21 (a) For purposes of continuity of educational choice,
22 a Reading Compact Scholarship shall remain in force until the
23 student returns to a public school or graduates from high
24 school.

25 (b) Upon reasonable notice to the Department of
26 Education and the school district, the student's parent may
27 remove the student from the private school and place the
28 student in a public school, as provided in subsection (5).

29 (c) Upon reasonable notice to the Department of
30 Education, the student's parent may move the student from one
31

1 participating private school to another participating private
2 school.

3 (5) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.--

4 (a)1. A school district shall notify the parent of
5 each eligible student of all options available under this
6 section and shall offer the parent an opportunity to enroll
7 the student in another public school within the district.

8 2. The parent need not accept the offer of enrolling
9 the student in another public school in lieu of requesting a
10 Reading Compact Scholarship to a private school. However, if
11 the parent chooses the public-school option, the student may
12 continue attending a public school chosen by the parent until
13 the student graduates from high school.

14 3. If the parent chooses a public school consistent
15 with the district school board's choice plan under s. 1002.31,
16 the school district shall provide transportation to the public
17 school selected by the parent. The parent is responsible for
18 providing transportation to a public school that the parent
19 has chosen if the choice is not consistent with the district
20 school board's choice plan under s. 1002.31.

21 (b) If the parent chooses the private-school option
22 and the student is accepted by the private school, pending the
23 availability of a space for the student, the parent of the
24 student must notify the department 60 days before the first
25 scholarship payment and before entering the private school in
26 order to be eligible for the scholarship when a space becomes
27 available for the student in the private school.

28 (c) The parent of a student may choose, as an
29 alternative, to enroll the student in and transport the
30 student to a public school in an adjacent school district
31 which has available space, and that school district shall

1 accept the student and report the student for purposes of the
2 district's funding under the Florida Education Finance
3 Program.

4 (d) For a student in the district who participates in
5 the Reading Compact Scholarships Program and whose parent
6 requests that the student take the statewide assessments under
7 s. 1008.22, the district shall provide locations and times to
8 take all statewide assessments.

9 (6) DEPARTMENT OF EDUCATION; OBLIGATIONS.--The
10 Department of Education shall:

11 (a) Establish a toll-free hotline that provides
12 parents and private schools with information on participation
13 in the Reading Compact Scholarships Program.

14 (b) Establish a procedure by which individuals may
15 notify the department of any violation by a parent, private
16 school, or school district of state laws relating to program
17 participation. The department shall refer or conduct an
18 investigation of any written complaint of a violation of this
19 section if the complaint is signed by the complainant and is
20 legally sufficient. A complaint is legally sufficient if it
21 contains ultimate facts that show that a violation of this
22 section or of any rule adopted by the State Board of Education
23 has occurred. In order to determine legal sufficiency, the
24 Department of Education may require supporting information or
25 documentation from the complainant. The Department of
26 Education may investigate anonymous complaints.

27 (c) Require an annual notarized sworn compliance
28 statement by participating private schools certifying
29 compliance with state laws and shall retain such records.

30 (d) Cross-check the list of participating scholarship
31 students with the public school enrollment lists and other

1 education scholarship program lists before the first
2 scholarship payment to avoid duplication.

3 (7) COMMISSIONER OF EDUCATION; AUTHORITY AND
4 OBLIGATIONS.--

5 (a) The Commissioner of Education shall deny, suspend,
6 or revoke a private school's participation in the scholarship
7 program if it is determined that the private school has failed
8 to comply with this section. However, if the noncompliance is
9 correctable within a reasonable amount of time and if the
10 health, safety, and welfare of the students is not threatened,
11 the commissioner may issue a notice of noncompliance which
12 provides the private school with a timeframe within which to
13 provide evidence of compliance before the commissioner takes
14 action to suspend or revoke the private school's continued
15 participation in the scholarship program.

16 (b) The commissioner's determination is subject to the
17 following conditions:

18 1. If the commissioner intends to deny, suspend, or
19 revoke a private school's participation in the scholarship
20 program, the department shall notify the private school of
21 such proposed action in writing by certified and regular mail
22 to the private school's address of record with the Department
23 of Education. The notification must include the reasons for
24 the proposed action and notice of the timelines and procedures
25 set forth in this paragraph.

26 2. A private school that is adversely affected by the
27 proposed action has 15 days after its receipt of the notice of
28 proposed action to file with the agency clerk of the
29 Department of Education a request for a proceeding under ss.
30 120.569 and 120.57. If the private school is entitled to a
31

1 hearing under s. 120.57(1), the department shall forward the
2 request to the Division of Administrative Hearings.

3 3. Upon receipt of a request referred under this
4 subsection, the director of the Division of Administrative
5 Hearings shall expedite the hearing and assign an
6 administrative law judge who shall commence a hearing within
7 30 days after the receipt of the formal written protest by the
8 division and shall enter a recommended order within 30 days
9 after the hearing or within 30 days after receipt of the
10 hearing transcript, whichever is later. Each party has 10 days
11 in which to submit written exceptions to the recommended
12 order. The agency must enter a final order within 30 days
13 after the entry of a recommended order. The provisions of this
14 paragraph may be waived upon stipulation by all parties.

15 (c) The commissioner shall immediately suspend payment
16 if it is determined that there is probable cause to believe
17 that there is:

18 1. An imminent threat to the health, safety, and
19 welfare of the students; or

20 2. Fraudulent activity on the part of the private
21 school.

22
23 The commissioner's order suspending payment under this
24 paragraph is subject to the same procedures and timelines as
25 the notice of proposed action set forth in paragraph (b).

26 (8) PRIVATE SCHOOLS; ELIGIBILITY AND OBLIGATIONS.--To
27 be eligible to participate in the Reading Compact Scholarships
28 Program, a private school may be sectarian or nonsectarian,
29 and must:

30
31

1 (a) Comply with all requirements for private schools
2 participating in state school choice programs under s.
3 1002.421.

4 (b) Provide to the department all documentation
5 required for the student's participation, including the
6 private school's and student's fee schedules, at least 30 days
7 before the first quarterly scholarship payment is made for the
8 student.

9 (c) Be academically accountable to the parent for
10 meeting the educational needs of the student by:

11 1. At a minimum, annually providing to the parent a
12 written explanation of the student's progress.

13 2. Cooperating with the scholarship student whose
14 parent chooses to participate in the statewide assessments
15 under s. 1008.32.

16 3. Demonstrating fiscal soundness and accountability.

17
18 The inability of a private school to meet the requirements of
19 this subsection constitutes a basis for the ineligibility of
20 the private school to participate in the scholarship program
21 as determined by the department.

22 (9) OBLIGATIONS OF PARENTS AND STUDENTS.--A parent who
23 applies for a Reading Compact Scholarship is exercising his or
24 her parental option to place his or her child in a private
25 school.

26 (a) The parent must select the private school and
27 apply for the admission of his or her child.

28 (b) The parent must have requested the scholarship at
29 least 60 days before the date of the first scholarship
30 payment.

31

1 (c) Any student participating in the Reading Compact
2 Scholarships Program must remain in attendance throughout the
3 school year unless excused by the school for illness or other
4 good cause.

5 (d) The parent of each student participating in the
6 Reading Compact Scholarships Program must comply fully with
7 the private school's requirements for parental involvement
8 unless excused by the school for illness or other good cause.

9 (e) The parent shall ensure that the student
10 participating in the scholarship program takes the
11 norm-referenced assessment offered by the private school or
12 the statewide assessments required under s. 1008.22. The
13 parent may also choose to have the student participate in all
14 statewide assessments under s. 1008.22, and, if the parent
15 chooses such optional participation, he or she is responsible
16 for transporting the student to the assessment site designated
17 by the school district.

18 (f) Upon receipt of a scholarship warrant, the parent
19 to whom the warrant is made must restrictively endorse the
20 warrant to the private school for deposit into the account of
21 the private school. The parent may not designate any entity or
22 individual associated with the participating private school as
23 the parent's attorney in fact to sign a scholarship warrant. A
24 participant who fails to comply with this paragraph forfeits
25 the scholarship.

26 (10) FUNDING AND PAYMENT.--

27 (a) The maximum amount of a Reading Compact
28 Scholarship granted to an eligible student shall be a
29 calculated amount equivalent to the base student allocation in
30 the Florida Education Finance Program multiplied by the
31 appropriate cost factor for the educational program that would

1 have been provided for the student in the district school to
2 which he or she was assigned, multiplied by the district cost
3 differential. In addition, the calculated amount shall include
4 the per-student share of instructional materials funds,
5 technology funds, and other categorical funds as provided for
6 this purpose in the General Appropriations Act.

7 (b) The amount of the Reading Compact Scholarship
8 shall be the calculated amount or the amount of the private
9 school's tuition and fees, whichever is less. Eligible fees
10 include textbook fees, lab fees, and other fees related to
11 instruction, including transportation fees.

12 (c) The school district shall report all students who
13 are attending a private school under this program. Students
14 who attend private schools on Reading Compact Scholarships
15 shall be reported separately from those students reported for
16 purposes of the Florida Education Finance Program.

17 (d) A public or private school that provides services
18 to students with disabilities shall receive the weighted
19 funding for such services at the appropriate funding level
20 consistent with s. 1011.62(1)(e).

21 (e) For purposes of calculating the amount of a
22 Reading Compact Scholarship, a student is eligible for the
23 amount of the appropriate basic cost factor if:

24 1. The student currently participates in a Group I
25 program funded at the basic cost factor and is not
26 subsequently identified as having a disability; or

27 2. The student currently participates in a Group II
28 program, and the parent has chosen a private school that does
29 not provide the additional services funded by the Group II
30 program.

31

1 (f) Following notification on July 1, September 1,
2 December 1, or February 1 of the number of program
3 participants, the Department of Education shall transfer, from
4 general revenue funds only, the calculated amount from the
5 Florida Education Finance Program and authorized categorical
6 accounts to a separate account for the Reading Compact
7 Scholarships Program for quarterly disbursement to the parents
8 of participating students. When a student enters the
9 scholarship program, the Department of Education must receive
10 all documentation required for the student's participation,
11 including the private school's and student's fee schedules, at
12 least 30 days before the first quarterly scholarship payment
13 is made for the student.

14 (g) The Chief Financial Officer shall make Reading
15 Compact Scholarship payments in four equal amounts no later
16 than September 1, November 1, February 1, and April 1 of each
17 academic year in which the Reading Compact Scholarship is in
18 force. The initial payment shall be made after the Department
19 of Education's verification of admission acceptance, and
20 subsequent payments shall be made upon verification of
21 continued enrollment and attendance at the private school.
22 Payment must be by individual warrant made payable to the
23 student's parent and mailed by the Department of Education to
24 the private school of the parent's choice, and the parent
25 shall restrictively endorse the warrant to the private school.

26 (h) Subsequent to each scholarship payment, the
27 Department of Financial Services shall randomly review
28 endorsed warrants to confirm compliance with endorsement
29 requirements. The Department of Financial Services shall
30 immediately report inconsistencies or irregularities to the
31 Department of Education.

1 (11) LIABILITY.--Liability on the part of the state
2 may not arise on the basis of the award or use of a Reading
3 Compact Scholarship.

4 (12) RULES.--The State Board of Education shall adopt
5 rules under ss. 120.536(1) and 120.54 to administer this
6 section. The rules must include penalties for noncompliance
7 with subsection (8) or subsection (9). However, the inclusion
8 of eligible private schools in the options available to public
9 school students in this state does not expand the regulatory
10 authority of the state, its officers, or any school district
11 to impose any additional regulations upon private schools
12 beyond those that are reasonably necessary to enforce
13 requirements expressly set forth in this section.

14 Section 5. Section 1002.421, Florida Statutes, is
15 created to read:

16 1002.421 Rights and obligations of private schools
17 participating in state school choice scholarship
18 programs.--The requirements imposed under this section on
19 private schools that participate in state school choice
20 scholarship programs are in addition to the requirements for
21 private schools which are outlined in s. 1002.42, specific
22 requirements under laws relating to various scholarship
23 programs, and other laws of this state which apply to private
24 schools.

25 (1) A private school in this state which participates
26 in the Corporate Tax Credit Scholarship Program, as defined in
27 s. 220.187, or in an educational scholarship program
28 established under chapter 1002 must comply with all
29 requirements of this section.

30 (2) A private school participating in a scholarship
31 program in this state:

- 1 (a) Must be a Florida private school as defined in s.
2 1002.01(2).
- 3 (b) Must comply with all state laws pertaining to
4 private schools.
- 5 (c) Must be a registered Florida private school in
6 accordance with s. 1002.42.
- 7 (d) Must maintain a physical location in this state
8 where each scholarship student regularly attends classes.
- 9 (e) May not be a correspondence school or distance
10 learning school.
- 11 (f) May not direct or provide scholarship funds to a
12 parent of a scholarship student who receives instruction under
13 the program at home.
- 14 (g) May not be a home education program as defined in
15 s. 1002.01(1).
- 16 (h) May not be a private tutoring program as described
17 in s. 1002.43.
- 18 (i) Must comply with the anti-discrimination
19 provisions of 42 U.S.C. s. 2000d.
- 20 (j) Must notify the department of its intent to
21 participate in a scholarship program.
- 22 (k) Must notify the department of any change in the
23 school's name, school director, mailing address, or physical
24 location within 15 days after the change occurs.
- 25 (l) Must complete student-enrollment and
26 attendance-verification requirements, including an on-line
27 attendance-verification form, before a scholarship payment is
28 made.
- 29 (m) Must annually complete and submit to the
30 department a notarized scholarship compliance statement
31

1 certifying compliance with state laws relating to the
2 participation of private schools in the scholarship program.

3 (n) Must demonstrate fiscal soundness and
4 accountability by:

5 1. Having been in operation for at least 3 school
6 years or obtaining a surety bond or letter of credit for the
7 amount equal to the scholarship funds for any quarter and
8 filing the surety bond or letter of credit with the
9 department.

10 2. Requiring the parent of each scholarship student to
11 personally restrictively endorse the scholarship warrant to
12 the school. The school may not act as the attorney in fact for
13 parents of a scholarship student under the authority of a
14 power of attorney executed by the parents, or under any other
15 authority, to endorse scholarship warrants on behalf of
16 parents.

17 (o) Must meet applicable state and local laws, codes,
18 and rules relating to health, safety, and welfare, including
19 those relating to firesafety and building safety.

20 (p) Must employ or contract with teachers who hold
21 baccalaureate or higher degrees, have at least 3 years of
22 teaching experience in public or private schools, or have at
23 least a high school diploma and special skills, knowledge, or
24 expertise that qualifies them to provide instruction in the
25 subjects that are being taught.

26 (q) Annually administer or make provisions for
27 scholarship students to take one of the nationally
28 norm-referenced tests identified by the State Board of
29 Education under s. 1002.423. Students with disabilities for
30 whom standardized testing is not appropriate are exempt from
31 this requirement. However, a private school must require each

1 student with a disability, for whom standardized testing is
2 not appropriate, to participate at least annually in a student
3 assessment which, as determined by the private school in
4 consultation with the student's parent, will demonstrate the
5 student's skill level to the student's parent. A private
6 school must report a student's scores to the parent and to the
7 independent private research organization selected by the
8 Department of Education under s. 1002.423.

9 (r) Must ensure that each individual who has
10 unsupervised access to a scholarship student for whom the
11 private school is responsible, prior to employment, engagement
12 of services, or appointment, undergo background screening
13 under s. 435.04 by filing with the Department of Education a
14 complete set of fingerprints taken by an authorized law
15 enforcement agency or an employee of the private school who is
16 trained to take fingerprints. However, the complete set of
17 fingerprints for an owner of an eligible private school must
18 be taken by an authorized law enforcement agency. These
19 fingerprints must be submitted to the Department of Law
20 Enforcement for state processing, which shall in turn submit
21 the fingerprints to the Federal Bureau of Investigation for
22 federal processing. The Department of Education shall screen
23 the background results and report to the private school any
24 person described in this paragraph who fails to meet level 2
25 screening standards under s. 435.04. Any individual described
26 in this paragraph who fails the level 2 background screening
27 under s. 435.04 may not have unsupervised access to a
28 scholarship student. For purposes of this paragraph:

29 1. The cost of the fingerprinting and the background
30 check shall not be borne by the state.
31

1 2. A private school that allows an individual to have
2 unsupervised access to a scholarship student who failed the
3 level 2 background screening under s. 435.04 is ineligible to
4 participate in the scholarship program.

