

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

1		.	
2	WD/2R	.	
3	05/05/2005 04:23 PM	.	
4		.	
5		.	
6		.	
7		.	
8		.	
9		.	
10		.	

11 Senator Lynn moved the following amendment:

12

13 **Senate Amendment (with title amendment)**

14 Delete everything after the enacting clause

15

16 and insert:

17 Section 1. Subsection (1) of section 1001.03, Florida

18 Statutes, is amended to read:

19 1001.03 Specific powers of State Board of Education.--

20 (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The

21 State Board of Education shall approve the student performance

22 standards known as the Sunshine State Standards in key

23 academic subject areas and grade levels. The board shall

24 periodically review the standards to ensure adequate rigor,

25 logical pupil progression, and articulation from grade to

26 grade, and shall evaluate the extent to which the standards

27 are being taught at each grade level.

28 Section 2. Section 1001.215, Florida Statutes, is

29 created to read:

30 1001.215 Just Read, Florida! Office.--There is created

31 within the Department of Education the Just Read, Florida!

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 Office. The office shall:

2 (1) Train professionally certified teachers to become  
3 certified reading coaches.

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

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

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

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

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

18 (7) Work with teacher preparation programs approved  
19 under s. 1004.04 to ensure the integration of research-based  
20 strategies for reading instruction into teacher preparation  
21 programs.

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

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

27 1001.42 Powers and duties of district school  
28 board.--The district school board, acting as a board, shall  
29 exercise all powers and perform all duties listed below:

30 (16) IMPLEMENT SCHOOL IMPROVEMENT AND  
31 ACCOUNTABILITY.--Maintain a system of school improvement and

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 education accountability as provided by statute and State  
 2 Board of Education rule. This system of school improvement and  
 3 education accountability shall be consistent with, and  
 4 implemented through, the district's continuing system of  
 5 planning and budgeting required by this section and ss.  
 6 1008.385, 1010.01, and 1011.01. This system of school  
 7 improvement and education accountability shall include, but is  
 8 not limited to, the following:

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

30       **(b) Improvement plan requirements.--Each district**  
 31 **school board's system of school improvement and student**

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 progression must be designed to provide frequent and accurate  
 2 information to the teacher and student regarding each  
 3 student's progress toward mastering the Sunshine State  
 4 Standards. The system must demonstrate the alignment of the  
 5 Sunshine State Standards, instructional strategies,  
 6 assessment, and professional development. Each school's school  
 7 improvement plan must identify the strategies for monitoring  
 8 the progress of each student. The process used by each school  
 9 to monitor student progression must, at a minimum, contain the  
 10 following components that are aimed at increasing student  
 11 achievement:

12       1. Disaggregated student achievement data related to  
 13 student performance which are used to identify each individual  
 14 student's strengths and weaknesses and to determine the  
 15 effectiveness of the teaching and learning strategies that are  
 16 being used in the classroom;

17       2. The Sunshine State Standards instructional calendar  
 18 and timeline, using disaggregated student performance data to  
 19 focus instruction on the Sunshine State Standards, manage  
 20 instructional time, and allocate resources;

21       3. Prioritized instructional focus to facilitate  
 22 explicit and systematic instruction using research-based  
 23 effective practices in the classroom;

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

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

31       6. Systematic monitoring of each teacher's

1 implementation of the comprehensive program for student  
2 progression as described in subparagraphs 1.-5.

3       ~~(c)(b)~~ Approval process.--Develop a process for  
4 approval of a school improvement plan presented by an  
5 individual school and its advisory council. In the event a  
6 district school board does not approve a school improvement  
7 plan after exhausting this process, the Department of  
8 Education shall be notified of the need for assistance.

9       ~~(d)(c)~~ Assistance and intervention.--

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

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

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

31           4. Prioritize, to the extent possible, the

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 expenditures of funds received from the supplemental academic  
 2 instruction categorical fund under s. 1011.62(1)(f) to improve  
 3 student performance in schools that receive a performance  
 4 grade category designation of "D" or "F."

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

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

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

31 Section 4. Each school district must observe November

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 11 of each year as the Veterans' Day holiday. Classes may not  
 2 be held on such holiday for any reason except for a declared  
 3 state emergency. If November 11 falls on a Saturday or Sunday,  
 4 a school holiday shall be observed on a weekday immediately  
 5 following or preceding that weekend so as to correspond with  
 6 the date that Veterans' Day is observed as a federal holiday.

7 Section 5. Section 1002.421, Florida Statutes, is  
 8 created to read:

9 1002.421 Rights and obligations of private schools  
 10 participating in state school choice scholarship  
 11 programs.--The requirements imposed under this section on  
 12 private schools that participate in state school choice  
 13 scholarship programs are in addition to the requirements for  
 14 private schools which are outlined in s. 1002.42, specific  
 15 requirements under laws relating to various scholarship  
 16 programs, and other laws of this state which apply to private  
 17 schools.

18 (1) A private school in this state which participates  
 19 in the Corporate Tax Credit Scholarship Program, as defined in  
 20 s. 220.187, or in an educational scholarship program  
 21 established under chapter 1002 must comply with all  
 22 requirements of this section.

23 (2) A private school participating in a scholarship  
 24 program in this state:

25 (a) Must be a Florida private school as defined in s.  
 26 1002.01(2).

27 (b) Must comply with all state laws pertaining to  
 28 private schools.

29 (c) Must be a registered Florida private school in  
 30 accordance with s. 1002.42.

31 (d) Must maintain a physical location in this state

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 where each scholarship student regularly attends classes.

2 (e) May not be a correspondence school or distance  
3 learning school.

4 (f) May not direct or provide scholarship funds to a  
5 parent of a scholarship student who receives instruction under  
6 the program at home.

7 (g) May not be a home education program as defined in  
8 s. 1002.01(1).

9 (h) May not be a private tutoring program as described  
10 in s. 1002.43.

11 (i) Must comply with the anti-discrimination  
12 provisions of 42 U.S.C. s. 2000d.

13 (j) Must notify the department of its intent to  
14 participate in a scholarship program.

15 (k) Must notify the department of any change in the  
16 school's name, school director, mailing address, or physical  
17 location within 15 days after the change occurs.

18 (l) Must complete student-enrollment and  
19 attendance-verification requirements, including an on-line  
20 attendance-verification form, before a scholarship payment is  
21 made.