5 3. An individual holding a valid teaching certificate
6 in this state who has been fingerprinted pursuant to s.
7 1012.32 need not comply with this paragraph.

8 (3) The inability of a private school to meet the
9 requirements of this section constitutes a basis for the
10 ineligibility of the private school to participate in a
11 scholarship program as determined by the department.

12 (4)(a) The State Board of Education shall adopt rules
13 under ss. 120.536(1) and 120.54 to administer this section.

14 (b) The inclusion of eligible private schools in the
15 options available to public school students in this state does
16 not expand the regulatory authority of the state, its
17 officers, or any school district to impose any additional
18 regulations upon private schools beyond those reasonably
19 necessary to enforce requirements expressly set forth in this
20 section.

21 Section 6. Section 1002.423, Florida Statutes, is
22 created to read:

23 1002.423 Department of Education; obligations for
24 state school choice scholarship programs.--The requirements
25 imposed under this section apply to all state choice
26 scholarship programs, including the Corporate Tax Credit
27 Scholarship Program, as defined in s. 220.187, or an
28 educational scholarship program established under this
29 chapter.

30 (a) The Department of Education must identify all
31 nationally norm-referenced tests that are comparable to the

1 norm-referenced test portions of the Florida Comprehensive
2 Assessment Test (FCAT).

3 (b) The Department of Education must select an
4 independent private research organization to which each
5 participating private school must report the scores of
6 participating students on the nationally norm-referenced tests
7 administered by the private school. The independent private
8 research organization must annually report to the Department
9 of Education on the year-to-year improvements of the
10 participating students. The independent private research
11 organization must analyze and report student performance data
12 in a manner that protects the rights of students and parents
13 as mandated in the Family Educational Rights and Privacy Act
14 requirements of 20 U.S.C. s. 1232g and must not disaggregate
15 data to a level that will disclose the academic level of
16 students. To the maximum extent possible, the independent
17 private research organization must accumulate historical
18 performance data for students from the Department of Education
19 and private schools to describe baseline performance and to
20 conduct longitudinal studies. To minimize costs and reduce the
21 time required for third-party analysis and evaluation, the
22 Department of Education shall conduct analyses of matched
23 students from public school assessment data and calculate
24 control group learning gains using an agreed-upon methodology
25 outlined in the contract with the third-party evaluator. The
26 sharing of student data must be in accordance with the Family
27 Educational Rights and Privacy Act requirements of 20 U.S.C.
28 s. 1232g and must be for the sole purpose of conducting the
29 evaluation. All parties must preserve the confidentiality of
30 such information as otherwise required under state and federal
31 law.

1 Section 7. Paragraph (b) of subsection (2) of section
2 1003.03, Florida Statutes, is amended to read:

3 1003.03 Maximum class size.--

4 (2) IMPLEMENTATION.--

5 (b) Determination of the number of students per
6 classroom in paragraph (a) shall be calculated as follows:

7 1. For fiscal years 2003-2004 through 2006-2007
8 ~~2005-2006~~, the calculation for compliance for each of the 3
9 grade groupings shall be the average at the district level.

10 2. For fiscal ~~year~~ ~~years 2006-2007 through~~ 2007-2008,
11 the calculation for compliance for each of the 3 grade
12 groupings shall be the average at the school level.

13 3. For fiscal years 2008-2009, 2009-2010, and
14 thereafter, the calculation for compliance shall be at the
15 individual classroom level.

16 Section 8. Section 1003.035, Florida Statutes, is
17 created to read:

18 1003.035 District average class size requirements.--

19 (1) CONSTITUTIONAL CLASS SIZE REQUIREMENTS.--Pursuant
20 to s. 1, Art. IX of the State Constitution, beginning in the
21 2007-2008 school year:

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

26 (b) The district average number of students assigned
27 to each teacher who is teaching core-curricula courses in
28 public school classrooms for grades 4 through 8 may not exceed
29 22 students.

30 (c) The district average number of students assigned
31 to each teacher who is teaching core-curricula courses in

1 public school classrooms for grades 9 through 12 may not
2 exceed 25 students.

3
4 However, in no event shall any such classroom exceed five
5 students over the district average allowable maximum.

6 (2) IMPLEMENTATION.--

7 (a) Beginning with the 2006-2007 fiscal year, each
8 school district that is not in compliance with the
9 requirements in subsection (1) shall reduce the district
10 average class size in each of the following grade groupings:
11 prekindergarten through grade 3, grade 4 through grade 8, and
12 grade 9 through grade 12, by at least two students each year
13 until the district average class size does not exceed the
14 requirements in subsection (1).

15 (b) The Department of Education shall annually
16 calculate each school district's average class size for each
17 of the grade groupings specified in paragraph (a) based upon
18 the October student membership survey.

19 (3) IMPLEMENTATION OPTIONS.--District school boards
20 must consider, but are not limited to, implementing the
21 following items in order to meet the constitutional district
22 average class size requirements described in subsection (1)
23 and the two-student-per-year reduction required in subsection
24 (2):

25 (a) Adopt policies to encourage qualified students to
26 take dual enrollment courses.

27 (b) Adopt policies to encourage students to take
28 courses from the Florida Virtual School.

29 (c)1. Repeal district school board policies that
30 require students to have more than 24 credits to graduate from
31 high school.

1 2. Adopt policies to allow students to graduate from
2 high school as soon as they pass the grade 10 FCAT and
3 complete the courses required for high school graduation.

4 (d) Use methods to maximize use of instructional
5 staff, such as changing required teaching loads and scheduling
6 of planning periods, deploying district employees that have
7 professional certification to the classroom, using adjunct
8 educators, or any other method not prohibited by law.

9 (e) Use innovative methods to reduce the cost of
10 school construction by using prototype school designs, using
11 SMART Schools designs, participating in the School
12 Infrastructure Thrift Program, or any other method not
13 prohibited by law.

14 (f) Use joint-use facilities through partnerships with
15 community colleges, state universities, and private colleges
16 and universities. Joint-use facilities available for use as
17 K-12 classrooms that do not meet the K-12 State Regulations
18 for Educational Facilities in the Florida Building Code may be
19 used at the discretion of the district school board if such
20 facilities meet all other health, life, safety, and fire
21 codes.

22 (g) Adopt alternative methods of class scheduling,
23 such as block scheduling.

24 (h) Redraw school attendance zones to maximize use of
25 facilities while minimizing the additional use of
26 transportation.

27 (i) Operate schools beyond the normal operating hours
28 to provide classes in the evening or operate more than one
29 session of school during the day.

30
31

1 (j) Use year-round schools and other nontraditional
2 calendars that do not adversely impact annual assessment of
3 student achievement.

4 (k) Review and consider amending any collective
5 bargaining contracts that hinder the implementation of class
6 size reduction.

7 (l) Use any other approach not prohibited by law.

8 (4) ACCOUNTABILITY.--

9 (a) If the department determines for any year that a
10 school district has not reduced average class size as required
11 in subsection (2) at the time of the third FEFP calculation,
12 the department shall calculate an amount from the class size
13 reduction operating categorical which is proportionate to the
14 amount of class size reduction not accomplished. Upon
15 verification of the department's calculation by the Florida
16 Education Finance Program Appropriation Allocation Conference,
17 the Executive Office of the Governor shall transfer
18 undistributed funds equivalent to the calculated amount from
19 the district's class size reduction operating categorical to
20 an approved fixed capital outlay appropriation for class size
21 reduction in the affected district pursuant to s. 216.292(13).
22 The amount of funds transferred shall be the lesser of the
23 amount verified by the Florida Education Finance Program
24 Appropriation Allocation Conference or the undistributed
25 balance of the district's class size reduction operating
26 categorical. However, based upon a recommendation by the
27 Commissioner of Education that the State Board of Education
28 has reviewed evidence indicating that a district has been
29 unable to meet class size reduction requirements despite
30 appropriate efforts to do so, the Legislative Budget
31 Commission may approve an alternative amount of funds to be

1 transferred from the district's class size reduction operating
2 categorical to its approved fixed capital outlay account for
3 class size reduction.

4 (b) Beginning in the 2007-2008 school year, the
5 department shall determine by January 15 of each year which
6 districts do not meet the requirements of subsection (1) based
7 upon the district's October student membership survey for the
8 current school year. The department shall report such
9 districts to the Legislature. Each district that has not met
10 the requirements of subsection (1) shall be required to
11 implement one of the following policies in the subsequent
12 school year unless the department finds that the district
13 comes into compliance based upon the February student
14 membership survey:

15 1. Year-round schools;

16 2. Double sessions;

17 3. Rezoning; or

18 4. Maximizing use of instructional staff by changing
19 required teacher loads and scheduling of planning periods,
20 deploying school district employees who have professional
21 certification to the classroom, using adjunct educators,
22 operating schools beyond the normal operating hours to provide
23 classes in the evening, or operating more than one session
24 during the day.

25
26 A school district that is required to implement one of the
27 policies outlined in subparagraphs 1. through 4. shall correct
28 in the year of implementation any past deficiencies and bring
29 the district into compliance with the requirements of
30 subsection (1). A school district may choose to implement more
31 than one of these policies. The district school superintendent

1 shall report to the Commissioner of Education the extent to
2 which the district implemented any of the policies outlined in
3 subparagraphs 1. through 4. in a format to be specified by the
4 Commissioner of Education. The Department of Education shall
5 use the enforcement authority provided in s. 1008.32 to ensure
6 that districts comply with the provisions of this paragraph.

7 (c) Beginning in the 2008-2009 school year, the
8 department shall annually determine which districts do not
9 meet the requirements described in subsection (1) based upon
10 the October student membership survey. In addition to
11 enforcement authority provided in s. 1008.32, the Department
12 of Education shall develop a constitutional compliance plan
13 for each such district which includes, but is not limited to,
14 redrawing school attendance zones to maximize use of
15 facilities while minimizing the additional use of
16 transportation and the other accountability policies listed in
17 paragraph (b). Each district school board shall implement the
18 constitutional compliance plan developed by the state board in
19 the subsequent school year until the district complies with
20 the constitutional district average class size requirements.

21 Section 9. Subsection (3) of section 1003.05, Florida
22 Statutes, is amended to read:

23 1003.05 Assistance to transitioning students from
24 military families.--

25 (3) Dependent children of active duty military
26 personnel who otherwise meet the eligibility criteria for
27 special academic programs offered through public schools shall
28 be given first preference for admission to such programs even
29 if the program is being offered through a public school other
30 than the school to which the student would generally be
31 assigned ~~and the school at which the program is being offered~~

1 ~~has reached its maximum enrollment.~~ If such a program is
2 offered through a public school other than the school to which
3 the student would generally be assigned, the parent ~~or~~
4 ~~guardian~~ of the student must assume responsibility for
5 transporting the student to that school. For purposes of this
6 subsection, special academic programs include ~~charter schools,~~
7 magnet schools, advanced studies programs, advanced placement,
8 dual enrollment, and International Baccalaureate.

9 Section 10. Section 1003.413, Florida Statutes, is
10 created to read:

11 1003.413 High school reform.--

12 (1) This section may be cited as the "High School
13 Reform Act."

14 (2) Beginning with the 2005-2006 school year, each
15 school district shall establish policies to assist high school
16 students to remain in school, graduate on time, and be
17 prepared for postsecondary education and the workforce. The
18 policies must address:

19 (a) Intensive reading remediation for students in
20 grades 9 through 12 scoring below Level 3 on FCAT Reading.

21 (b) Credit recovery options and course scheduling
22 designed to allow high school students to earn credit for
23 failed courses so that they are able to graduate on time.

24 (c) Immediate and frequent notification to parents of
25 students who are in danger of not graduating from high school.

26 (d) Placement in alternative programs, such as
27 programs that emphasize applied integrated curricula, small
28 learning communities, support services, increased discipline,
29 or other strategies documented to improve student achievement.

30 (e) Summer reading institutes for rising ninth graders
31 scoring below Level 3 on FCAT Reading.

1
2 A student's participation in an instructional or remediation
3 program prior to or immediately following entering grade 9 for
4 the first time shall not affect that student's classification
5 as a first-time ninth grader for reporting purposes, including
6 calculation of graduation and dropout rates.

7 Section 11. High School Reform Task Force.--

8 (1) There is created the High School Reform Task
9 Force. The task force shall work in conjunction with the
10 Southern Regional Education Board and shall be
11 administratively supported by the office of the Chancellor for
12 K-12 Public Schools in the Department of Education and the
13 Just Read, Florida! Office. Appointments to the task force
14 shall be coordinated to ensure that the membership reflects
15 the geographic and cultural diversity of Florida's school age
16 population. The task force shall be abolished upon submission
17 of its report.

18 (2)(a) The Commissioner of Education shall appoint
19 members of the task force from the following categories and
20 shall appoint the chair of the task force from its membership.

21 1. Two district school superintendents, one who is
22 from a large urban school district and one who is from a
23 small, rural school district.

24 2. One school board member who is from a medium size
25 school district.

26 3. Three public school principals, one from a large
27 high performing high school, one from a vocational technical
28 high school, and one from a lower performing high school.

29 4. Three public high school teachers, one who is an
30 experienced reading teacher, one who is from a school graded
31 "F," and one who is from a high performing school.

1 5. Three parents of public high school students who
2 represent the demographic, racial, and ethnic diversity of the
3 state.

4 6. Three public high school students who represent the
5 demographic, racial and ethnic diversity of the state.

6 7. One representative of the business community.

7 8. One administrator from a charter high school
8 servng students who are at risk of dropping out of school.

9 9. One expert on the subject of high school reform who
10 does not otherwise fall inside one of the enumerated
11 categories.

12 (b) The President of the Senate shall appoint one
13 member of the Senate to serve on the task force and the
14 Speaker of the House of Representatives shall appoint one
15 member of the House of Representatives to serve on the task
16 force.

17 (3) Not later than January 1, 2006, the task force
18 shall vote on the final report incorporating recommendations
19 and a long-term plan for high school reform.

20 (4) Not later than February 1, 2006, the task force
21 shall recommend to the Governor, the President of the Senate,
22 and the Speaker of the House of Representatives a long-term
23 plan for revisions to statutes, rules, and policies that will
24 improve Florida's grade 9 retention rate, graduation rate,
25 dropout rate, and college remediation rate, and align high
26 school requirements with the needs of Florida's employers and
27 postsecondary educational institution requirements. The plan
28 must address, but is not limited to addressing: graduation
29 requirements; course redesign; remediation strategies; credit
30 recovery; use of alternative programs including programs
31 emphasizing applied integrated curricula, small learning

1 communities, support services, or increased discipline; the
2 use of technology; adjustments to the school grading system to
3 reflect learning gains by high school students; middle school
4 systemic alignment; transition from middle school to high
5 school; alignment with postsecondary and workforce education
6 requirements; and alignment with employer expectations.

7 Section 12. Subsection (6) of section 1003.415,
8 Florida Statutes, is repealed, and subsection (2), paragraph
9 (a) of subsection (5), and paragraph (a) of present subsection
10 (7) of that section are amended, to read:

11 1003.415 The Middle Grades Reform Act.--

12 (2) PURPOSE AND INTENT.--

13 (a) The purpose of this section is to provide added
14 focus and rigor to academics in the middle grades. Using
15 reading as the foundation, all middle grade students should
16 receive rigorous academic instruction through challenging
17 curricula delivered by highly qualified teachers in schools
18 with outstanding leadership, which schools are supported by
19 engaged and informed parents.

20 (b) It is the intent of the Legislature that students
21 promoted from the eighth grade will be ready for success in
22 high school and that the mission of the middle grades is to
23 prepare students for the successful completion of rigorous
24 courses in high school.

25 (5) RIGOROUS READING REQUIREMENT.--

26 (a) ~~Beginning with the 2004-2005 school year,~~ Each
27 public school serving middle grade students, including charter
28 schools, with fewer than 75 percent of its students reading at
29 or above grade level in grade 6, grade 7, or grade 8 as
30 measured by a student scoring at Level 3 or above on the FCAT
31 during the prior school year, must incorporate by October 1 a

1 rigorous reading requirement for reading and language arts
2 programs as the primary component of its school improvement
3 plan. The department shall annually provide to each district
4 school board by June 30 a list of its schools that are
5 required to incorporate a rigorous reading requirement as the
6 primary component of the school's improvement plan. The
7 department shall provide technical assistance to school
8 districts and school administrators required to implement the
9 rigorous reading requirement.

10 ~~(6) COMPREHENSIVE REFORM STUDY ON THE ACADEMIC~~
11 ~~PERFORMANCE OF STUDENTS AND SCHOOLS.~~

12 ~~(a) The department shall conduct a study on how the~~
13 ~~overall academic performance of middle grade students and~~
14 ~~schools can be improved. The department must consult with the~~
15 ~~Florida Center for Reading Research at Florida State~~
16 ~~University, the Just Read, Florida! Office, and key education~~
17 ~~stakeholders, including district school board members,~~
18 ~~district school superintendents, principals, parents,~~
19 ~~teachers, district supervisors of curriculum, and students~~
20 ~~across the state, in the development of its findings and~~
21 ~~recommendations. The department shall review, at a minimum,~~
22 ~~each of the following elements:~~

23 ~~1. Academic expectations, which include, but are not~~
24 ~~limited to:~~

25 ~~a. Alignment of middle school expectations with~~
26 ~~elementary and high school graduation requirements.~~

27 ~~b. Best practices to improve reading and language arts~~
28 ~~courses based on research based programs for middle school~~
29 ~~students in alignment with the Sunshine State Standards.~~

30 ~~c. Strategies that focus on improving academic success~~
31 ~~for low performing students.~~

1 ~~d. Rigor of curricula and courses.~~
2 ~~e. Instructional materials.~~
3 ~~f. Course enrollment by middle school students.~~
4 ~~g. Student support services.~~
5 ~~h. Measurement and reporting of student achievement.~~
6 ~~2. Attendance policies and student mobility issues.~~
7 ~~3. Teacher quality, which includes, but is not limited~~
8 ~~to:~~
9 ~~a. Preparedness of teachers to teach rigorous courses~~
10 ~~to middle school students.~~
11 ~~b. Teacher evaluations.~~
12 ~~c. Substitute teachers.~~
13 ~~d. Certification and recertification requirements.~~
14 ~~e. Staff development requirements.~~
15 ~~f. Availability of effective staff development~~
16 ~~training.~~
17 ~~g. Teacher recruitment and vacancy issues.~~
18 ~~h. Federal requirements for highly qualified teachers~~
19 ~~pursuant to the No Child Left Behind Act of 2001.~~
20 ~~4. Identification and availability of diagnostic~~
21 ~~testing.~~
22 ~~5. Availability of personnel and scheduling issues.~~
23 ~~6. Middle school leadership and performance.~~
24 ~~7. Parental and community involvement.~~
25 ~~(b) By December 1, 2004, the Commissioner of Education~~
26 ~~shall submit to the President of the Senate, the Speaker of~~
27 ~~the House of Representatives, the chairs of the education~~
28 ~~committees in the Senate and the House of Representatives, and~~
29 ~~the State Board of Education recommendations to increase the~~
30 ~~academic performance of middle grade students and schools.~~
31 (6)(7) PERSONALIZED MIDDLE SCHOOL SUCCESS PLAN.--

1 (a) ~~Beginning with the 2004-2005 school year,~~ Each
2 principal of a school with a middle grade shall designate
3 certified staff members at the school to develop and
4 administer a personalized middle school success plan for each
5 entering sixth grade student who scored below Level 3 in
6 reading on the most recently administered FCAT. The purpose of
7 the success plan is to assist the student in meeting state and
8 school district expectations in academic proficiency and to
9 prepare the student for a rigorous high school curriculum. The
10 success plan shall be developed in collaboration with the
11 student and his or her parent and must be implemented until
12 the student completes the eighth grade or achieves a score at
13 Level 3 or above in reading on the FCAT, whichever occurs
14 first. The success plan must minimize paperwork and may be
15 incorporated into a parent/teacher conference, included as
16 part of a progress report or report card, included as part of
17 a general orientation at the beginning of the school year, or
18 provided by electronic mail or other written correspondence.

19 Section 13. Section 1003.4155, Florida Statutes, is
20 created to read:

21 1003.4155 Middle school grading system.--The grading
22 system and interpretation of letter grades used in grades 6
23 through 8 shall be as follows:

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

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

30
31

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

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

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

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

12 Section 14. Section 1003.4156, Florida Statutes, is
13 created to read:

14 1003.4156 General requirements for middle school
15 promotion.--

16 (1) Beginning with students entering grade 6 in the
17 2005-2006 school year, promotion from a middle school, grades
18 6 through 8, requires the successful completion of 12 academic
19 credits, including:

20 (a) Three middle school or higher credits in
21 English/language arts.

22 (b) Three middle school or higher credits in
23 mathematics.

24 (c) Three middle school or higher credits in social
25 studies.

26 (d) Three middle school or higher credits in science.

27
28 Other courses offered in middle school, including music, band,
29 physical education, and art, shall be considered electives.

30 (2) In addition to the credits required under
31 subsection (1), for each year a student scores at Level 1 or 2

1 on the reading portion of the FCAT, the student must be
2 enrolled the following year in a full-year intensive reading
3 course for which the student may earn up to three credits. The
4 intensive reading course must be based on frameworks developed
5 by the Florida Center for Reading Research, or a comparable
6 course as identified by the Department of Education, which
7 includes an emphasis on integration of core curriculum
8 standards and incorporation of informational and expository
9 text.

10 (3) In addition to the credits required under
11 subsection (1), for each year a student scores at Level 3 on
12 the reading portion of the FCAT, the student must be enrolled
13 the following year in a one-semester intensive reading course.
14 The reading course must be based on frameworks developed by
15 the Florida Center for Reading Research, or a comparable
16 course as identified by the Department of Education, which
17 includes an emphasis on integration of core curriculum
18 standards and incorporation of informational and expository
19 text.

20 (4) One full credit must entail completing a minimum
21 of 135 hours of instruction in a designated course of study
22 which contains standards for student performance. For schools
23 authorized by the district school board to implement block
24 scheduling, one full credit must entail completing a minimum
25 of 120 hours of instruction in a designated course of study
26 which contains standards for student performance.

27 (5) District school boards shall establish policies to
28 allow alternative methods for students to earn the credits
29 required by this section. The alternative methods must
30 include, but are not limited to, opportunities for students
31 to:

1 (a) Recover credits;

2 (b) Be promoted on time to high school; and

3 (c) Be placed in programs that emphasize applied
4 integrated curricula, small learning communities, support
5 services, increased discipline, or other strategies documented
6 to improve student achievement.

7
8 The district's policy, or amendments to the policy, shall be
9 submitted to the State Board of Education for approval. If the
10 State Board of Education does not take action within 60 days
11 following receipt of the proposed policy, the policy shall
12 stand approved.

13 (6) The State Board of Education shall adopt rules
14 under ss. 120.536(1) and 120.54 to provide for alternative
15 middle school promotion standards for students in grade 6,
16 grade 7, or grade 8 who are not enrolled in a school that has
17 a grade 6 through grade 8 middle school configuration.

18 Section 15. Section 1003.42, Florida Statutes, is
19 amended to read:

20 1003.42 Required instruction.--

21 (1) Each district school board shall provide all
22 courses required for high school graduation and appropriate
23 instruction designed to ensure that students meet State Board
24 of Education adopted standards in the following subject areas:
25 reading and other language arts, mathematics, science, social
26 studies, foreign languages, health and physical education, and
27 the arts.

28 (2) Members of the instructional staff of the public
29 schools, subject to the rules of the State Board of Education
30 and the district school board, shall teach efficiently and
31 faithfully, using the books and materials required that meet

1 the highest standards for professionalism and historic
2 accuracy, following the prescribed courses of study, and
3 employing approved methods of instruction, the following:

4 (a) The history and content of the Declaration of
5 Independence, including national sovereignty, natural law,
6 self-evident truth, equality of all persons, limited
7 government, popular sovereignty, and inalienable rights of
8 life, liberty, and property, and how they form ~~it forms~~ the
9 philosophical foundation of our government.

10 (b) The history, meaning, significance, and effect of
11 the provisions of the Constitution of the United States and
12 amendments thereto, with emphasis on each of the 10 amendments
13 that make up the Bill of Rights and how the constitution
14 provides the structure of our government.

15 ~~(c)(b)~~ The arguments in support of adopting our
16 republican form of government, as they are embodied in the
17 most important of the Federalist Papers.

18 ~~(c) The essentials of the United States Constitution~~
19 ~~and how it provides the structure of our government.~~

20 (d) Flag education, including proper flag display and
21 flag salute.

22 (e) The elements of civil government, including the
23 primary functions of and interrelationships between the
24 Federal Government, the state, and its counties,
25 municipalities, school districts, and special districts.

26 (f) The history of the United States, including the
27 period of discovery, early colonies, the War for Independence,
28 the Civil War, the expansion of the United States to its
29 present boundaries, the world wars, and the civil rights
30 movement to the present. American history shall be viewed as
31 factual, not as constructed, shall be viewed as knowable,

1 teachable, and testable, and shall be defined as the creation
2 of a new nation based largely on the universal principles
3 stated in the Declaration of Independence.

4 ~~(g)(f)~~ The history of the Holocaust (1933-1945), the
5 systematic, planned annihilation of European Jews and other
6 groups by Nazi Germany, a watershed event in the history of
7 humanity, to be taught in a manner that leads to an
8 investigation of human behavior, an understanding of the
9 ramifications of prejudice, racism, and stereotyping, and an
10 examination of what it means to be a responsible and
11 respectful person, for the purposes of encouraging tolerance
12 of diversity in a pluralistic society and for nurturing and
13 protecting democratic values and institutions.

14 ~~(h)(g)~~ The history of African Americans, including the
15 history of African peoples before the political conflicts that
16 led to the development of slavery, the passage to America, the
17 enslavement experience, abolition, and the contributions of
18 African Americans to society.

19 ~~(i)(h)~~ The elementary principles of agriculture.

20 ~~(j)(i)~~ The true effects of all alcoholic and
21 intoxicating liquors and beverages and narcotics upon the
22 human body and mind.

23 ~~(k)(j)~~ Kindness to animals.

24 ~~(l)(k)~~ The history of the state.

25 ~~(m)(l)~~ The conservation of natural resources.

26 ~~(n)(m)~~ Comprehensive health education that addresses
27 concepts of community health; consumer health; environmental
28 health; family life, including an awareness of the benefits of
29 sexual abstinence as the expected standard and the
30 consequences of teenage pregnancy; mental and emotional
31 health; injury prevention and safety; nutrition; personal

1 health; prevention and control of disease; and substance use
2 and abuse.

3 ~~(o)(n)~~ Such additional materials, subjects, courses,
4 or fields in such grades as are prescribed by law or by rules
5 of the State Board of Education and the district school board
6 in fulfilling the requirements of law.

7 ~~(p)(o)~~ The study of Hispanic contributions to the
8 United States.

9 ~~(q)(p)~~ The study of women's contributions to the
10 United States.

11 (r) The nature and importance of free enterprise to
12 the United States economy.

13 ~~(s)(q)~~ A character-development program in the
14 elementary schools, similar to Character First or Character
15 Counts, which is secular in nature ~~and stresses such character~~
16 ~~qualities as attentiveness, patience, and initiative.~~

17 Beginning in school year 2004-2005, the character-development
18 program shall be required in kindergarten through grade 12.
19 Each district school board shall develop or adopt a curriculum
20 for the character-development program that shall be submitted
21 to the department for approval. The character-development
22 curriculum shall stress the qualities of patriotism;i7
23 responsibility;i7 citizenship;i7 kindness;i7 respect for
24 authority, life, liberty, and personal property;7 honesty;i
25 charity;7 self-control;i7 racial, ethnic, and religious
26 tolerance;i7 and cooperation.

27 ~~(t)(r)~~ In order to encourage patriotism, the
28 sacrifices that veterans have made in serving our country and
29 protecting democratic values worldwide. Such instruction must
30 occur on or before Veterans' Day and Memorial Day. Members of
31

1 the instructional staff are encouraged to use the assistance
2 of local veterans when practicable.

3
4 The State Board of Education is encouraged to adopt standards
5 and pursue assessment of the requirements of this subsection.

6 (3) Any student whose parent makes written request to
7 the school principal shall be exempted from the teaching of
8 reproductive health or any disease, including HIV/AIDS, its
9 symptoms, development, and treatment. A student so exempted
10 may not be penalized by reason of that exemption. Course
11 descriptions for comprehensive health education shall not
12 interfere with the local determination of appropriate
13 curriculum which reflects local values and concerns.

14 Section 16. Subsection (15) of section 1003.52,
15 Florida Statutes, is amended to read:

16 1003.52 Educational services in Department of Juvenile
17 Justice programs.--

18 (15)(a) The Department of Education shall, for
19 students in juvenile justice education programs, develop
20 procedures to accurately report student academic performance
21 data and the assessment participation rates that are used to
22 determine adequate yearly progress under Pub. L. No. 107-110.
23 The procedures must include an opportunity for validation of
24 the data by schools that provide educational services to
25 students in programs of the Department of Juvenile Justice.

26 (b) The Department of Education in consultation with
27 the Department of Juvenile Justice, district school boards,
28 and providers shall establish objective and measurable quality
29 assurance standards for the educational component of
30 residential and nonresidential juvenile justice facilities.
31 These standards shall rate the district school board's

1 performance both as a provider and contractor. The quality
2 assurance rating for the educational component shall be
3 disaggregated from the overall quality assurance score and
4 reported separately.

5 ~~(c)(b)~~ The Department of Education shall develop a
6 comprehensive quality assurance review process and schedule
7 for the evaluation of the educational component in juvenile
8 justice programs. The Department of Juvenile Justice quality
9 assurance site visit and the education quality assurance site
10 visit shall be conducted during the same visit.

11 ~~(d)(e)~~ The Department of Education, in consultation
12 with district school boards and providers, shall establish
13 minimum thresholds for the standards and key indicators for
14 educational programs in juvenile justice facilities. If a
15 district school board fails to meet the established minimum
16 standards, it will be given 6 months to achieve compliance
17 with the standards. If after 6 months, the district school
18 board's performance is still below minimum standards, the
19 Department of Education shall exercise sanctions as prescribed
20 by rules adopted by the State Board of Education. If a
21 provider, under contract with the district school board, fails
22 to meet minimum standards, such failure shall cause the
23 district school board to cancel the provider's contract unless
24 the provider achieves compliance within 6 months or unless
25 there are documented extenuating circumstances.

26 Section 17. Section 1003.57, Florida Statutes, is
27 amended to read:

28 1003.57 Exceptional students instruction.--

29 (1) Each district school board shall provide for an
30 appropriate program of special instruction, facilities, and
31

1 services for exceptional students as prescribed by the State
2 Board of Education as acceptable, including provisions that:

3 ~~(a)(1)~~ The district school board provide the necessary
4 professional services for diagnosis and evaluation of
5 exceptional students.