22 (m) Must annually complete and submit to the  
23 department a notarized scholarship compliance statement  
24 certifying compliance with state laws relating to the  
25 participation of private schools in the scholarship program.

26 (n) Must demonstrate fiscal soundness and  
27 accountability by:

28 1. Having been in operation for at least 3 school  
29 years or obtaining a surety bond or letter of credit for the  
30 amount equal to the scholarship funds for any quarter and  
31 filing the surety bond or letter of credit with the



1 department.

2       2. Requiring the parent of each scholarship student to  
3 personally restrictively endorse the scholarship warrant to  
4 the school. The school may not act as the attorney in fact for  
5 parents of a scholarship student under the authority of a  
6 power of attorney executed by the parents, or under any other  
7 authority, to endorse scholarship warrants on behalf of  
8 parents.

9       (o) Must meet applicable state and local laws, codes,  
10 and rules relating to health, safety, and welfare, including  
11 those relating to firesafety and building safety.

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

18       (q) Annually administer or make provisions for  
19 scholarship students to take one of the nationally  
20 norm-referenced tests identified by the State Board of  
21 Education under s. 1002.423. Students with disabilities for  
22 whom standardized testing is not appropriate are exempt from  
23 this requirement. However, a private school must require each  
24 student with a disability, for whom standardized testing is  
25 not appropriate, to participate at least annually in a student  
26 assessment which, as determined by the private school in  
27 consultation with the student's parent, will demonstrate the  
28 student's skill level to the student's parent. A private  
29 school must report a student's scores to the parent and to the  
30 independent private research organization selected by the  
31 Department of Education under s. 1002.423.

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

21           1. The cost of the fingerprinting and the background  
22 check shall not be borne by the state.

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

27           3. An individual holding a valid teaching certificate  
28 in this state who has been fingerprinted pursuant to s.  
29 1012.32 need not comply with this paragraph.

30           (3) The inability of a private school to meet the  
31 requirements of this section constitutes a basis for the

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 ineligibility of the private school to participate in a  
2 scholarship program as determined by the department.

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

5 (b) The inclusion of eligible private schools in the  
6 options available to public school students in this state does  
7 not expand the regulatory authority of the state, its  
8 officers, or any school district to impose any additional  
9 regulations upon private schools beyond those reasonably  
10 necessary to enforce requirements expressly set forth in this  
11 section.

12 Section 6. Section 1002.423, Florida Statutes, is  
13 created to read:

14 1002.423 Department of Education; obligations for  
15 state school choice scholarship programs.--The requirements  
16 imposed under this section apply to all state choice  
17 scholarship programs, including the Corporate Tax Credit  
18 Scholarship Program, as defined in s. 220.187, or an  
19 educational scholarship program established under this  
20 chapter.

21 (a) The Department of Education must identify all  
22 nationally norm-referenced tests that are comparable to the  
23 norm-referenced test portions of the Florida Comprehensive  
24 Assessment Test (FCAT).

25 (b) The Department of Education must select an  
26 independent private research organization to which each  
27 participating private school must report the scores of  
28 participating students on the nationally norm-referenced tests  
29 administered by the private school. The independent private  
30 research organization must annually report to the Department  
31 of Education on the year-to-year improvements of the

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

23           Section 7. Paragraph (b) of subsection (2) of section  
24 1003.03, Florida Statutes, is amended to read:

25           1003.03 Maximum class size.--

26           (2) IMPLEMENTATION.--

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

29           1. For fiscal years 2003-2004 through 2006-2007  
30 ~~2005-2006~~, the calculation for compliance for each of the 3  
31 grade groupings shall be the average at the district level.

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

4           3. For fiscal years 2008-2009, 2009-2010, and  
5 thereafter, the calculation for compliance shall be at the  
6 individual classroom level.

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

9           1003.035 District average class size requirements.--

10           (1) CONSTITUTIONAL CLASS SIZE REQUIREMENTS.--Pursuant  
11 to s. 1, Art. IX of the State Constitution, beginning in the  
12 2007-2008 school year:

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

17           (b) The district average number of students assigned  
18 to each teacher who is teaching core-curricula courses in  
19 public school classrooms for grades 4 through 8 may not exceed  
20 22 students.

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

25  
26 However, in no event shall any such classroom exceed five  
27 students over the district average allowable maximum.

28           (2) IMPLEMENTATION.--

29           (a) Beginning with the 2006-2007 fiscal year, each  
30 school district that is not in compliance with the  
31 requirements in subsection (1) shall reduce the district

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 average class size in each of the following grade groupings:  
 2 prekindergarten through grade 3, grade 4 through grade 8, and  
 3 grade 9 through grade 12, by at least two students each year  
 4 until the district average class size does not exceed the  
 5 requirements in subsection (1).

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

10 (3) IMPLEMENTATION OPTIONS.--District school boards  
 11 must consider, but are not limited to, implementing the  
 12 following items in order to meet the constitutional district  
 13 average class size requirements described in subsection (1)  
 14 and the two-student-per-year reduction required in subsection  
 15 (2):

16 (a) Adopt policies to encourage qualified students to  
 17 take dual enrollment courses.

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

20 (c)1. Repeal district school board policies that  
 21 require students to have more than 24 credits to graduate from  
 22 high school.

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

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

31 (e) Use innovative methods to reduce the cost of

1 school construction by using prototype school designs, using  
 2 SMART Schools designs, participating in the School  
 3 Infrastructure Thrift Program, or any other method not  
 4 prohibited by law.

5 (f) Use joint-use facilities through partnerships with  
 6 community colleges, state universities, and private colleges  
 7 and universities. Joint-use facilities available for use as  
 8 K-12 classrooms that do not meet the K-12 State Regulations  
 9 for Educational Facilities in the Florida Building Code may be  
 10 used at the discretion of the district school board if such  
 11 facilities meet all other health, life, safety, and fire  
 12 codes.

13 (g) Adopt alternative methods of class scheduling,  
 14 such as block scheduling.

15 (h) Redraw school attendance zones to maximize use of  
 16 facilities while minimizing the additional use of  
 17 transportation.

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

21 (j) Use year-round schools and other nontraditional  
 22 calendars that do not adversely impact annual assessment of  
 23 student achievement.

24 (k) Review and consider amending any collective  
 25 bargaining contracts that hinder the implementation of class  
 26 size reduction.

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

28 (4) ACCOUNTABILITY.--

29 (a) If the department determines for any year that a  
 30 school district has not reduced average class size as required  
 31 in subsection (2) at the time of the third FEFP calculation,

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 the department shall calculate an amount from the class size  
2 reduction operating categorical which is proportionate to the  
3 amount of class size reduction not accomplished. Upon  
4 verification of the department's calculation by the Florida  
5 Education Finance Program Appropriation Allocation Conference,  
6 the Executive Office of the Governor shall transfer  
7 undistributed funds equivalent to the calculated amount from  
8 the district's class size reduction operating categorical to  
9 an approved fixed capital outlay appropriation for class size  
10 reduction in the affected district pursuant to s. 216.292(13).  
11 The amount of funds transferred shall be the lesser of the  
12 amount verified by the Florida Education Finance Program  
13 Appropriation Allocation Conference or the undistributed  
14 balance of the district's class size reduction operating  
15 categorical. However, based upon a recommendation by the  
16 Commissioner of Education that the State Board of Education  
17 has reviewed evidence indicating that a district has been  
18 unable to meet class size reduction requirements despite  
19 appropriate efforts to do so, the Legislative Budget  
20 Commission may approve an alternative amount of funds to be  
21 transferred from the district's class size reduction operating  
22 categorical to its approved fixed capital outlay account for  
23 class size reduction.

24 (b) Beginning in the 2007-2008 school year, the  
25 department shall determine by January 15 of each year which  
26 districts do not meet the requirements of subsection (1) based  
27 upon the district's October student membership survey for the  
28 current school year. The department shall report such  
29 districts to the Legislature. Each district that has not met  
30 the requirements of subsection (1) shall be required to  
31 implement one of the following policies in the subsequent



Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 school year unless the department finds that the district  
 2 comes into compliance based upon the February student  
 3 membership survey:  
 4       1. Year-round schools;  
 5       2. Double sessions;  
 6       3. Rezoning; or  
 7       4. Maximizing use of instructional staff by changing  
 8 required teacher loads and scheduling of planning periods,  
 9 deploying school district employees who have professional  
 10 certification to the classroom, using adjunct educators,  
 11 operating schools beyond the normal operating hours to provide  
 12 classes in the evening, or operating more than one session  
 13 during the day.

14  
 15 A school district that is required to implement one of the  
 16 policies outlined in subparagraphs 1. through 4. shall correct  
 17 in the year of implementation any past deficiencies and bring  
 18 the district into compliance with the requirements of  
 19 subsection (1). A school district may choose to implement more  
 20 than one of these policies. The district school superintendent  
 21 shall report to the Commissioner of Education the extent to  
 22 which the district implemented any of the policies outlined in  
 23 subparagraphs 1. through 4. in a format to be specified by the  
 24 Commissioner of Education. The Department of Education shall  
 25 use the enforcement authority provided in s. 1008.32 to ensure  
 26 that districts comply with the provisions of this paragraph.

27       (c) Beginning in the 2008-2009 school year, the  
 28 department shall annually determine which districts do not  
 29 meet the requirements described in subsection (1) based upon  
 30 the October student membership survey. In addition to  
 31 enforcement authority provided in s. 1008.32, the Department

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 of Education shall develop a constitutional compliance plan  
 2 for each such district which includes, but is not limited to,  
 3 redrawing school attendance zones to maximize use of  
 4 facilities while minimizing the additional use of  
 5 transportation and the other accountability policies listed in  
 6 paragraph (b). Each district school board shall implement the  
 7 constitutional compliance plan developed by the state board in  
 8 the subsequent school year until the district complies with  
 9 the constitutional district average class size requirements.

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

12 1003.05 Assistance to transitioning students from  
 13 military families.--

14 (3) Dependent children of active duty military  
 15 personnel who otherwise meet the eligibility criteria for  
 16 special academic programs offered through public schools shall  
 17 be given first preference for admission to such programs even  
 18 if the program is being offered through a public school other  
 19 than the school to which the student would generally be  
 20 assigned ~~and the school at which the program is being offered~~  
 21 ~~has reached its maximum enrollment~~. If such a program is  
 22 offered through a public school other than the school to which  
 23 the student would generally be assigned, the parent ~~or~~  
 24 ~~guardian~~ of the student must assume responsibility for  
 25 transporting the student to that school. For purposes of this  
 26 subsection, special academic programs include ~~charter schools,~~  
 27 magnet schools, advanced studies programs, advanced placement,  
 28 dual enrollment, and International Baccalaureate.

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

31 1003.413 High school reform.--

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

3           (2) Beginning with the 2005-2006 school year, each  
4 school district shall establish policies to assist high school  
5 students to remain in school, graduate on time, and be  
6 prepared for postsecondary education and the workforce. The  
7 policies must address:

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

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

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

15           (d) Placement in alternative programs, such as  
16 programs that emphasize applied integrated curricula, small  
17 learning communities, support services, increased discipline,  
18 or other strategies documented to improve student achievement.

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

21  
22 A student's participation in an instructional or remediation  
23 program prior to or immediately following entering grade 9 for  
24 the first time shall not affect that student's classification  
25 as a first-time ninth grader for reporting purposes, including  
26 calculation of graduation and dropout rates.

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

28           (1) There is created the High School Reform Task  
29 Force. The task force shall work in conjunction with the  
30 Southern Regional Education Board and shall be  
31 administratively supported by the office of the Chancellor for

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 K-12 Public Schools in the Department of Education and the  
2 Just Read, Florida! Office. Appointments to the task force  
3 shall be coordinated to ensure that the membership reflects  
4 the geographic and cultural diversity of Florida's school age  
5 population. The task force shall be abolished upon submission  
6 of its report.

7 (2)(a) The Commissioner of Education shall appoint  
8 members of the task force from the following categories and  
9 shall appoint the chair of the task force from its membership.

10 1. Two district school superintendents, one who is  
11 from a large urban school district and one who is from a  
12 small, rural school district.

13 2. One school board member who is from a medium size  
14 school district.

15 3. Three public school principals, one from a large  
16 high performing high school, one from a vocational technical  
17 high school, and one from a lower performing high school.

18 4. Three public high school teachers, one who is an  
19 experienced reading teacher, one who is from a school graded  
20 "F," and one who is from a high performing school.

21 5. Three parents of public high school students who  
22 represent the demographic, racial, and ethnic diversity of the  
23 state.

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

26 7. One representative of the business community.

27 8. One administrator from a charter high school  
28 serving students who are at risk of dropping out of school.