6 ~~(b)(2)~~ The district school board provide the special
7 instruction, classes, and services, either within the district
8 school system, in cooperation with other district school
9 systems, or through contractual arrangements with approved
10 private schools or community facilities that meet standards
11 established by the commissioner.

12 ~~(c)(3)~~ The district school board annually provide
13 information describing the Florida School for the Deaf and the
14 Blind and all other programs and methods of instruction
15 available to the parent of a sensory-impaired student.

16 ~~(d)(4)~~ The district school board, once every 3 years,
17 submit to the department its proposed procedures for the
18 provision of special instruction and services for exceptional
19 students.

20 ~~(e)(5)~~ A ~~No~~ student may not be given special
21 instruction or services as an exceptional student until after
22 he or she has been properly evaluated, classified, and placed
23 in the manner prescribed by rules of the State Board of
24 Education. The parent of an exceptional student evaluated and
25 placed or denied placement in a program of special education
26 shall be notified of each such evaluation and placement or
27 denial. Such notice shall contain a statement informing the
28 parent that he or she is entitled to a due process hearing on
29 the identification, evaluation, and placement, or lack
30 thereof. Such hearings shall be exempt from the provisions of
31 ss. 120.569, 120.57, and 286.011, except to the extent that

1 | the State Board of Education adopts rules establishing other
2 | procedures and any records created as a result of such
3 | hearings shall be confidential and exempt from the provisions
4 | of s. 119.07(1). The hearing must be conducted by an
5 | administrative law judge from the Division of Administrative
6 | Hearings of the Department of Management Services. The
7 | decision of the administrative law judge shall be final,
8 | except that any party aggrieved by the finding and decision
9 | rendered by the administrative law judge shall have the right
10 | to bring a civil action in the circuit court. In such an
11 | action, the court shall receive the records of the
12 | administrative hearing and shall hear additional evidence at
13 | the request of either party. In the alternative, any party
14 | aggrieved by the finding and decision rendered by the
15 | administrative law judge shall have the right to request an
16 | impartial review of the administrative law judge's order by
17 | the district court of appeal as provided by s. 120.68.
18 | Notwithstanding any law to the contrary, during the pendency
19 | of any proceeding conducted pursuant to this section, unless
20 | the district school board and the parents otherwise agree, the
21 | student shall remain in his or her then-current educational
22 | assignment or, if applying for initial admission to a public
23 | school, shall be assigned, with the consent of the parents, in
24 | the public school program until all such proceedings have been
25 | completed.

26 | ~~(f)(6)~~ In providing for the education of exceptional
27 | students, the district school superintendent, principals, and
28 | teachers shall utilize the regular school facilities and adapt
29 | them to the needs of exceptional students to the maximum
30 | extent appropriate. Segregation of exceptional students shall
31 | occur only if the nature or severity of the exceptionality is

1 such that education in regular classes with the use of
2 supplementary aids and services cannot be achieved
3 satisfactorily.

4 ~~(g)(7)~~ In addition to the services agreed to in a
5 student's individual education plan, the district school
6 superintendent shall fully inform the parent of a student
7 having a physical or developmental disability of all available
8 services that are appropriate for the student's disability.
9 The superintendent shall provide the student's parent with a
10 summary of the student's rights.

11 (2)(a) An exceptional student with a disability who
12 resides in a residential facility and receives special
13 instruction or services is considered a resident of the state
14 in which the student's parent or guardian is a resident. The
15 cost of such instruction, facilities, and services for a
16 nonresident student with a disability shall be provided by the
17 placing authority in the student's state of residence, such as
18 a public school entity, other placing authority, or parent. A
19 nonresident student with a disability may not be reported by
20 any school district for FTE funding in the Florida Education
21 Finance Program.

22 (b) The Department of Education shall provide to each
23 school district a statement of the specific limitations of the
24 district's financial obligation for exceptional students with
25 disabilities under federal and state law. The department shall
26 also provide to each school district technical assistance as
27 necessary for developing a local plan to impose on a student's
28 home state the fiscal responsibility for educating a
29 nonresident exceptional student with a disability.

30 (c) The Department of Education shall develop a
31 process by which a school district must, before providing

1 services to an exceptional student with a disability who
2 resides in a residential facility in this state, review the
3 residency of the student. The residential facility, not the
4 district, is responsible for billing and collecting from a
5 nonresidential student's home state payment for the student's
6 educational and related services.

7 (d) This subsection applies to any nonresident student
8 with a disability who resides in a residential facility and
9 who receives instruction as an exceptional student with a
10 disability in any type of residential facility in this state,
11 including, but not limited to, a public school, a private
12 school, a group home facility as defined in s. 393.063, an
13 intensive residential treatment program for children and
14 adolescents as defined in s. 395.002, a facility as defined in
15 s. 394.455, an intermediate care facility for the
16 developmentally disabled or ICF/DD as defined in s. 393.063 or
17 s. 400.960, or a community residential home as defined in s.
18 419.001.

19 Section 18. Section 1003.575, Florida Statutes, is
20 created to read:

21 1003.575 Individual education plans for exceptional
22 students.--The Department of Education shall devise an
23 individual education plan (IEP) form for use in developing and
24 implementing individual education plans for exceptional
25 students. The IEP form must have a streamlined format; and, to
26 provide for the use of an existing IEP form when a student
27 transfers from one school district to another, the IEP form
28 developed by the department shall be used in each school
29 district in the state.

30 Section 19. Section 1003.58, Florida Statutes, is
31 amended to read:

1 1003.58 Students in residential care facilities.--Each
2 district school board shall provide educational programs
3 according to rules of the State Board of Education to students
4 who reside in residential care facilities operated by the
5 Department of Children and Family Services.

6 (1) The district school board shall not be charged any
7 rent, maintenance, utilities, or overhead on such facilities.
8 Maintenance, repairs, and remodeling of existing facilities
9 shall be provided by the Department of Children and Family
10 Services.

11 (2) If additional facilities are required, the
12 district school board and the Department of Children and
13 Family Services shall agree on the appropriate site based on
14 the instructional needs of the students. When the most
15 appropriate site for instruction is on district school board
16 property, a special capital outlay request shall be made by
17 the commissioner in accordance with s. 1013.60. When the most
18 appropriate site is on state property, state capital outlay
19 funds shall be requested by the Department of Children and
20 Family Services as provided by s. 216.043 and shall be
21 submitted as specified by s. 216.023. Any instructional
22 facility to be built on state property shall have educational
23 specifications jointly developed by the school district and
24 the Department of Children and Family Services and approved by
25 the Department of Education. The size of space and occupant
26 design capacity criteria as provided by state board rules
27 shall be used for remodeling or new construction whether
28 facilities are provided on state property or district school
29 board property. The planning of such additional facilities
30 shall incorporate current Department of Children and Family
31 Services deinstitutionalization plans.

1 (3) The district school board shall have full and
2 complete authority in the matter of the assignment and
3 placement of such students in educational programs. The parent
4 of an exceptional student shall have the same due process
5 rights as are provided under s. 1003.57(1)(e) ~~s. 1003.57(5)~~.

6 (4) The district school board shall have a written
7 agreement with the Department of Children and Family Services
8 outlining the respective duties and responsibilities of each
9 party.

10
11 Notwithstanding the provisions herein, the educational program
12 at the Marianna Sunland Center in Jackson County shall be
13 operated by the Department of Education, either directly or
14 through grants or contractual agreements with other public or
15 duly accredited educational agencies approved by the
16 Department of Education.

17 Section 20. Present subsection (13) of section
18 1004.04, Florida Statutes, is redesignated as subsection (14),
19 and a new subsection (13) is added to that section, to read:

20 1004.04 Public accountability and state approval for
21 teacher preparation programs.--

22 (13) RESEARCH.--The Council for Education Policy
23 Research and Improvement shall review and report on the
24 effectiveness of the graduates of state-approved teacher
25 preparation programs and state-approved alternative
26 certification programs as demonstrated by the progress of
27 their students on statewide assessments.

28 Section 21. Section 1004.64, Florida Statutes, is
29 created to read:

30 1004.64 Florida Center for Reading Research.--There is
31 created, as a joint project between the College of Arts and

1 Sciences and the Learning Systems Institute (LSI) at the
2 Florida State University, the Florida Center for Reading
3 Research (FCRR). The center is administratively housed within
4 the LSI and shall:

5 (1) Provide technical assistance and support to all
6 school districts and schools in this state in the
7 implementation of evidence-based literacy instruction,
8 assessments, and programs.

9 (2) Conduct applied research that will have an
10 immediate impact on policy and practices related to literacy
11 instruction and assessment in this state.

12 (3) Conduct basic research on reading, reading growth,
13 reading assessment, and reading instruction which will
14 contribute to scientific knowledge about reading.

15 (4) Develop frameworks for comprehensive reading
16 intervention courses for possible use in middle schools and
17 secondary schools.

18 (5) Disseminate information about research-based
19 practices related to literacy instruction, assessment, and
20 programs for students in preschool through grade 12.

21 (6) Collect, manage, and report on assessment
22 information from screening, progress monitoring, and outcome
23 assessments through the Florida Progress Monitoring and
24 Reporting Network. The network is a statewide resource that is
25 operated to provide valid and timely reading assessment data
26 for parents, teachers, principals, and district-level and
27 state-level staff in the management of instruction at the
28 individual, classroom, and school levels.

29 Section 22. Section 1008.22, Florida Statutes, is
30 amended to read:
31

1 1008.22 Student assessment program for public
2 schools.--

3 (1) PURPOSE.--The primary purposes of the student
4 assessment program are to provide information needed to
5 improve the public schools by enhancing the learning gains of
6 all students and to inform parents of the educational progress
7 of their public school children. The program must be designed
8 to:

9 (a) Assess the annual learning gains of each student
10 toward achieving the Sunshine State Standards appropriate for
11 the student's grade level.

12 (b) Provide data for making decisions regarding school
13 accountability and recognition.

14 (c) Identify the educational strengths and needs of
15 students and the readiness of students to be promoted to the
16 next grade level or to graduate from high school with a
17 standard high school diploma.

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

20 (e) Provide information to aid in the evaluation and
21 development of educational programs and policies.

22 (f) Provide information on the performance of ~~Florida~~
23 students in this state compared with other students ~~others~~
24 across the United States.

25 (2) INTENT.--

26 (a) It is the intent of the Legislature that the
27 Department of Education pursue innovations in technology and
28 assessment to allow the Florida Comprehensive Assessment Test
29 (FCAT) to be administered as late as possible in the school
30 year with scores received before the end of the school year.
31 The department shall pursue such innovations to the extent

1 funded by the Legislature. Annually, the Commissioner of
2 Education shall report to the Governor, the President of the
3 Senate, and the Speaker of the House of Representatives on the
4 state of the art in large-scale on-line assessment
5 capabilities of the industry and of the capacity of the public
6 schools in this state to implement a statewide program.

7 (b) It is the further intent of the Legislature that
8 the Department of Education make accessible to the public
9 copies of actual scored FCAT test items when sufficient items
10 are available through the test-item databank to ensure the
11 security and validity of the test. The department shall
12 provide such FCAT test items to the extent that sufficient
13 items are funded by the Legislature. However, this paragraph
14 does not apply to those provisions of the FCAT to which the
15 department does not hold the copyright.

16 (3)(2) NATIONAL EDUCATION COMPARISONS.--It is
17 Florida's intent to participate in the measurement of national
18 educational goals. The Commissioner of Education shall direct
19 Florida school districts to participate in the administration
20 of the National Assessment of Educational Progress, or a
21 similar national assessment program, both for the national
22 sample and for any state-by-state comparison programs which
23 may be initiated. Such assessments must be conducted using the
24 data collection procedures, the student surveys, the educator
25 surveys, and other instruments included in the National
26 Assessment of Educational Progress or similar program being
27 administered in Florida. The results of these assessments
28 shall be included in the annual report of the Commissioner of
29 Education specified in this section. The administration of the
30 National Assessment of Educational Progress or similar program
31

1 shall be in addition to and separate from the administration
2 of the statewide assessment program.

3 ~~(4)~~(3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner
4 shall design and implement a statewide program of educational
5 assessment that provides information for the improvement of
6 the operation and management of the public schools, including
7 schools operating for the purpose of providing educational
8 services to youth in Department of Juvenile Justice programs.
9 The commissioner may enter into contracts for the continued
10 administration of the assessment, testing, and evaluation
11 programs authorized and funded by the Legislature. Contracts
12 may be initiated in 1 fiscal year and continue into the next
13 and may be paid from the appropriations of either or both
14 fiscal years. The commissioner is authorized to negotiate for
15 the sale or lease of tests, scoring protocols, test scoring
16 services, and related materials developed pursuant to law.
17 Pursuant to the statewide assessment program, the commissioner
18 shall:

19 (a) Submit to the State Board of Education a list that
20 specifies student skills and competencies to which the goals
21 for education specified in the state plan apply, including,
22 but not limited to, reading, writing, science, and
23 mathematics. The skills and competencies must include
24 problem-solving and higher-order skills as appropriate and
25 shall be known as the Sunshine State Standards as defined in
26 s. 1000.21. The commissioner shall select such skills and
27 competencies after receiving recommendations from educators,
28 citizens, and members of the business community. The
29 commissioner shall submit to the State Board of Education
30 revisions to the list of student skills and competencies in
31

1 order to maintain continuous progress toward improvements in
2 student proficiency.

3 (b) Develop and implement a uniform system of
4 indicators to describe the performance of public school
5 students and the characteristics of the public school
6 districts and the public schools. These indicators must
7 include, without limitation, information gathered by the
8 comprehensive management information system created pursuant
9 to s. 1008.385 and student achievement information obtained
10 pursuant to this section.

11 (c) Develop and implement a student achievement
12 testing program known as the Florida Comprehensive Assessment
13 Test (FCAT) as part of the statewide assessment program, ~~to be~~
14 ~~administered annually in grades 3 through 10~~ to measure
15 reading, writing, science, and mathematics. Other content
16 areas may be included as directed by the commissioner. The
17 assessment of reading and math shall be administered annually
18 in grades 3 through 10. The assessment of writing and science
19 shall be administered at least once at the elementary school
20 level, at least once at the middle school level, and at least
21 once at the high school level. The testing program must be
22 designed so that:

23 1. The tests measure student skills and competencies
24 adopted by the State Board of Education as specified in
25 paragraph (a). The tests must measure and report student
26 proficiency levels in reading, writing, mathematics, and
27 science. The commissioner shall provide for the tests to be
28 developed or obtained, as appropriate, through contracts and
29 project agreements with private vendors, public vendors,
30 public agencies, postsecondary educational institutions, or
31 school districts. The commissioner shall obtain input with

1 respect to the design and implementation of the testing
2 program from state educators and the public.

3 2. The testing program will include a combination of
4 norm-referenced and criterion-referenced tests and include, to
5 the extent determined by the commissioner, questions that
6 require the student to produce information or perform tasks in
7 such a way that the skills and competencies he or she uses can
8 be measured.

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

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

17 5. Except as provided in s. 1003.43(11)(b), students
18 must earn a passing score on the grade 10 assessment test
19 described in this paragraph or on an alternate assessment as
20 described in subsection (9) in reading, writing, and
21 mathematics to qualify for a regular high school diploma. The
22 State Board of Education shall designate a passing score for
23 each part of the grade 10 assessment test. In establishing
24 passing scores, the state board shall consider any possible
25 negative impact of the test on minority students. ~~All students~~
26 ~~who took the grade 10 FCAT during the 2000-2001 school year~~
27 ~~shall be required to earn the passing scores in reading and~~
28 ~~mathematics established by the State Board of Education for~~
29 ~~the March 2001 test administration. Such students who did not~~
30 ~~earn the established passing scores and must repeat the grade~~
31 ~~10 FCAT are required to earn the passing scores established~~

1 ~~for the March 2001 test administration. All students who take~~
2 ~~the grade 10 FCAT for the first time in March 2002 shall be~~
3 ~~required to earn the passing scores in reading and mathematics~~
4 ~~established by the State Board of Education for the March 2002~~
5 ~~test administration.~~ The State Board of Education shall adopt
6 rules that ~~which~~ specify the passing scores for the grade 10
7 FCAT. Any such rules, which have the effect of raising the
8 required passing scores, shall ~~only~~ apply only to students
9 taking the grade 10 FCAT for the first time after such rules
10 are adopted by the State Board of Education.