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1       (b) The President of the Senate shall appoint one  
 2 member of the Senate to serve on the task force and the  
 3 Speaker of the House of Representatives shall appoint one  
 4 member of the House of Representatives to serve on the task  
 5 force.

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

9       (4) Not later than February 1, 2006, the task force  
 10 shall recommend to the Governor, the President of the Senate,  
 11 and the Speaker of the House of Representatives a long-term  
 12 plan for revisions to statutes, rules, and policies that will  
 13 improve Florida's grade 9 retention rate, graduation rate,  
 14 dropout rate, and college remediation rate, and align high  
 15 school requirements with the needs of Florida's employers and  
 16 postsecondary educational institution requirements. The plan  
 17 must address, but is not limited to addressing: graduation  
 18 requirements; course redesign; remediation strategies; credit  
 19 recovery; use of alternative programs including programs  
 20 emphasizing applied integrated curricula, small learning  
 21 communities, support services, or increased discipline; the  
 22 use of technology; adjustments to the school grading system to  
 23 reflect learning gains by high school students; middle school  
 24 systemic alignment; transition from middle school to high  
 25 school; alignment with postsecondary and workforce education  
 26 requirements; and alignment with employer expectations.

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

31       1003.415 The Middle Grades Reform Act.--

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 (2) PURPOSE AND INTENT.--

2 (a) The purpose of this section is to provide added  
3 focus and rigor to academics in the middle grades. Using  
4 reading as the foundation, all middle grade students should  
5 receive rigorous academic instruction through challenging  
6 curricula delivered by highly qualified teachers in schools  
7 with outstanding leadership, which schools are supported by  
8 engaged and informed parents.

9 (b) It is the intent of the Legislature that students  
10 promoted from the eighth grade will be ready for success in  
11 high school and that the mission of the middle grades is to  
12 prepare students for the successful completion of rigorous  
13 courses in high school.

14 (5) RIGOROUS READING REQUIREMENT.--

15 (a) ~~Beginning with the 2004-2005 school year,~~ Each  
16 public school serving middle grade students, including charter  
17 schools, with fewer than 75 percent of its students reading at  
18 or above grade level in grade 6, grade 7, or grade 8 as  
19 measured by a student scoring at Level 3 or above on the FCAT  
20 during the prior school year, must incorporate by October 1 a  
21 rigorous reading requirement for reading and language arts  
22 programs as the primary component of its school improvement  
23 plan. The department shall annually provide to each district  
24 school board by June 30 a list of its schools that are  
25 required to incorporate a rigorous reading requirement as the  
26 primary component of the school's improvement plan. The  
27 department shall provide technical assistance to school  
28 districts and school administrators required to implement the  
29 rigorous reading requirement.

30 ~~(6) COMPREHENSIVE REFORM STUDY ON THE ACADEMIC~~  
31 ~~PERFORMANCE OF STUDENTS AND SCHOOLS.--~~

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1           ~~(a) The department shall conduct a study on how the~~  
2 ~~overall academic performance of middle grade students and~~  
3 ~~schools can be improved. The department must consult with the~~  
4 ~~Florida Center for Reading Research at Florida State~~  
5 ~~University, the Just Read, Florida! Office, and key education~~  
6 ~~stakeholders, including district school board members,~~  
7 ~~district school superintendents, principals, parents,~~  
8 ~~teachers, district supervisors of curriculum, and students~~  
9 ~~across the state, in the development of its findings and~~  
10 ~~recommendations. The department shall review, at a minimum,~~  
11 ~~each of the following elements:~~

12           ~~1. Academic expectations, which include, but are not~~  
13 ~~limited to:~~

14           ~~a. Alignment of middle school expectations with~~  
15 ~~elementary and high school graduation requirements.~~

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

19           ~~c. Strategies that focus on improving academic success~~  
20 ~~for low-performing students.~~

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

22           ~~e. Instructional materials.~~

23           ~~f. Course enrollment by middle school students.~~

24           ~~g. Student support services.~~

25           ~~h. Measurement and reporting of student achievement.~~

26           ~~2. Attendance policies and student mobility issues.~~

27           ~~3. Teacher quality, which includes, but is not limited~~  
28 ~~to:~~

29           ~~a. Preparedness of teachers to teach rigorous courses~~  
30 ~~to middle school students.~~

31           ~~b. Teacher evaluations.~~

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

~~c. Substitute teachers.~~

~~d. Certification and recertification requirements.~~

~~e. Staff development requirements.~~

~~f. Availability of effective staff development training.~~

~~g. Teacher recruitment and vacancy issues.~~

~~h. Federal requirements for highly qualified teachers pursuant to the No Child Left Behind Act of 2001.~~

~~4. Identification and availability of diagnostic testing.~~

~~5. Availability of personnel and scheduling issues.~~

~~6. Middle school leadership and performance.~~

~~7. Parental and community involvement.~~

~~(b) By December 1, 2004, the Commissioner of Education shall submit to the President of the Senate, the Speaker of the House of Representatives, the chairs of the education committees in the Senate and the House of Representatives, and the State Board of Education recommendations to increase the academic performance of middle grade students and schools.~~

~~(6)(7) PERSONALIZED MIDDLE SCHOOL SUCCESS PLAN.--~~

~~(a) Beginning with the 2004-2005 school year, Each principal of a school with a middle grade shall designate certified staff members at the school to develop and administer a personalized middle school success plan for each entering sixth grade student who scored below Level 3 in reading on the most recently administered FCAT. The purpose of the success plan is to assist the student in meeting state and school district expectations in academic proficiency and to prepare the student for a rigorous high school curriculum. The success plan shall be developed in collaboration with the student and his or her parent and must be implemented until~~



Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 the student completes the eighth grade or achieves a score at  
 2 Level 3 or above in reading on the FCAT, whichever occurs  
 3 first. The success plan must minimize paperwork and may be  
 4 incorporated into a parent/teacher conference, included as  
 5 part of a progress report or report card, included as part of  
 6 a general orientation at the beginning of the school year, or  
 7 provided by electronic mail or other written correspondence.

8 Section 13. Section 1003.4155, Florida Statutes, is  
 9 created to read:

10 1003.4155 Middle school grading system.--The grading  
 11 system and interpretation of letter grades used in grades 6  
 12 through 8 shall be as follows:

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

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

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

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

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

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

30 Section 14. Section 1003.4156, Florida Statutes, is  
 31 created to read:

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1           1003.4156 General requirements for middle school

2 promotion.--

3           (1) Beginning with students entering grade 6 in the  
4 2005-2006 school year, promotion from a middle school, grades  
5 6 through 8, requires the successful completion of 12 academic  
6 credits, including:

7           (a) Three middle school or higher credits in  
8 English/language arts.