11 6. Participation in the testing program is mandatory
12 for all students attending public school, including students
13 served in Department of Juvenile Justice programs, except as
14 otherwise prescribed by the commissioner. If a student does
15 not participate in the statewide assessment, the district must
16 notify the student's parent and provide the parent with
17 information regarding the implications of such
18 nonparticipation. If modifications are made in the student's
19 instruction to provide accommodations that would not be
20 permitted on the statewide assessment tests, the district must
21 notify the student's parent of the implications of such
22 instructional modifications. A parent must provide signed
23 consent for a student to receive instructional modifications
24 that would not be permitted on the statewide assessments and
25 must acknowledge in writing that he or she understands the
26 implications of such accommodations. The State Board of
27 Education shall adopt rules, based upon recommendations of the
28 commissioner, for the provision of test accommodations and
29 modifications of procedures as necessary for students in
30 exceptional education programs and for students who have
31

1 | limited English proficiency. Accommodations that negate the
2 | validity of a statewide assessment are not allowable.

3 | 7. A student seeking an adult high school diploma must
4 | meet the same testing requirements that a regular high school
5 | student must meet.

6 | 8. District school boards must provide instruction to
7 | prepare students to demonstrate proficiency in the skills and
8 | competencies necessary for successful grade-to-grade
9 | progression and high school graduation. If a student is
10 | provided with accommodations or modifications that are not
11 | allowable in the statewide assessment program, as described in
12 | the test manuals, the district must inform the parent in
13 | writing and must provide the parent with information regarding
14 | the impact on the student's ability to meet expected
15 | proficiency levels in reading, writing, and math. The
16 | commissioner shall conduct studies as necessary to verify that
17 | the required skills and competencies are part of the district
18 | instructional programs.

19 | 9. The Department of Education must develop, or
20 | select, and implement a common battery of assessment tools
21 | that will be used in all juvenile justice programs in the
22 | state. These tools must accurately measure the skills and
23 | competencies established in the Florida Sunshine State
24 | Standards.

25 |
26 | The commissioner may design and implement student testing
27 | programs, for any grade level and subject area, necessary to
28 | effectively monitor educational achievement in the state.

29 | (d) Conduct ongoing research to develop improved
30 | methods of assessing student performance, including, without
31 | limitation, the use of technology to administer tests, score,

1 or report the results of, the use of electronic transfer of
2 data, the development of work-product assessments, and the
3 development of process assessments.

4 (e) Conduct ongoing research into and analysis of
5 student achievement data, including, without limitation,
6 monitoring trends in student achievement by grade level and
7 overall student achievement, identifying school programs that
8 are successful, and analyzing correlates of school
9 achievement.

10 (f) Provide technical assistance to school districts
11 in the implementation of state and district testing programs
12 and the use of the data produced pursuant to such programs.

13 ~~(5)(4)~~ DISTRICT TESTING PROGRAMS.--Each district
14 school board shall periodically assess student performance and
15 achievement within each school of the district. The assessment
16 programs must be based upon local goals and objectives that
17 are compatible with the state plan for education and that
18 supplement the skills and competencies adopted by the State
19 Board of Education. All school districts must participate in
20 the statewide assessment program designed to measure annual
21 student learning and school performance. All district school
22 boards shall report assessment results as required by the
23 state management information system.

24 ~~(6)(5)~~ SCHOOL TESTING PROGRAMS.--Each public school
25 shall participate in the statewide assessment program, unless
26 specifically exempted by state board rule based on serving a
27 specialized population for which standardized testing is not
28 appropriate. Student performance data shall be analyzed and
29 reported to parents, the community, and the state. Student
30 performance data shall be used in developing objectives of the
31 school improvement plan, evaluation of instructional

1 personnel, evaluation of administrative personnel, assignment
2 of staff, allocation of resources, acquisition of
3 instructional materials and technology, performance-based
4 budgeting, and promotion and assignment of students into
5 educational programs. The analysis of student performance data
6 also must identify strengths and needs in the educational
7 program and trends over time. The analysis must be used in
8 conjunction with the budgetary planning processes developed
9 pursuant to s. 1008.385 and the development of the programs of
10 remediation.

11 ~~(7)(6)~~ REQUIRED ANALYSES.--The commissioner shall
12 provide, at a minimum, for the following analyses of data
13 produced by the student achievement testing program:

14 (a) The statistical system for the annual assessments
15 shall use measures of student learning, such as the FCAT, to
16 determine teacher, school, and school district statistical
17 distributions, which shall be determined using available data
18 from the FCAT, and other data collection as deemed appropriate
19 by the Department of Education, to measure the differences in
20 student prior year achievement compared to the current year
21 achievement for the purposes of accountability and
22 recognition.

23 (b) The statistical system shall provide the best
24 estimates of teacher, school, and school district effects on
25 student progress. The approach used by the department shall be
26 approved by the commissioner before implementation.

27 (c) The annual testing program shall be administered
28 to provide for valid statewide comparisons of learning gains
29 to be made for purposes of accountability and recognition. The
30 commissioner shall establish a schedule for the administration
31 of the statewide assessments. In establishing such schedule,

1 the commissioner is charged with the duty to accomplish the
2 latest possible administration of the statewide assessments
3 and the earliest possible provision of the results to the
4 school districts feasible within available technology and
5 specific appropriation. District school boards shall not
6 establish school calendars that jeopardize or limit the valid
7 testing and comparison of student learning gains.

8 (8)~~(7)~~ LOCAL ASSESSMENTS.--Measurement of the learning
9 gains of students in all subjects and grade levels other than
10 subjects and grade levels required for the state student
11 achievement testing program is the responsibility of the
12 school districts.

13 (9)~~(8)~~ APPLICABILITY OF TESTING STANDARDS.--A student
14 must meet the testing requirements for high school graduation
15 that were in effect at the time the student entered 9th grade,
16 provided the student's enrollment was continuous.

17 (10)~~(9)~~ EQUIVALENCIES FOR STANDARDIZED TESTS.--

18 (a) The Commissioner of Education shall approve the
19 use of the SAT and ACT tests as alternative assessments to the
20 grade 10 FCAT ~~for the 2003-2004 school year~~. Students who
21 attain scores on the SAT or ACT which equate to the passing
22 scores on the grade 10 FCAT for purposes of high school
23 graduation shall satisfy the assessment requirement for a
24 standard high school diploma as provided in s. 1003.429(6)(a)
25 or s. 1003.43(5)(a) ~~for the 2003-2004 school year~~ if the
26 students meet the requirement in paragraph (b).

27 (b) A student shall be required to take the grade 10
28 FCAT a total of three times without earning a passing score in
29 order to use the scores on an alternative assessment pursuant
30 to paragraph (a). This requirement shall not apply to a
31

1 student who is a new student to the public school system in
2 grade 12.

3 ~~(11)(10)~~ RULES.--The State Board of Education shall
4 adopt rules under ~~pursuant to~~ ss. 120.536(1) and 120.54 to
5 implement ~~the provisions of~~ this section.

6 Section 23. Subsection (8) of section 1008.25, Florida
7 Statutes, is amended, and subsection (11) is added to that
8 section, to read:

9 1008.25 Public school student progression; remedial
10 instruction; reporting requirements.--

11 (8) ANNUAL REPORT.--

12 (a) In addition to the requirements in paragraph
13 (5)(b), each district school board must annually report to the
14 parent of each student the progress of the student toward
15 achieving state and district expectations for proficiency in
16 reading, writing, science, and mathematics. The district
17 school board must report to the parent the student's results
18 on each statewide assessment test. The evaluation of each
19 student's progress must be based upon the student's classroom
20 work, observations, tests, district and state assessments, and
21 other relevant information. Progress reporting must be
22 provided to the parent in writing in a format adopted by the
23 district school board.

24 (b) ~~Beginning with the 2001-2002 school year,~~ Each
25 district school board must annually publish in the local
26 newspaper, and report in writing to the State Board of
27 Education by September 1 of each year, the following
28 information on the prior school year:

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

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

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

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

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

11 (c) The Department of Education shall establish a
12 uniform format in which school districts must report such
13 information. The department shall annually compile the
14 information required under subparagraphs (b)2., 3., and 4.,
15 along with state-level summary information, and shall report
16 the information to the Governor, the President of the Senate,
17 and the Speaker of the House of Representatives.

18 (11) REPORTS.--The Department of Education shall
19 annually provide to the Governor, the President of the Senate,
20 and the Speaker of the House of Representatives a report on:

21 (a) The longitudinal performance of students in math
22 and reading.

23 (b) The longitudinal performance of students by grade
24 level in math and reading.

25 (c) The longitudinal performance regarding efforts to
26 close the achievement gap.

27 (d) The longitudinal performance of students on the
28 norm-referenced component of the FCAT.

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

1 Section 24. Section 1008.31, Florida Statutes, is
2 amended to read:

3 1008.31 Florida's K-20 education performance
4 accountability system; legislative intent; public
5 accountability and reporting ~~performance based funding~~;
6 mission, goals, and systemwide measures.--

7 (1) LEGISLATIVE INTENT.--It is the intent of the
8 Legislature that:

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

13 1. What is the public receiving in return for funds it
14 invests in education?

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

17 3. How effectively are the major delivery sectors
18 promoting student achievement?

19 4. How are individual schools and postsecondary
20 education institutions performing their responsibility to
21 educate their students as measured by how students are
22 exhibiting ~~performing and~~ how much they are learning?

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

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

1 (d) The State Board of Education recommend to the
2 Legislature systemwide performance standards; the Legislature
3 establish systemwide performance measures and standards; and
4 the systemwide measures and standards provide Floridians with
5 information on what the public is receiving in return for the
6 funds it invests in education and how well the K-20 system
7 educates its students.

8 (e) The State Board of Education establish performance
9 measures and set performance standards for individual
10 components of the public education system, including
11 individual schools and community colleges ~~postsecondary~~
12 ~~educational institutions~~, with measures and standards based
13 primarily on student achievement.

14 (f) The Board of Governors establish performance
15 measures and set performance standards for state universities,
16 with measures and standards based primarily on student access
17 and achievement. Measures should encourage the seamless
18 transition of students from one educational level to the next
19 and be consistent with other educational accountability
20 measures.

21 ~~(2) PERFORMANCE BASED FUNDING.—~~

22 ~~(a) The State Board of Education shall cooperate with~~
23 ~~each delivery system to develop proposals for~~
24 ~~performance based funding, using performance measures adopted~~
25 ~~pursuant to this section.~~

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

30 ~~(c) The State Board of Education shall adopt~~
31 ~~guidelines required to implement performance based funding~~

1 ~~that allow 1 year to demonstrate achievement of specified~~
2 ~~performance standards prior to a reduction in appropriations~~
3 ~~pursuant to this section.~~

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

7 ~~1. Use the state core measures and the sector specific~~
8 ~~measures to evaluate the progress of each sector of the~~
9 ~~educational delivery system toward meeting the systemwide~~
10 ~~goals for public education.~~

11 ~~2. Notify the sectors of their progress in achieving~~
12 ~~the specified measures so that they may develop improvement~~
13 ~~plans that directly influence decisions about policy, program~~
14 ~~development, and management.~~

15 ~~3. Implement the performance based budgeting system~~
16 ~~described in this section.~~

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

20 ~~(f) By December 1, 2004, the Department of Education~~
21 ~~shall recommend to the Legislature a formula for~~
22 ~~performance based funding that applies accountability~~
23 ~~standards for the individual components of the public~~
24 ~~education system at every level, kindergarten through graduate~~
25 ~~school. Effective for the 2004-2005 fiscal year and~~
26 ~~thereafter, subject to annual legislative approval in the~~
27 ~~General Appropriations Act, performance based funds shall be~~
28 ~~allocated based on the progress, rewards, and sanctions~~
29 ~~established pursuant to this section.~~

30 ~~(2)(3)~~ MISSION, GOALS, AND SYSTEMWIDE MEASURES.--
31

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

7 (b) ~~The State Board of Education shall adopt~~ guiding
8 principles for establishing state and sector-specific
9 standards and measures must assure that the process is:-

- 10 1. Focused on student success;
11 2. Actionable, in that an educational entity can
12 affect the outcomes through policy and program changes;
13 3. High-quality and efficient;
14 4. Measurable over time;
15 5. Simple to explain and display to the public; and
16 6. Aligned with other measures and other sectors to
17 support a coordinated K-20 education system.

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

21 1. Highest student achievement, as indicated by
22 evidence of student learning gains at all levels ~~measured by:-~~
23 ~~student FCAT performance and annual learning gains; the number~~
24 ~~and percentage of schools that improve at least one school~~
25 ~~performance grade designation or maintain a school performance~~
26 ~~grade designation of "A" pursuant to s. 1008.34; graduation or~~
27 ~~completion rates at all learning levels; and other measures~~
28 ~~identified in law or rule.~~

29 2. Seamless articulation and maximum access, as
30 measured by evidence of progression and readiness and evidence
31 of access by targeted groups of students identified by the

1 ~~commissioner; the percentage of students who demonstrate~~
2 ~~readiness for the educational level they are entering, from~~
3 ~~kindergarten through postsecondary education and into the~~
4 ~~workforce; the number and percentage of students needing~~
5 ~~remediation; the percentage of Floridians who complete~~
6 ~~associate, baccalaureate, graduate, professional, and~~
7 ~~postgraduate degrees; the number and percentage of credits~~
8 ~~that articulate; the extent to which each set of exit point~~
9 ~~requirements matches the next set of entrance point~~
10 ~~requirements; the degree to which underserved populations~~
11 ~~access educational opportunity; the extent to which access is~~
12 ~~provided through innovative educational delivery strategies;~~
13 ~~and other measures identified in law or rule.~~

14 3. Skilled workforce and economic development, as
15 measured by evidence of employment and earnings; ~~the number~~
16 ~~and percentage of graduates employed in their areas of~~
17 ~~preparation; the percentage of Floridians with high school~~
18 ~~diplomas and postsecondary education credentials; the~~
19 ~~percentage of business and community members who find that~~
20 ~~Florida's graduates possess the skills they need; national~~
21 ~~rankings; and other measures identified in law or rule.~~

22 4. Quality efficient services, as measured by evidence
23 of return on investment; ~~cost per completer or graduate;~~
24 ~~average cost per noncompleter at each educational level; cost~~
25 ~~disparity across institutions offering the same degrees; the~~
26 ~~percentage of education customers at each educational level~~
27 ~~who are satisfied with the education provided; and other~~
28 ~~measures identified in law or rule.~~

29 ~~(3)(4)~~ K-20 EDUCATION DATA QUALITY IMPROVEMENT.--To
30 provide data required to implement education performance
31 accountability measures in state and federal law, the

1 commissioner shall initiate and maintain strategies to improve
2 data quality and timeliness.

3 (a) ~~SYSTEMWIDE DATA COLLECTION.~~ School districts and
4 public postsecondary educational institutions shall maintain
5 information systems that will provide the State Board of
6 Education, the Board of Governors, and the Legislature with
7 information and reports necessary to address the
8 specifications of the accountability system. ~~The State Board~~
9 ~~of Education shall determine the standards for the required~~
10 ~~data.~~ The level of comprehensiveness and quality shall be no
11 less than that which was available as of June 30, 2001.

12 (b) The Commissioner of Education shall determine the
13 standards for the required data, monitor data quality, and
14 measure improvements. The commissioner shall report annually
15 to the Legislature, the State Board of Education, and the
16 Board of Governors data quality indicators and ratings for all
17 public postsecondary education institutions and school
18 districts.