9           (b) Three middle school or higher credits in  
10 mathematics.

11           (c) Three middle school or higher credits in social  
12 studies.

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

14  
15 Other courses offered in middle school, including music, band,  
16 physical education, and art, shall be considered electives.

17           (2) In addition to the credits required under  
18 subsection (1), for each year a student scores at Level 1 or 2  
19 on the reading portion of the FCAT, the student must be  
20 enrolled the following year in a full-year intensive reading  
21 course for which the student may earn up to three credits. The  
22 intensive reading course must be based on frameworks developed  
23 by the Florida Center for Reading Research, or a comparable  
24 course as identified by the Department of Education, which  
25 includes an emphasis on integration of core curriculum  
26 standards and incorporation of informational and expository  
27 text.

28           (3) In addition to the credits required under  
29 subsection (1), for each year a student scores at Level 3 on  
30 the reading portion of the FCAT, the student must be enrolled  
31 the following year in a one-semester intensive reading course.

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 The reading course must be based on frameworks developed by  
 2 the Florida Center for Reading Research, or a comparable  
 3 course as identified by the Department of Education, which  
 4 includes an emphasis on integration of core curriculum  
 5 standards and incorporation of informational and expository  
 6 text.

7       (4) One full credit must entail completing a minimum  
 8 of 135 hours of instruction in a designated course of study  
 9 which contains standards for student performance. For schools  
 10 authorized by the district school board to implement block  
 11 scheduling, one full credit must entail completing a minimum  
 12 of 120 hours of instruction in a designated course of study  
 13 which contains standards for student performance.

14       (5) District school boards shall establish policies to  
 15 allow alternative methods for students to earn the credits  
 16 required by this section. The alternative methods must  
 17 include, but are not limited to, opportunities for students  
 18 to:

- 19       (a) Recover credits;
- 20       (b) Be promoted on time to high school; and
- 21       (c) Be placed in programs that emphasize applied  
 22 integrated curricula, small learning communities, support  
 23 services, increased discipline, or other strategies documented  
 24 to improve student achievement.

25  
 26 The district's policy, or amendments to the policy, shall be  
 27 submitted to the State Board of Education for approval. If the  
 28 State Board of Education does not take action within 60 days  
 29 following receipt of the proposed policy, the policy shall  
 30 stand approved.

31       (6) The State Board of Education shall adopt rules

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 under ss. 120.536(1) and 120.54 to provide for alternative  
 2 middle school promotion standards for students in grade 6,  
 3 grade 7, or grade 8 who are not enrolled in a school that has  
 4 a grade 6 through grade 8 middle school configuration.

5 Section 15. Section 1003.42, Florida Statutes, is  
 6 amended to read:

7 1003.42 Required instruction.--

8 (1) Each district school board shall provide all  
 9 courses required for high school graduation and appropriate  
 10 instruction designed to ensure that students meet State Board  
 11 of Education adopted standards in the following subject areas:  
 12 reading and other language arts, mathematics, science, social  
 13 studies, foreign languages, health and physical education, and  
 14 the arts.

15 (2) Members of the instructional staff of the public  
 16 schools, subject to the rules of the State Board of Education  
 17 and the district school board, shall teach efficiently and  
 18 faithfully, using the books and materials required that meet  
 19 the highest standards for professionalism and historic  
 20 accuracy, following the prescribed courses of study, and  
 21 employing approved methods of instruction, the following:

22 (a) The history and content of the Declaration of  
 23 Independence, including national sovereignty, natural law,  
 24 self-evident truth, equality of all persons, limited  
 25 government, popular sovereignty, and inalienable rights of  
 26 life, liberty, and property, and how they form it forms the  
 27 philosophical foundation of our government.

28 (b) The history, meaning, significance, and effect of  
 29 the provisions of the Constitution of the United States and  
 30 amendments thereto, with emphasis on each of the 10 amendments  
 31 that make up the Bill of Rights and how the constitution

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 provides the structure of our government.

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

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

7       (d) Flag education, including proper flag display and  
8 flag salute.

9       (e) The elements of civil government, including the  
10 primary functions of and interrelationships between the  
11 Federal Government, the state, and its counties,  
12 municipalities, school districts, and special districts.

13       (f) The history of the United States, including the  
14 period of discovery, early colonies, the War for Independence,  
15 the Civil War, the expansion of the United States to its  
16 present boundaries, the world wars, and the civil rights  
17 movement to the present. American history shall be viewed as  
18 factual, not as constructed, shall be viewed as knowable,  
19 teachable, and testable, and shall be defined as the creation  
20 of a new nation based largely on the universal principles  
21 stated in the Declaration of Independence.

22       ~~(g)(f)~~ The history of the Holocaust (1933-1945), the  
23 systematic, planned annihilation of European Jews and other  
24 groups by Nazi Germany, a watershed event in the history of  
25 humanity, to be taught in a manner that leads to an  
26 investigation of human behavior, an understanding of the  
27 ramifications of prejudice, racism, and stereotyping, and an  
28 examination of what it means to be a responsible and  
29 respectful person, for the purposes of encouraging tolerance  
30 of diversity in a pluralistic society and for nurturing and  
31 protecting democratic values and institutions.

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1           ~~(h)(g)~~ The history of African Americans, including the  
 2 history of African peoples before the political conflicts that  
 3 led to the development of slavery, the passage to America, the  
 4 enslavement experience, abolition, and the contributions of  
 5 African Americans to society.

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

7           ~~(j)(i)~~ The true effects of all alcoholic and  
 8 intoxicating liquors and beverages and narcotics upon the  
 9 human body and mind.

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

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

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

13          ~~(n)(m)~~ Comprehensive health education that addresses  
 14 concepts of community health; consumer health; environmental  
 15 health; family life, including an awareness of the benefits of  
 16 sexual abstinence as the expected standard and the  
 17 consequences of teenage pregnancy; mental and emotional  
 18 health; injury prevention and safety; nutrition; personal  
 19 health; prevention and control of disease; and substance use  
 20 and abuse.

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

25          ~~(p)(o)~~ The study of Hispanic contributions to the  
 26 United States.

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

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

31          ~~(s)(q)~~ A character-development program in the

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 elementary schools, similar to Character First or Character  
 2 Counts, which is secular in nature ~~and stresses such character~~  
 3 ~~qualities as attentiveness, patience, and initiative.~~  
 4 Beginning in school year 2004-2005, the character-development  
 5 program shall be required in kindergarten through grade 12.  
 6 Each district school board shall develop or adopt a curriculum  
 7 for the character-development program that shall be submitted  
 8 to the department for approval. The character-development  
 9 curriculum shall stress the qualities of patriotism;;  
 10 responsibility;; citizenship;; kindness;; respect for  
 11 authority, life, liberty, and personal property; honesty;  
 12 charity; self-control;; racial, ethnic, and religious  
 13 tolerance;; and cooperation.

14 ~~(t)(r)~~ In order to encourage patriotism, the  
 15 sacrifices that veterans have made in serving our country and  
 16 protecting democratic values worldwide. Such instruction must  
 17 occur on or before Veterans' Day and Memorial Day. Members of  
 18 the instructional staff are encouraged to use the assistance  
 19 of local veterans when practicable.

21 The State Board of Education is encouraged to adopt standards  
 22 and pursue assessment of the requirements of this subsection.

23 (3) Any student whose parent makes written request to  
 24 the school principal shall be exempted from the teaching of  
 25 reproductive health or any disease, including HIV/AIDS, its  
 26 symptoms, development, and treatment. A student so exempted  
 27 may not be penalized by reason of that exemption. Course  
 28 descriptions for comprehensive health education shall not  
 29 interfere with the local determination of appropriate  
 30 curriculum which reflects local values and concerns.

31 Section 16. Subsection (15) of section 1003.52,

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 Florida Statutes, is amended to read:

2           1003.52 Educational services in Department of Juvenile  
3 Justice programs.--

4           (15)(a) The Department of Education shall, for  
5 students in juvenile justice education programs, develop  
6 procedures to accurately report student academic performance  
7 data and the assessment participation rates that are used to  
8 determine adequate yearly progress under Pub. L. No. 107-110.

9 The procedures must include an opportunity for validation of  
10 the data by schools that provide educational services to  
11 students in programs of the Department of Juvenile Justice.

12           **(b)** The Department of Education in consultation with  
13 the Department of Juvenile Justice, district school boards,  
14 and providers shall establish objective and measurable quality  
15 assurance standards for the educational component of  
16 residential and nonresidential juvenile justice facilities.  
17 These standards shall rate the district school board's  
18 performance both as a provider and contractor. The quality  
19 assurance rating for the educational component shall be  
20 disaggregated from the overall quality assurance score and  
21 reported separately.

22           **(c)**~~(b)~~ The Department of Education shall develop a  
23 comprehensive quality assurance review process and schedule  
24 for the evaluation of the educational component in juvenile  
25 justice programs. The Department of Juvenile Justice quality  
26 assurance site visit and the education quality assurance site  
27 visit shall be conducted during the same visit.

28           **(d)**~~(c)~~ The Department of Education, in consultation  
29 with district school boards and providers, shall establish  
30 minimum thresholds for the standards and key indicators for  
31 educational programs in juvenile justice facilities. If a



Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 district school board fails to meet the established minimum  
 2 standards, it will be given 6 months to achieve compliance  
 3 with the standards. If after 6 months, the district school  
 4 board's performance is still below minimum standards, the  
 5 Department of Education shall exercise sanctions as prescribed  
 6 by rules adopted by the State Board of Education. If a  
 7 provider, under contract with the district school board, fails  
 8 to meet minimum standards, such failure shall cause the  
 9 district school board to cancel the provider's contract unless  
 10 the provider achieves compliance within 6 months or unless  
 11 there are documented extenuating circumstances.

12 Section 17. Section 1003.57, Florida Statutes, is  
 13 amended to read:

14 1003.57 Exceptional students instruction.--

15 (1) Each district school board shall provide for an  
 16 appropriate program of special instruction, facilities, and  
 17 services for exceptional students as prescribed by the State  
 18 Board of Education as acceptable, including provisions that:

19 (a)(1) The district school board provide the necessary  
 20 professional services for diagnosis and evaluation of  
 21 exceptional students.

22 (b)(2) The district school board provide the special  
 23 instruction, classes, and services, either within the district  
 24 school system, in cooperation with other district school  
 25 systems, or through contractual arrangements with approved  
 26 private schools or community facilities that meet standards  
 27 established by the commissioner.

28 (c)(3) The district school board annually provide  
 29 information describing the Florida School for the Deaf and the  
 30 Blind and all other programs and methods of instruction  
 31 available to the parent of a sensory-impaired student.

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

5           ~~(e)(5)~~ A ~~No~~ student may not be given special  
 6 instruction or services as an exceptional student until after  
 7 he or she has been properly evaluated, classified, and placed  
 8 in the manner prescribed by rules of the State Board of  
 9 Education. The parent of an exceptional student evaluated and  
 10 placed or denied placement in a program of special education  
 11 shall be notified of each such evaluation and placement or  
 12 denial. Such notice shall contain a statement informing the  
 13 parent that he or she is entitled to a due process hearing on  
 14 the identification, evaluation, and placement, or lack  
 15 thereof. Such hearings shall be exempt from the provisions of  
 16 ss. 120.569, 120.57, and 286.011, except to the extent that  
 17 the State Board of Education adopts rules establishing other  
 18 procedures and any records created as a result of such  
 19 hearings shall be confidential and exempt from the provisions  
 20 of s. 119.07(1). The hearing must be conducted by an  
 21 administrative law judge from the Division of Administrative  
 22 Hearings of the Department of Management Services. The  
 23 decision of the administrative law judge shall be final,  
 24 except that any party aggrieved by the finding and decision  
 25 rendered by the administrative law judge shall have the right  
 26 to bring a civil action in the circuit court. In such an  
 27 action, the court shall receive the records of the  
 28 administrative hearing and shall hear additional evidence at  
 29 the request of either party. In the alternative, any party  
 30 aggrieved by the finding and decision rendered by the  
 31 administrative law judge shall have the right to request an

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 impartial review of the administrative law judge's order by  
2 the district court of appeal as provided by s. 120.68.  
3 Notwithstanding any law to the contrary, during the pendency  
4 of any proceeding conducted pursuant to this section, unless  
5 the district school board and the parents otherwise agree, the  
6 student shall remain in his or her then-current educational  
7 assignment or, if applying for initial admission to a public  
8 school, shall be assigned, with the consent of the parents, in  
9 the public school program until all such proceedings have been  
10 completed.