19 (4) RULES.--The State Board of Education shall adopt
20 rules under ss. 120.536(1) and 120.54 to implement this
21 section.

22 Section 25. Section 1008.33, Florida Statutes, is
23 amended to read:

24 1008.33 Authority to enforce public school
25 improvement.--It is the intent of the Legislature that all
26 public schools be held accountable for students performing at
27 acceptable levels. A system of school improvement and
28 accountability that assesses student performance by school,
29 identifies schools in which students are not making adequate
30 progress toward state standards, institutes appropriate
31 measures for enforcing improvement, and provides rewards and

1 sanctions based on performance shall be the responsibility of
2 the State Board of Education.

3 (1) Pursuant to Art. IX of the State Constitution
4 prescribing the duty of the State Board of Education to
5 supervise Florida's public school system and notwithstanding
6 any other statutory provisions to the contrary, the State
7 Board of Education shall intervene in the operation of a
8 district school system when one or more schools in the school
9 district have failed to make adequate progress for 2 school
10 years in a 4-year period. For purposes of determining when a
11 school is eligible for state board action and opportunity
12 scholarships for its students, the terms "2 years in any
13 4-year period" and "2 years in a 4-year period" mean that in
14 any year that a school has a grade of "F," the school is
15 eligible for state board action and opportunity scholarships
16 for its students if it also has had a grade of "F" in any of
17 the previous 3 school years. The State Board of Education may
18 determine that the school district or school has not taken
19 steps sufficient for students in the school to be academically
20 well served. Considering recommendations of the Commissioner
21 of Education, the State Board of Education shall recommend
22 action to a district school board intended to improve
23 educational services to students in each school that is
24 designated with a grade of ~~as performance grade category~~ "F."
25 Recommendations for actions to be taken in the school district
26 shall be made only after thorough consideration of the unique
27 characteristics of a school, which shall include student
28 mobility rates, the number and type of exceptional students
29 enrolled in the school, and the availability of options for
30 improved educational services. The state board shall adopt by
31 rule steps to follow in this process. Such steps shall

1 provide school districts sufficient time to improve student
2 performance in schools and the opportunity to present evidence
3 of assistance and interventions that the district school board
4 has implemented.

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

10 (a) Provide additional resources, change certain
11 practices, and provide additional assistance if the state
12 board determines the causes of inadequate progress to be
13 related to school district policy or practice;

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

16 (c) Contract for the educational services of the
17 school, or reorganize the school at the end of the school year
18 under a new school principal who is authorized to hire new
19 staff and implement a plan that addresses the causes of
20 inadequate progress;

21 (d) Transfer high-quality teachers, faculty, and staff
22 to improve the performance of students in any low-performing
23 school;

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

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

28 (3) In recommending actions to district school boards,
29 the State Board of Education shall specify the length of time
30 available to implement the recommended action. The State
31 Board of Education may adopt rules to further specify how it

1 may respond in specific circumstances. ~~No~~ Action taken by the
2 State Board of Education does not ~~shall~~ relieve a school from
3 state accountability requirements.

4 (4) The State Board of Education may require the
5 Department of Education or Chief Financial Officer to withhold
6 any transfer of state funds to the school district if, within
7 the timeframe specified in state board action, the school
8 district has failed to comply with the action ordered to
9 improve the district's low-performing schools. ~~Withholding~~ The
10 transfer of funds may be withheld ~~shall occur~~ only after all
11 other recommended actions for school improvement have failed
12 to improve performance. The State Board of Education may
13 impose the same penalty on any district school board that
14 fails to develop and implement a plan for assistance and
15 intervention for low-performing schools as specified in s.
16 1001.42(16)(c).

17 Section 26. Section 1008.34, Florida Statutes, is
18 amended to read:

19 1008.34 School grading system; school report cards;
20 district performance grade.--

21 (1) ANNUAL REPORTS.--The Commissioner of Education
22 shall prepare annual reports of the results of the statewide
23 assessment program which describe student achievement in the
24 state, each district, and each school. The commissioner shall
25 prescribe the design and content of these reports, which must
26 include, without limitation, descriptions of the performance
27 of all schools participating in the assessment program and all
28 of their major student populations as determined by the
29 Commissioner of Education, and must also include the median
30 scores of all eligible students who scored at or in the lowest
31 25th percentile of the state in the previous school year;

1 ~~provided,~~ however, ~~that~~ the provisions of s. 1002.22
2 pertaining to student records apply to this section.

3 (2) SCHOOL GRADES ~~PERFORMANCE GRADE CATEGORIES~~.--The
4 annual report shall identify schools as having one of the
5 following grades ~~being in one of the following grade~~
6 ~~categories~~ defined according to rules of the State Board of
7 Education:

8 (a) "A," schools making excellent progress.

9 (b) "B," schools making above average progress.

10 (c) "C," schools making satisfactory progress.

11 (d) "D," schools making less than satisfactory
12 progress.

13 (e) "F," schools failing to make adequate progress.

14

15 Each school designated with a grade of ~~in performance grade~~
16 ~~category~~ "A," making excellent progress, or having improved at
17 least two grade levels ~~performance grade categories~~, shall
18 have greater authority over the allocation of the school's
19 total budget generated from the FEFP, state categoricals,
20 lottery funds, grants, and local funds, as specified in state
21 board rule. The rule must provide that the increased budget
22 authority shall remain in effect until the school's
23 performance grade declines.

24 (3) DESIGNATION OF SCHOOL GRADES ~~PERFORMANCE GRADE~~
25 ~~CATEGORIES~~.--School grades ~~performance grade category~~
26 ~~designations~~ itemized in subsection (2) shall be based on the
27 following:

28 (a) Criteria Timeframes.--

29 1. ~~School performance grade category designations~~
30 ~~shall be based on the school's current year performance and~~
31 ~~the school's annual learning gains.~~

1 2. A school's grade ~~performance grade category~~
2 ~~designation~~ shall be based on a combination of:

3 1. Student achievement scores;~~;~~

4 2. Student learning gains as measured by annual FCAT
5 assessments in grades 3 through 10;~~;~~ and

6 3. Improvement of the lowest 25th percentile of
7 students in the school in reading, ~~math, or writing~~ on the
8 FCAT, unless these students are exhibiting ~~performing~~ above
9 satisfactory performance.

10 **(b)** Schools to be graded.--All schools shall receive a
11 school grade except those alternative schools that receive a
12 school improvement rating pursuant to s. 1008.341. Alternative
13 schools may choose to receive a school grade pursuant to the
14 provisions of this section in lieu of a school improvement
15 rating described in s. 1008.341.

16 **(c)**~~(b)~~ Student assessment data.--Student assessment
17 data used in determining school grades ~~performance grade~~
18 ~~categories~~ shall include:

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

21 2. The aggregate scores of all eligible students
22 enrolled in the school who have been assessed on the FCAT,
23 including Florida Writes, and who have scored at or in the
24 lowest 25th percentile of students in the school in reading,
25 math, or writing, unless these students are exhibiting
26 ~~performing~~ above satisfactory performance.

27 3. The achievement scores and learning gains of
28 eligible students attending alternative schools that provide
29 dropout prevention and academic intervention services pursuant
30 to s. 1003.53. The term "eligible students" as used in this
31 subparagraph does not include students attending an

1 alternative school who are subject to district school board
2 policies for expulsion for repeated or serious offenses, who
3 are in dropout retrieval programs serving students who have
4 officially been designated as dropouts, and who are in the
5 programs operated or contracted by the Department of Juvenile
6 Justice. The student performance data for eligible students
7 identified in this subparagraph shall be included in
8 calculating the originating school's grade. For purposes of
9 this section and s. 1008.341, the term "originating school"
10 means the school that the student was attending when assigned
11 to an alternative school. If an alternative school chooses to
12 be graded pursuant to this section, student performance data
13 for eligible students identified in this subparagraph may not
14 be included in the originating school's grade, but shall be
15 included only in the calculation of the alternative school's
16 grade. School districts must ensure collaboration between the
17 originating school and the alternative school in order to
18 promote student success.

19
20 ~~The Department of Education shall study the effects of~~
21 ~~mobility on the performance of highly mobile students and~~
22 ~~recommend programs to improve the performance of such~~
23 ~~students.~~ The State Board of Education shall adopt appropriate
24 criteria for each school grade ~~performance grade category~~. The
25 criteria must also give added weight to student achievement in
26 reading. Schools designated with a grade of ~~as performance~~
27 ~~grade category~~ "C," making satisfactory progress, shall be
28 required to demonstrate that adequate progress has been made
29 by students in the school who are in the lowest 25th
30 percentile in reading, math, or writing on the FCAT, including
31

1 Florida Writes, unless these students are exhibiting
2 ~~performing~~ above satisfactory performance.

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

10 (5) SCHOOL REPORT CARD.--The Department of Education
11 shall annually develop in collaboration with the school
12 districts a school report card to be delivered to parents
13 throughout each school district. The report card must include
14 the school's grade, information regarding school improvement,
15 an explanation of school performance as evaluated by the
16 federal No Child Left Behind Act, and indicators of return on
17 investment. ~~PERFORMANCE GRADE CATEGORY AND IMPROVEMENT RATING~~
18 ~~REPORTS. School performance grade category designations and~~
19 ~~improvement ratings shall apply to each school's performance~~
20 ~~for the year in which performance is measured. Each school's~~
21 report card designation and rating shall be published annually
22 by the Department of Education on the department's website,
23 and the school district shall provide the report card to each
24 parent. ~~Parents shall be entitled to an easy to read report~~
25 ~~card about the designation and rating of the school in which~~
26 ~~their child is enrolled.~~

27 ~~(6) RULES. The State Board of Education shall adopt~~
28 ~~rules pursuant to ss. 120.536(1) and 120.54 to implement the~~
29 ~~provisions of this section.~~

30 ~~(6)(7)~~ PERFORMANCE-BASED FUNDING.--The Legislature may
31 factor in the performance of schools in calculating any

1 performance-based funding policy that is provided for annually
2 in the General Appropriations Act.

3 ~~(7)(8)~~ DISTRICT PERFORMANCE GRADE.--The annual report
4 required by subsection (1) shall include district performance
5 grades, which shall consist of weighted district average
6 grades, by level, for all elementary schools, middle schools,
7 and high schools in the district. A district's weighted
8 average grade shall be calculated by weighting individual
9 school grades determined pursuant to subsection (2) by school
10 enrollment.

11 (8) The State Board of Education shall adopt rules
12 under ss. 120.536(1) and 120.54 to administer this section.

13 Section 27. Section 1008.341, Florida Statutes, is
14 created to read:

15 1008.341 School improvement rating for alternative
16 schools.--

17 (1) ANNUAL REPORTS.--The Commissioner of Education
18 shall prepare an annual report on the performance of each
19 school receiving a school improvement rating pursuant to this
20 section if the provisions of s. 1002.22 pertaining to student
21 records apply.

22 (2) SCHOOL IMPROVEMENT RATING.--Alternative schools
23 that provide dropout prevention and academic intervention
24 services pursuant to s. 1003.53 may not receive a school grade
25 as described in s. 1008.34, but shall receive a school
26 improvement rating pursuant to this section. The school
27 improvement rating shall identify schools as having one of the
28 following ratings defined according to rules of the State
29 Board of Education:

1 (a) "Improving" schools with students making more
2 academic progress than when the students were served in their
3 home school.

4 (b) "Maintaining" schools with students making the
5 equivalent progress as when the students were served in their
6 home school.

7 (c) "Declining" schools with students making less
8 academic progress than when the students were served in their
9 home school.

10
11 The school improvement rating shall be based on a comparison
12 of the current year's and previous year's students and school
13 performance data. Schools that improve at least one level
14 pursuant to this section are eligible for school recognition
15 awards pursuant to s. 1008.36.

16 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.--Student
17 assessment data used in determining an alternative school's
18 school improvement rating shall include:

19 (a) The aggregate scores of all eligible students who
20 were assigned to and enrolled in the school during the October
21 or February FTE counts, who have been assessed on the FCAT,
22 and who have FCAT or comparable scores for the preceding
23 school year.

24 (b) The aggregate scores of all eligible students who
25 were assigned to and enrolled in the school during the October
26 or February FTE counts, who have been assessed on the FCAT,
27 including Florida Writes, and who have scored at or in the
28 lowest 25th percentile of students in the state on FCAT
29 Reading.

1 The scores of students who are subject to district school
2 board policies for expulsion for repeated or serious offenses,
3 who are in dropout retrieval programs serving students who
4 have officially been designated as dropouts, and who are in
5 programs operated and contracted by the Department of Juvenile
6 Justice may not be included in an alternative school's
7 improvement rating.

8 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.--For all
9 alternative schools receiving a school improvement rating, the
10 Department of Education shall annually identify the percent of
11 students making learning gains as compared to the percent of
12 the same students making learning gains at their originating
13 school in the year before being assigned to the alternative
14 school.

15 (5) SCHOOL REPORT CARD.--The Department of Education
16 shall annually develop, in collaboration with the school
17 districts, a school report card for alternative schools to be
18 delivered to parents through each school district. The report
19 card shall include the school improvement rating,
20 identification of student learning gains, information
21 regarding school improvement, an explanation of school
22 performance as evaluated by the federal No Child Left Behind
23 Act of 2001, and indicators of return on investment.

24 (6) RULES.--The State Board of Education shall adopt
25 rules pursuant to ss. 120.536(1) and 120.54 to administer the
26 provisions of this section.

27 Section 28. Section 1008.36, Florida Statutes, is
28 amended to read:

29 1008.36 Florida School Recognition Program.--

30 (1) The Legislature finds that there is a need for a
31 performance incentive program for outstanding faculty and

1 staff in highly productive schools. The Legislature further
2 finds that performance-based incentives are commonplace in the
3 private sector and should be infused into the public sector as
4 a reward for productivity.

5 (2) The Florida School Recognition Program is created
6 to provide financial awards to public schools that:

7 (a) Sustain high performance by receiving a school
8 grade of "A," making excellent progress; or

9 (b) Demonstrate exemplary improvement due to
10 innovation and effort by improving a letter grade.

11 (3) All public schools, including charter schools,
12 that receive a school grade pursuant to s. 1008.34 are
13 eligible to participate in the program. For purposes of this
14 section, a school serving any combination of kindergarten
15 through grade 3 students which does not receive a school grade
16 under s. 1008.34 shall be assigned the school performance
17 grade of the feeder pattern school designated by the
18 Department of Education and verified by the school district
19 and shall be eligible to participate in the program based upon
20 that feeder. A feeder school pattern is defined where at least
21 60 percent of the students in the school or schools servicing
22 a combination of kindergarten through grade 3 students are
23 scheduled to be assigned to the school receiving the school
24 grade. In addition, the feeder pattern school shall be subject
25 to the Opportunity Scholarship Program as defined in s.
26 1002.38.

27 (4) All selected schools shall receive financial
28 awards depending on the availability of funds appropriated and
29 the number and size of schools selected to receive an award.
30 Funds must be distributed to the school's fiscal agent and
31 placed in the school's account and must be used for purposes

1 | listed in subsection (5) as determined ~~jointly~~ by the school's
2 | ~~staff and school advisory council. If school staff and the~~
3 | ~~school advisory council cannot reach agreement by November 1,~~
4 | ~~the awards must be equally distributed to all classroom~~
5 | ~~teachers currently teaching in the school.~~

6 | (5) School recognition awards must be used for the
7 | following:

8 | (a) Nonrecurring bonuses to the faculty and staff who
9 | presently are employed at the school or who were employed at
10 | the school during the year of improved performance;

11 | (b) Nonrecurring expenditures for educational
12 | equipment or materials to assist in maintaining and improving
13 | student performance; or

14 | (c) Temporary personnel for the school to assist in
15 | maintaining and improving student performance.