11 ~~(f)(6)~~ In providing for the education of exceptional  
12 students, the district school superintendent, principals, and  
13 teachers shall utilize the regular school facilities and adapt  
14 them to the needs of exceptional students to the maximum  
15 extent appropriate. Segregation of exceptional students shall  
16 occur only if the nature or severity of the exceptionality is  
17 such that education in regular classes with the use of  
18 supplementary aids and services cannot be achieved  
19 satisfactorily.

20 ~~(g)(7)~~ In addition to the services agreed to in a  
21 student's individual education plan, the district school  
22 superintendent shall fully inform the parent of a student  
23 having a physical or developmental disability of all available  
24 services that are appropriate for the student's disability.  
25 The superintendent shall provide the student's parent with a  
26 summary of the student's rights.

27 (2)(a) An exceptional student with a disability who  
28 resides in a residential facility and receives special  
29 instruction or services is considered a resident of the state  
30 in which the student's parent or guardian is a resident. The  
31 cost of such instruction, facilities, and services for a

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 nonresident student with a disability shall be provided by the  
2 placing authority in the student's state of residence, such as  
3 a public school entity, other placing authority, or parent. A  
4 nonresident student with a disability may not be reported by  
5 any school district for FTE funding in the Florida Education  
6 Finance Program.

7       (b) The Department of Education shall provide to each  
8 school district a statement of the specific limitations of the  
9 district's financial obligation for exceptional students with  
10 disabilities under federal and state law. The department shall  
11 also provide to each school district technical assistance as  
12 necessary for developing a local plan to impose on a student's  
13 home state the fiscal responsibility for educating a  
14 nonresident exceptional student with a disability.

15       (c) The Department of Education shall develop a  
16 process by which a school district must, before providing  
17 services to an exceptional student with a disability who  
18 resides in a residential facility in this state, review the  
19 residency of the student. The residential facility, not the  
20 district, is responsible for billing and collecting from a  
21 nonresidential student's home state payment for the student's  
22 educational and related services.

23       (d) This subsection applies to any nonresident student  
24 with a disability who resides in a residential facility and  
25 who receives instruction as an exceptional student with a  
26 disability in any type of residential facility in this state,  
27 including, but not limited to, a public school, a private  
28 school, a group home facility as defined in s. 393.063, an  
29 intensive residential treatment program for children and  
30 adolescents as defined in s. 395.002, a facility as defined in  
31 s. 394.455, an intermediate care facility for the

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 developmentally disabled or ICF/DD as defined in s. 393.063 or  
2 s. 400.960, or a community residential home as defined in s.  
3 419.001.

4 Section 18. Section 1003.575, Florida Statutes, is  
5 created to read:

6 1003.575 Individual education plans for exceptional  
7 students.--The Department of Education shall devise an  
8 individual education plan (IEP) form for use in developing and  
9 implementing individual education plans for exceptional  
10 students. The IEP form must have a streamlined format; and, to  
11 provide for the use of an existing IEP form when a student  
12 transfers from one school district to another, the IEP form  
13 developed by the department shall be used in each school  
14 district in the state.

15 Section 19. Section 1003.58, Florida Statutes, is  
16 amended to read:

17 1003.58 Students in residential care facilities.--Each  
18 district school board shall provide educational programs  
19 according to rules of the State Board of Education to students  
20 who reside in residential care facilities operated by the  
21 Department of Children and Family Services.

22 (1) The district school board shall not be charged any  
23 rent, maintenance, utilities, or overhead on such facilities.  
24 Maintenance, repairs, and remodeling of existing facilities  
25 shall be provided by the Department of Children and Family  
26 Services.

27 (2) If additional facilities are required, the  
28 district school board and the Department of Children and  
29 Family Services shall agree on the appropriate site based on  
30 the instructional needs of the students. When the most  
31 appropriate site for instruction is on district school board

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 property, a special capital outlay request shall be made by  
 2 the commissioner in accordance with s. 1013.60. When the most  
 3 appropriate site is on state property, state capital outlay  
 4 funds shall be requested by the Department of Children and  
 5 Family Services as provided by s. 216.043 and shall be  
 6 submitted as specified by s. 216.023. Any instructional  
 7 facility to be built on state property shall have educational  
 8 specifications jointly developed by the school district and  
 9 the Department of Children and Family Services and approved by  
 10 the Department of Education. The size of space and occupant  
 11 design capacity criteria as provided by state board rules  
 12 shall be used for remodeling or new construction whether  
 13 facilities are provided on state property or district school  
 14 board property. The planning of such additional facilities  
 15 shall incorporate current Department of Children and Family  
 16 Services deinstitutionalization plans.

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

22 (4) The district school board shall have a written  
 23 agreement with the Department of Children and Family Services  
 24 outlining the respective duties and responsibilities of each  
 25 party.

26  
 27 Notwithstanding the provisions herein, the educational program  
 28 at the Marianna Sunland Center in Jackson County shall be  
 29 operated by the Department of Education, either directly or  
 30 through grants or contractual agreements with other public or  
 31 duly accredited educational agencies approved by the

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 Department of Education.

2 Section 20. Present subsection (13) of section  
3 1004.04, Florida Statutes, is redesignated as subsection (14),  
4 and a new subsection (13) is added to that section, to read:

5 1004.04 Public accountability and state approval for  
6 teacher preparation programs.--

7 (13) RESEARCH.--The Council for Education Policy  
8 Research and Improvement shall review and report on the  
9 effectiveness of the graduates of state-approved teacher  
10 preparation programs and state-approved alternative  
11 certification programs as demonstrated by the progress of  
12 their students on statewide assessments.

13 Section 21. Section 1004.64, Florida Statutes, is  
14 created to read:

15 1004.64 Florida Center for Reading Research.--There is  
16 created, as a joint project between the College of Arts and  
17 Sciences and the Learning Systems Institute (LSI) at the  
18 Florida State University, the Florida Center for Reading  
19 Research (FCRR). The center is administratively housed within  
20 the LSI and shall:

21 (1) Provide technical assistance and support to all  
22 school districts and schools in this state in the  
23 implementation of evidence-based literacy instruction,  
24 assessments, and programs.

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

28 (3) Conduct basic research on reading, reading growth,  
29 reading assessment, and reading instruction which will  
30 contribute to scientific knowledge about reading.