16 |
17 | Notwithstanding statutory provisions to the contrary,
18 | incentive awards are not subject to collective bargaining.

19 | Section 29. Paragraph (f) of subsection (1),
20 | paragraphs (a) and (b) of subsection (4), and subsection (8)
21 | of section 1011.62, Florida Statutes, are amended, present
22 | paragraphs (o) through (r) of subsection (1) are redesignated
23 | as paragraphs (p) through (s), respectively and a new
24 | paragraph (o) is added to subsection (1), and present
25 | subsection (9) of that section is redesignated as subsection
26 | (10), and a new subsection (9) is added to that section, to
27 | read:

28 | 1011.62 Funds for operation of schools.--If the annual
29 | allocation from the Florida Education Finance Program to each
30 | district for operation of schools is not determined in the
31 | annual appropriations act or the substantive bill implementing

1 | the annual appropriations act, it shall be determined as
2 | follows:

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

7 | (f) Supplemental academic instruction; categorical
8 | fund.--

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

13 | 2. Categorical funds for supplemental academic
14 | instruction shall be allocated annually to each school
15 | district in the amount provided in the General Appropriations
16 | Act. These funds shall be in addition to the funds
17 | appropriated on the basis of FTE student membership in the
18 | Florida Education Finance Program and shall be included in the
19 | total potential funds of each district. These funds shall be
20 | used to provide supplemental academic instruction to students
21 | enrolled in the K-12 program. Supplemental instruction
22 | strategies may include, but are not limited to: modified
23 | curriculum, reading instruction, after-school instruction,
24 | tutoring, mentoring, class size reduction, extended school
25 | year, intensive skills development in summer school, and other
26 | methods for improving student achievement. Supplemental
27 | instruction may be provided to a student in any manner and at
28 | any time during or beyond the regular 180-day term identified
29 | by the school as being the most effective and efficient way to
30 | best help that student progress from grade to grade and to
31 | graduate.

1 3. Effective with the 1999-2000 fiscal year, funding
2 on the basis of FTE membership beyond the 180-day regular term
3 shall be provided in the FEFP only for students enrolled in
4 juvenile justice education programs or in an education program
5 for juveniles under s. 985.223. Funding for instruction beyond
6 the regular 180-day school year for all other K-12 students
7 shall be provided through the supplemental academic
8 instruction categorical fund and other state, federal, and
9 local fund sources with ample flexibility for schools to
10 provide supplemental instruction to assist students in
11 progressing from grade to grade and graduating.

12 4. The Florida State University School, as a lab
13 school, is authorized to expend from its FEFP or Lottery
14 Enhancement Trust Fund allocation the cost to the student of
15 remediation in reading, writing, or mathematics for any
16 graduate who requires remediation at a postsecondary
17 educational institution.

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

22 (o) Calculation of additional full-time equivalent
23 membership for the Florida Virtual School.--The total reported
24 full-time equivalent student membership shall be multiplied by
25 0.118, and the value shall be added to the total full-time
26 equivalent student membership.

27 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL
28 EFFORT.--The Legislature shall prescribe the aggregate
29 required local effort for all school districts collectively as
30 an item in the General Appropriations Act for each fiscal
31 year. The amount that each district shall provide annually

1 toward the cost of the Florida Education Finance Program for
2 kindergarten through grade 12 programs shall be calculated as
3 follows:

4 (a) Estimated taxable value calculations.--

5 1.a. Not later than 2 working days prior to July 19,
6 the Department of Revenue shall certify to the Commissioner of
7 Education its most recent estimate of the taxable value for
8 school purposes in each school district and the total for all
9 school districts in the state for the current calendar year
10 based on the latest available data obtained from the local
11 property appraisers. Not later than July 19, the Commissioner
12 of Education shall compute a millage rate, rounded to the next
13 highest one one-thousandth of a mill, which, when applied to
14 95 percent of the estimated state total taxable value for
15 school purposes, would generate the prescribed aggregate
16 required local effort for that year for all districts. The
17 Commissioner of Education shall certify to each district
18 school board the millage rate, computed as prescribed in this
19 subparagraph, as the minimum millage rate necessary to provide
20 the district required local effort for that year.

21 b. The General Appropriations Act shall direct the
22 computation of the statewide adjusted aggregate amount for
23 required local effort for all school districts collectively
24 from ad valorem taxes to ensure that no school district's
25 revenue from required local effort millage will produce more
26 than 90 percent of the district's total Florida Education
27 Finance Program calculation, and the adjustment of the
28 required local effort millage rate of each district that
29 produces more than 90 percent of its total Florida Education
30 Finance Program entitlement to a level that will produce only
31

1 90 percent of its total Florida Education Finance Program
2 entitlement in the July calculation.

3 2. As revised data are received from property
4 appraisers, the Department of Revenue shall amend the
5 certification of the estimate of the taxable value for school
6 purposes. The Commissioner of Education, in administering the
7 provisions of subparagraph (10)(a)2. ~~subparagraph (9)(a)2.~~,
8 shall use the most recent taxable value for the appropriate
9 year.

10 (b) Final calculation.--

11 1. The Department of Revenue shall, upon receipt of
12 the official final assessed value of property from each of the
13 property appraisers, certify to the Commissioner of Education
14 the taxable value total for school purposes in each school
15 district, subject to the provisions of paragraph (d). The
16 commissioner shall use the official final taxable value for
17 school purposes for each school district in the final
18 calculation of the annual Florida Education Finance Program
19 allocations.

20 2. For the purposes of this paragraph, the official
21 final taxable value for school purposes shall be the taxable
22 value for school purposes on which the tax bills are computed
23 and mailed to the taxpayers, adjusted to reflect final
24 administrative actions of value adjustment boards and judicial
25 decisions pursuant to part I of chapter 194. By September 1 of
26 each year, the Department of Revenue shall certify to the
27 commissioner the official prior year final taxable value for
28 school purposes. For each county that has not submitted a
29 revised tax roll reflecting final value adjustment board
30 actions and final judicial decisions, the Department of
31 Revenue shall certify the most recent revision of the official

1 taxable value for school purposes. The certified value shall
2 be the final taxable value for school purposes, and no further
3 adjustments shall be made, except those made pursuant to
4 subparagraph (10)(a)2 ~~subparagraph (9)(a)2~~.

5 (8) QUALITY ASSURANCE GUARANTEE.--The Legislature may
6 annually in the General Appropriations Act determine a
7 percentage increase in funds per K-12 unweighted FTE as a
8 minimum guarantee to each school district. The guarantee shall
9 be calculated from prior year base funding per unweighted FTE
10 student which shall include the adjusted FTE dollars as
11 provided in subsection ~~(10)(9)~~, quality guarantee funds, and
12 actual nonvoted discretionary local effort from taxes. From
13 the base funding per unweighted FTE, the increase shall be
14 calculated for the current year. The current year funds from
15 which the guarantee shall be determined shall include the
16 adjusted FTE dollars as provided in subsection ~~(10)(9)~~ and
17 potential nonvoted discretionary local effort from taxes. A
18 comparison of current year funds per unweighted FTE to prior
19 year funds per unweighted FTE shall be computed. For those
20 school districts which have less than the legislatively
21 assigned percentage increase, funds shall be provided to
22 guarantee the assigned percentage increase in funds per
23 unweighted FTE student. Should appropriated funds be less than
24 the sum of this calculated amount for all districts, the
25 commissioner shall prorate each district's allocation. This
26 provision shall be implemented to the extent specifically
27 funded.

28 (9) RESEARCH-BASED READING-INSTRUCTION ALLOCATION.--

29 (a) There is created the Research-Based
30 Reading-Instruction Allocation to provide comprehensive
31

1 reading instruction to students in kindergarten through grade
2 12.

3 (b) Funds for comprehensive, research-based reading
4 instruction shall be allocated annually to each school
5 district in the amount provided in the General Appropriations
6 Act. Each school district may be allocated a minimum amount as
7 specified in the General Appropriations Act with the balance
8 of funds being allocated by prorating on each district's share
9 of Florida Education Finance Program base funding.

10 (c) Funds allocated under this subsection must be used
11 to provide a system of comprehensive reading instruction to
12 students enrolled in K-12 programs, which may include the
13 provision of:

14 1. Highly qualified reading coaches;

15 2. Professional development for district teachers in
16 scientifically based reading instruction;

17 3. Summer reading camps for students who score at
18 Level 1 on the FCAT;

19 4. Supplemental instructional materials that are
20 grounded in scientifically based reading research; and

21 5. Intensive interventions for middle-school and
22 secondary-school students who are reading below grade level.

23 (d) Annually, by a date determined by the Department
24 of Education but before May 1, school districts shall submit a
25 plan for the specific use of the research-based reading
26 instruction allocation in the format prescribed by the
27 department for review and approval by the Just Read, Florida!
28 Office created pursuant to s. 1001.215. The plan annually
29 submitted by school districts shall be deemed approved unless
30 the department rejects the plan on or before June 1. If a
31 school district and the Just Read, Florida! Office cannot

1 agree on the contents of the plan, the school district may
2 appeal to the State Board of Education. The plan format shall
3 be developed with input from school district personnel,
4 including teachers and principals, and shall allow courses in
5 core, career, and alternative programs that deliver intensive
6 reading remediation through integrated curricula. No later
7 than July 1 annually, the department shall release the school
8 district's allocation of appropriated funds to those districts
9 with approved plans. A school district that spends 100
10 percent of this allocation on its approved plan shall be
11 deemed to have been in compliance with the plan. The
12 department may withhold funds upon a determination that
13 reading instruction allocation funds are not being used to
14 implement the approved plan.

15 Section 30. Paragraph (b) of subsection (2) of section
16 1011.685, Florida Statutes, is amended to read:

17 1011.685 Class size reduction; operating categorical
18 fund.--

19 (2) Class size reduction operating categorical funds
20 shall be used by school districts for the following:

21 (b) For any lawful operating expenditure, if the
22 district has met the constitutional maximums identified in s.
23 1003.03(1) or the reduction of two students per year required
24 by s. 1003.03(2); however, priority shall be given to increase
25 salaries of classroom teachers as defined in s. 1012.01(2)(a)
26 and to implement the differentiated-pay provisions detailed in
27 s. 1012.22 ~~salary career ladder defined in s. 1012.231.~~

28 Section 31. Subsection (1) of section 1011.71, Florida
29 Statutes, is amended to read:

30 1011.71 District school tax.--

31

1 (1) If the district school tax is not provided in the
2 General Appropriations Act or the substantive bill
3 implementing the General Appropriations Act, each district
4 school board desiring to participate in the state allocation
5 of funds for current operation as prescribed by s. 1011.62(10)
6 ~~s. 1011.62(9)~~ shall levy on the taxable value for school
7 purposes of the district, exclusive of millage voted under the
8 provisions of s. 9(b) or s. 12, Art. VII of the State
9 Constitution, a millage rate not to exceed the amount
10 certified by the commissioner as the minimum millage rate
11 necessary to provide the district required local effort for
12 the current year, pursuant to s. 1011.62(4)(a)1. In addition
13 to the required local effort millage levy, each district
14 school board may levy a nonvoted current operating
15 discretionary millage. The Legislature shall prescribe
16 annually in the appropriations act the maximum amount of
17 millage a district may levy. The millage rate prescribed shall
18 exceed zero mills but shall not exceed the lesser of 1.6 mills
19 or 25 percent of the millage which is required pursuant to s.
20 1011.62(4), exclusive of millage levied pursuant to subsection
21 (2).

22 Section 32. Section 1011.6855, Florida Statutes, is
23 created to read:

24 1011.6855 Minimum instructional personnel salary and
25 class size reduction; operating categorical fund.--

26 (1) Effective upon the passage of an amendment to s.
27 1, Art. IX of the State Constitution to create district
28 average maximum class sizes, there is created an operating
29 categorical fund for implementing the average maximum class
30 sizes and implementing the provisions of this section relating
31 to instructional personnel salary.

1 (2) The funds appropriated to the operating
2 categorical fund created under subsection (1) shall be used to
3 provide:

4 (a) Minimum salary of \$35,000 or more as specified by
5 the General Appropriations Act for all full-time, certified
6 instructional personnel identified in s. 1012.01(2)(a)-(d).

7 (b) Elevation funds of at least \$2,000 or as specified
8 in the General Appropriations Act to increase the salary of
9 all full-time, certified instructional personnel identified in
10 s. 1012.01(2)(a)-(d) to a level at or above the minimum
11 salary.

12 (3) After the obligations set forth in paragraphs
13 (2)(a) and (b) have been met, the remaining funds must be used
14 to reduce the district average class size until it meets the
15 requirements specified in the State Constitution.

16 Section 33. Subsection (6) is added to section
17 1012.21, Florida Statutes, to read:

18 1012.21 Department of Education duties; K-12
19 personnel.--

20 (6) REPORTING.--The Department of Education shall
21 annually post on-line the collective bargaining contracts of
22 each school district in the state which the department has
23 received under s. 1012.22.

24 Section 34. Paragraph (c) of subsection (1) of section
25 1012.22, Florida Statutes, is amended read:

26 1012.22 Public school personnel; powers and duties of
27 the district school board.--The district school board shall:

28 (1) Designate positions to be filled, prescribe
29 qualifications for those positions, and provide for the
30 appointment, compensation, promotion, suspension, and
31

1 dismissal of employees as follows, subject to the requirements
2 of this chapter:

3 (c) Compensation and salary schedules.--

4 1. The district school board shall adopt a salary
5 schedule or salary schedules designed to furnish incentives
6 for improvement in training and for continued efficient
7 service to be used as a basis for paying all school employees
8 and fix and authorize the compensation of school employees on
9 the basis thereof.

10 2. A district school board, in determining the salary
11 schedule for instructional personnel, must base a portion of
12 each employee's compensation on performance demonstrated under
13 s. 1012.34, must consider the prior teaching experience of a
14 person who has been designated state teacher of the year by
15 any state in the United States, and must consider prior
16 professional experience in the field of education gained in
17 positions in addition to district level instructional and
18 administrative positions.

19 3. In developing the salary schedule, the district
20 school board shall seek input from parents, teachers, and
21 representatives of the business community.

22 4.a. ~~Beginning with the 2002-2003 fiscal year,~~ Each
23 district school board must adopt a performance-pay policy for
24 school administrators and instructional personnel. The
25 district's performance-pay policy is subject to negotiation as
26 provided in chapter 447; however, the adopted salary schedule
27 must allow school administrators and instructional personnel
28 who demonstrate outstanding performance, as measured under s.
29 1012.34, to earn a 5-percent supplement in addition to their
30 individual, negotiated salary. The supplements shall be funded
31 from the performance-pay reserve funds adopted in the salary

1 | schedule. ~~Beginning with the 2004-2005 academic year,~~ The
2 | district's 5-percent performance-pay policy must provide for
3 | the evaluation of classroom teachers based on the level of
4 | their responsibilities within each level of the salary career
5 | ladder provided in s. 1012.231.

6 | b. The Commissioner of Education shall determine
7 | whether the district school board's adopted salary schedule
8 | complies with the requirement for performance-based pay. If
9 | the district school board fails to comply with this section,
10 | the commissioner shall recommend to the State Board of
11 | Education that the board withhold disbursements from the
12 | Educational Enhancement Trust Fund to the district until
13 | compliance is verified, and the board may do so.

14 | 5.a. Beginning with the 2005-2006 fiscal year, each
15 | district school board shall adopt a differentiated-pay policy
16 | for school administrators and instructional personnel. The
17 | policy with respect to instructional personnel is subject to
18 | negotiation as provided in chapter 447; however, the adopted
19 | salary schedule must allow school administrators and
20 | instructional personnel to receive differentiated pay based
21 | upon factors including, but not limited to:

22 | (I) The subject areas taught, with classroom teachers
23 | who teach in critical shortage areas receiving higher pay;

24 | (II) The economic demographics of the school, with
25 | school administrators and instructional personnel in schools
26 | that have a majority of students who qualify for free or
27 | reduced-price lunches receiving higher pay;

28 | (III) The performance of school administrators and
29 | instructional personnel as provided in subparagraph 4.; and

30 | (IV) The responsibilities of the classroom teacher.
31 |

1 b. The district school board must hold a public
2 hearing at which the board must present its proposed
3 differentiated-pay policy and the rationale supporting the
4 differentiated-pay classifications as proposed, consistent
5 with this subparagraph's differentiated-pay factors.

6 c. The Commissioner of Education shall determine
7 whether the district school board's adopted salary schedule
8 complies with the requirement for differentiated pay. If the
9 district school board does not adopt a differentiated-pay
10 scale, the commissioner shall recommend to the State Board of
11 Education that the board withhold disbursements from the
12 Educational Enhancement Trust Fund to the district until
13 compliance is verified, and the board may do so.

14 Section 35. Section 1012.2305, Florida Statutes, is
15 created to read:

16 1012.2305 Minimum instructional personnel salary.--

17 (1) LEGISLATIVE INTENT.--The Legislature recognizes
18 that higher pay does not guarantee high-quality performance in
19 education. The Legislature also recognizes that competitive
20 pay, differential pay, and performance incentives are
21 necessary to attract and retain the highest-quality teachers
22 and that the prospects of higher pay and career opportunities
23 are important to attract talented individuals into the field
24 of teaching.

25 (2) MINIMUM SALARY FOR INSTRUCTIONAL
26 PERSONNEL.--Contingent upon the passage of an amendment to s.
27 1, Art. IX of the State Constitution to create district
28 average maximum class sizes and establish minimum salary for
29 instructional personnel, the minimum salary for full-time
30 instructional personnel as defined in s. 1012.01(2)(a)-(d) in
31 this state shall be \$35,000 and shall be established by the

1 Legislature to remain above the national average public school
2 teacher beginning salary.

3 Section 36. Section 1012.2315, Florida Statutes, is
4 created to read:

5 1012.2315 Assignment of teachers.--

6 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
7 finds disparity between teachers assigned to teach in a
8 majority of "A" schools compared with those assigned to teach
9 in a majority of "F" schools. The disparity can be found in
10 the average years of experience, the median salary, and the
11 performance of the teachers on teacher certification exams.

12 It is the intent of the Legislature that district school
13 boards have flexibility through the collective bargaining
14 process to assign teachers more equitably to schools
15 throughout the district.

16 (2) ASSIGNMENT TO "D" AND "F" SCHOOLS.--School
17 districts may not assign a higher percentage than the school
18 district average of first-time teachers, temporarily certified
19 teachers, teachers in need of improvement, or out-of-field
20 teachers to schools that have more than the school district
21 average of minority and economically disadvantaged students or
22 to schools that are graded "D" or "F." Each school district
23 shall annually certify to the Commissioner of Education that
24 this requirement has been met. If the commissioner determines
25 that a school district is not in compliance with this section,
26 the State Board of Education shall be notified and shall take
27 action in the next regularly scheduled meeting to require
28 compliance.

29 (3) SALARY INCENTIVES.--District school boards may
30 provide salary incentives to meet this requirement.

31

1 (4) COLLECTIVE BARGAINING.--Notwithstanding chapter
2 447, no provision of collective bargaining may preclude a
3 school district from assigning high-quality teachers to teach
4 in low-performing schools.

5 Section 37. Section 1012.72, Florida Statutes, is
6 amended to read:

7 1012.72 Dale Hickam Excellent Teaching Program.--

8 (1) The Legislature recognizes that teachers play a
9 critical role in preparing students to achieve the high levels
10 of academic performance expected by the Sunshine State
11 Standards. The Legislature further recognizes the importance
12 of identifying and rewarding teaching excellence and of
13 encouraging good teachers to become excellent teachers. The
14 Legislature finds that the National Board of Professional
15 Teaching Standards (NBPTS) has established high and rigorous
16 standards for accomplished teaching and has developed a
17 national voluntary system for assessing and certifying
18 teachers who demonstrate teaching excellence by meeting those
19 standards. It is therefore the Legislature's intent to provide
20 incentives for teachers to seek NBPTS certification and to
21 reward teachers who demonstrate teaching excellence by
22 attaining NBPTS certification and sharing their expertise with
23 other teachers.

24 (2) The Dale Hickam Excellent Teaching Program is
25 created to provide categorical funding for monetary incentives
26 and bonuses for teaching excellence. The Department of
27 Education shall distribute to each school district or to the
28 NBPTS an amount as prescribed annually by the Legislature for
29 the Dale Hickam Excellent Teaching Program. For purposes of
30 this section, the Florida School for the Deaf and the Blind
31 shall be considered a school district. Unless otherwise

1 provided in the General Appropriations Act, each distribution
2 shall be the sum of the amounts earned for the following
3 incentives and bonuses:

4 (a) A fee subsidy to be paid by the Department of
5 Education to the NBPTS on behalf of each individual who is an
6 employee of a district school board or a public school within
7 the school district, who is certified by the district to have
8 demonstrated satisfactory teaching performance pursuant to s.
9 1012.34 and who satisfies the prerequisites for participating
10 in the NBPTS certification program, and who agrees, in
11 writing, to pay 10 percent of the NBPTS participation fee and
12 to participate in the NBPTS certification program during the
13 school year for which the fee subsidy is provided. The fee
14 subsidy for each eligible participant shall be an amount equal
15 to 90 percent of the fee charged for participating in the
16 NBPTS certification program. The fee subsidy is a one-time
17 award and may not be duplicated for any individual.

18 (b) A portfolio-preparation incentive of \$150 paid by
19 the Department of Education to each teacher employed by a
20 district school board or a public school within a school
21 district who is participating in the NBPTS certification
22 program. The portfolio-preparation incentive is a one-time
23 award paid during the school year for which the NBPTS fee
24 subsidy is provided.

25 (c) An annual bonus equal to 10 percent of the prior
26 fiscal year's statewide average salary for classroom teachers
27 to be distributed to the school district to be paid to each
28 individual who holds NBPTS certification and is employed by
29 the district school board or by a public school within the
30 school district. The district school board shall distribute
31 the annual bonus to each individual who meets the requirements

1 of this paragraph and who is certified annually by the
2 district to have demonstrated satisfactory teaching
3 performance pursuant to s. 1012.34. The annual bonus may be
4 paid as a single payment or divided into not more than three
5 payments.

6 (d) An annual bonus equal to 10 percent of the prior
7 fiscal year's statewide average salary for classroom teachers
8 to be distributed to the school district to be paid to each
9 individual who meets the requirements of paragraph (c) and
10 agrees, in writing, to provide the equivalent of 12 workdays
11 of mentoring and related services to public school teachers
12 within the state who do not hold NBPTS certification. Related
13 services must include instruction in helping teachers work
14 more effectively with the families of their students. The
15 district school board shall distribute the annual bonus in a
16 single payment following the completion of all required
17 mentoring and related services for the year. It is not the
18 intent of the Legislature to remove excellent teachers from
19 their assigned classrooms; therefore, credit may not be
20 granted by a school district or public school for mentoring or
21 related services provided during student contact time during
22 the 196 days of required service for the school year.

23 (e) The employer's share of social security and
24 Medicare taxes and Florida Retirement System contributions for
25 those teachers who qualify for NBPTS certification and receive
26 bonus amounts.

27
28 A teacher for whom the state pays the certification fee and
29 who does not complete the certification program or does not
30 teach in a public school of this state for at least 1 year
31 after completing the certification program must repay the

1 amount of the certification fee to the state. However, a
2 teacher who completes the certification program but fails to
3 be awarded NBPTS certification is not required to repay the
4 amount of the certification fee if the teacher meets the
5 1-year teaching requirement. Repayment is not required of a
6 teacher who does not complete the certification program or
7 fails to fulfill the teaching requirement because of the
8 teacher's death or disability or because of other extenuating
9 circumstances as determined by the State Board of Education.

10 (3)(a) In addition to any other remedy available under
11 the law, any person who is a recipient of a certification fee
12 subsidy paid to the NBPTS and who is an employee of the state
13 or any of its political subdivisions is considered to have
14 consented, as a condition of employment, to the voluntary or
15 involuntary withholding of wages to repay to the state the
16 amount of such a certification fee subsidy awarded under this
17 section. Any such employee who defaults on the repayment of
18 such a certification fee subsidy must, within 60 days after
19 service of a notice of default by the Department of Education
20 to the employee, establish a repayment schedule which must be
21 agreed to by the department and the employee, for repaying the
22 defaulted sum through payroll deductions. The department may
23 not require the employee to pay more than 10 percent of the
24 employee's pay per pay period under such a repayment schedule
25 or plan. If the employee fails to establish a repayment
26 schedule within the specified period of time or fails to meet
27 the terms and conditions of the agreed upon or approved
28 repayment schedule as authorized by this subsection, the
29 employee has breached an essential condition of employment and
30 is considered to have consented to the involuntary withholding
31

1 of wages or salary for the repayment of the certification fee
2 subsidy.

3 (b) A person who is employed by the state, or any of
4 its political subdivisions, may not be dismissed for having
5 defaulted on the repayment of the certification fee subsidy to
6 the state.

7 (4) The Dale Hickam Excellent Teaching Program Trust
8 Fund shall be administered by the Department of Education
9 pursuant to s. 1010.72.

10 (5) The Council for Education Policy Research and
11 Improvement shall conduct research to evaluate the benefits
12 and effectiveness of the program.

13 ~~(6)(4)~~ The State Board of Education may adopt rules
14 pursuant to ss. 120.536 and 120.54 as necessary to administer
15 the provisions for payment of the fee subsidies, incentives,
16 and bonuses and for the repayment of defaulted certification
17 fee subsidies under this section.

18 ~~(5) The Dale Hickam Excellent Teaching Program Trust~~
19 ~~Fund shall be administered by the Department of Education~~
20 ~~pursuant to s. 1010.72.~~

21 Section 38. Section 1012.986, Florida Statutes, is
22 created to read:

23 1012.986 Professional development for school
24 leaders.--

25 (1) SHORT TITLE.--This section may be cited as the
26 DELTA (Developing Educational Leaders for Tomorrow's
27 Achievers) Act.

28 (2) CREATION OF PROGRAM.--There is created the DELTA
29 Program which shall be administered by the Department of
30 Education. The program shall be a high-quality,
31 competency-based, customized, comprehensive, and coordinated

1 statewide professional development program to provide
2 leadership training opportunities for school leaders to enable
3 them to be more effective instructional leaders, especially in
4 the area of reading. The program shall provide school leaders
5 with the opportunity to attain a school leadership designation
6 pursuant to subsection (4).

7 (3) DEFINITION.--As used in this section, the term
8 "school leader" means a school principal or assistant
9 principal who holds a valid Florida certificate in educational
10 leadership.

11 (4) LEADERSHIP DESIGNATIONS.--The Department of
12 Education shall determine annually, in collaboration with
13 school principals, thresholds for different leadership
14 designations. Criteria for school leadership designations
15 shall be based on the following point system:

16 (a) One point for each percent increase over the
17 previous year, by grade, of students who score at or above
18 FCAT Level 3 in reading;

19 (b) One point for each percent increase over the
20 previous year, by grade, of students who score at or above
21 FCAT Level 3 in math;

22 (c) One point for each percent increase over the
23 previous year, by school, of students who score 3.5 or higher
24 on FCAT writing;

25 (d) One point for each percent increase over the
26 previous year of students making learning gains in reading;

27 (e) One point for each percent increase over the
28 previous year of students making learning gains in math;

29 (f) One point for each percent increase over the
30 previous year of the lowest quartile making learning gains in
31 reading.

1 (5) DELTA PROGRAM REQUIREMENTS.--

2 (a) The DELTA Program shall be based upon the
3 leadership standards adopted by the State Board of Education,
4 the standards of the National Staff Development Council, and
5 the federal requirements for high-quality professional
6 development under the No Child Left Behind Act of 2001.

7 (b) The DELTA Program shall provide a competency-based
8 approach that uses prediagnostic and post-diagnostic
9 evaluations that shall be used to create an individualized
10 professional development plan approved by the district school
11 superintendent. The plan must be structured to support the
12 school leader's attainment of the leadership standards adopted
13 by the State Board of Education.

14 (c) The DELTA Program shall incorporate training in
15 instructional leadership and effective business practices for
16 efficient school operations in school leadership training
17 based on best practices of current effective leadership
18 training in school districts.

19 (6) DELIVERY SYSTEM.--The Department of Education
20 shall deliver the DELTA Program through multiple delivery
21 systems, including:

22 (a) Approved school district training programs;

23 (b) Interactive technology-based instruction; and

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

25 (7) RULES.--The State Board of Education shall adopt
26 rules under ss. 120.536(1) and 120.54 to administer this
27 section.

28 Section 39. Subsection (6) of section 1013.512,
29 Florida Statutes, is amended to read:

30 1013.512 Land Acquisition and Facilities Advisory
31 Board.--

1 (6) Upon certification by the advisory board that
2 corrective action has been taken, the Legislative Budget
3 Commission shall release all funds remaining in reserve. Upon
4 such release, each Land Acquisition and Facilities Advisory
5 Board shall be disbanded.

6 Section 40. Approval is granted for the endowment for
7 the Appleton Museum of Art, currently held by the Appleton
8 Cultural Center, Inc., to be transferred to the Central
9 Florida Community College Foundation. The endowment to be
10 transferred, which includes state matching funds, was
11 established in 1987 through the Cultural Arts Endowment
12 Program. By this provision, the Central Florida Community
13 College Foundation is authorized to manage the endowment only
14 for the support of the educational program at the Appleton
15 Museum of Art and is released from all other provisions of the
16 Trust Agreement dated July 17, 1987, by and between the State
17 of Florida and the Appleton Cultural Center, Inc., and
18 sections 265.601 through 265.607, Florida Statutes.

19 Section 41. Sections 1012.987 and 1012.231, Florida
20 Statutes, are repealed.

21 Section 42. If any provision of this act or the
22 application thereof to any person or circumstance is held
23 invalid, the invalidity does not affect other provisions or
24 applications of the act which can be given effect without the
25 invalid provision or application, and to this end the
26 provisions of this act are declared severable.

27 Section 43. Except as otherwise expressly provided in
28 this act, this act shall take effect upon becoming a law,
29 except that sections 1003.035, 1011.6855, and 1012.2305,
30 Florida Statutes, as created by this act, shall take effect on
31 the effective date of an amendment to Section 1, Article IX of

1 | the State Constitution approved by the electors which requires
2 | district average maximum class sizes and minimum pay for
3 | teachers.

4 |
5 | STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
6 | COMMITTEE SUBSTITUTE FOR
7 | CS Senate Bill 2480

8 | This committee substitute:

9 | Conforms the bill to Senate Joint Resolution 2090 by
10 | delaying implementation of school level class size
11 | requirements until the 2007-2008 school year;

12 | Restores the class size accountability mechanisms;

13 | Provides that the number of students in any classroom may
14 | not exceed the maximum district average by more than five
15 | students;

16 | Restores the accelerated high school graduation options
17 | to current law;

18 | Provides a schedule for school districts to submit their
19 | plans for approval to receive the reading instruction
20 | allocation;

21 | Authorizes the transfer of the Appleton Museum of Art
22 | endowment to the Central Florida Community College
23 | Foundation, which shall manage the endowment for support
24 | of the museum educational program;

25 | Requires the release of all funds remaining in reserve
26 | and the disbanding of a land acquisition and facilities
27 | advisory board upon certification by the board that
28 | corrective action has been taken;

29 | Authorizes FEFP funding of FTE membership beyond the
30 | 180-day regular term for students enrolled in an
31 | education program for juveniles under s. 985.223, F.S.;

32 | and
33 | Provides for the calculation of additional FTE for the
34 | Florida Virtual School.