31 (4) Develop frameworks for comprehensive reading

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 intervention courses for possible use in middle schools and  
2 secondary schools.

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

6 (6) Collect, manage, and report on assessment  
7 information from screening, progress monitoring, and outcome  
8 assessments through the Florida Progress Monitoring and  
9 Reporting Network. The network is a statewide resource that is  
10 operated to provide valid and timely reading assessment data  
11 for parents, teachers, principals, and district-level and  
12 state-level staff in the management of instruction at the  
13 individual, classroom, and school levels.

14 Section 22. Section 1008.22, Florida Statutes, is  
15 amended to read:

16 1008.22 Student assessment program for public  
17 schools.--

18 (1) PURPOSE.--The primary purposes of the student  
19 assessment program are to provide information needed to  
20 improve the public schools by enhancing the learning gains of  
21 all students and to inform parents of the educational progress  
22 of their public school children. The program must be designed  
23 to:

24 (a) Assess the annual learning gains of each student  
25 toward achieving the Sunshine State Standards appropriate for  
26 the student's grade level.

27 (b) Provide data for making decisions regarding school  
28 accountability and recognition.

29 (c) Identify the educational strengths and needs of  
30 students and the readiness of students to be promoted to the  
31 next grade level or to graduate from high school with a



Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 standard high school diploma.

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

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

6 (f) Provide information on the performance of ~~Florida~~  
7 students in this state compared with other students ~~others~~  
8 across the United States.

9 (2) INTENT.--

10 (a) It is the intent of the Legislature that the  
11 Department of Education pursue innovations in technology and  
12 assessment to allow the Florida Comprehensive Assessment Test  
13 (FCAT) to be administered as late as possible in the school  
14 year with scores received before the end of the school year.  
15 The department shall pursue such innovations to the extent  
16 funded by the Legislature. Annually, the Commissioner of  
17 Education shall report to the Governor, the President of the  
18 Senate, and the Speaker of the House of Representatives on the  
19 state of the art in large-scale on-line assessment  
20 capabilities of the industry and of the capacity of the public  
21 schools in this state to implement a statewide program.

22 (b) It is the further intent of the Legislature that  
23 the Department of Education make accessible to the public  
24 copies of actual scored FCAT test items when sufficient items  
25 are available through the test-item databank to ensure the  
26 security and validity of the test. The department shall  
27 provide such FCAT test items to the extent that sufficient  
28 items are funded by the Legislature. However, this paragraph  
29 does not apply to those provisions of the FCAT to which the  
30 department does not hold the copyright.

31 (3)(2) NATIONAL EDUCATION COMPARISONS.--It is

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 Florida's intent to participate in the measurement of national  
2 educational goals. The Commissioner of Education shall direct  
3 Florida school districts to participate in the administration  
4 of the National Assessment of Educational Progress, or a  
5 similar national assessment program, both for the national  
6 sample and for any state-by-state comparison programs which  
7 may be initiated. Such assessments must be conducted using the  
8 data collection procedures, the student surveys, the educator  
9 surveys, and other instruments included in the National  
10 Assessment of Educational Progress or similar program being  
11 administered in Florida. The results of these assessments  
12 shall be included in the annual report of the Commissioner of  
13 Education specified in this section. The administration of the  
14 National Assessment of Educational Progress or similar program  
15 shall be in addition to and separate from the administration  
16 of the statewide assessment program.

17 ~~(4)(3)~~ STATEWIDE ASSESSMENT PROGRAM.--The commissioner  
18 shall design and implement a statewide program of educational  
19 assessment that provides information for the improvement of  
20 the operation and management of the public schools, including  
21 schools operating for the purpose of providing educational  
22 services to youth in Department of Juvenile Justice programs.  
23 The commissioner may enter into contracts for the continued  
24 administration of the assessment, testing, and evaluation  
25 programs authorized and funded by the Legislature. Contracts  
26 may be initiated in 1 fiscal year and continue into the next  
27 and may be paid from the appropriations of either or both  
28 fiscal years. The commissioner is authorized to negotiate for  
29 the sale or lease of tests, scoring protocols, test scoring  
30 services, and related materials developed pursuant to law.  
31 Pursuant to the statewide assessment program, the commissioner

1 shall:

2 (a) Submit to the State Board of Education a list that  
 3 specifies student skills and competencies to which the goals  
 4 for education specified in the state plan apply, including,  
 5 but not limited to, reading, writing, science, and  
 6 mathematics. The skills and competencies must include  
 7 problem-solving and higher-order skills as appropriate and  
 8 shall be known as the Sunshine State Standards as defined in  
 9 s. 1000.21. The commissioner shall select such skills and  
 10 competencies after receiving recommendations from educators,  
 11 citizens, and members of the business community. The  
 12 commissioner shall submit to the State Board of Education  
 13 revisions to the list of student skills and competencies in  
 14 order to maintain continuous progress toward improvements in  
 15 student proficiency.

16 (b) Develop and implement a uniform system of  
 17 indicators to describe the performance of public school  
 18 students and the characteristics of the public school  
 19 districts and the public schools. These indicators must  
 20 include, without limitation, information gathered by the  
 21 comprehensive management information system created pursuant  
 22 to s. 1008.385 and student achievement information obtained  
 23 pursuant to this section.

24 (c) Develop and implement a student achievement  
 25 testing program known as the Florida Comprehensive Assessment  
 26 Test (FCAT) as part of the statewide assessment program, ~~to be~~  
 27 ~~administered annually in grades 3 through 10~~ to measure  
 28 reading, writing, science, and mathematics. Other content  
 29 areas may be included as directed by the commissioner. The  
 30 assessment of reading and math shall be administered annually  
 31 in grades 3 through 10. The assessment of writing and science

Barcode 493828

1 shall be administered at least once at the elementary school  
 2 level, at least once at the middle school level, and at least  
 3 once at the high school level. The testing program must be  
 4 designed so that:

5       1. The tests measure student skills and competencies  
 6 adopted by the State Board of Education as specified in  
 7 paragraph (a). The tests must measure and report student  
 8 proficiency levels in reading, writing, mathematics, and  
 9 science. The commissioner shall provide for the tests to be  
 10 developed or obtained, as appropriate, through contracts and  
 11 project agreements with private vendors, public vendors,  
 12 public agencies, postsecondary educational institutions, or  
 13 school districts. The commissioner shall obtain input with  
 14 respect to the design and implementation of the testing  
 15 program from state educators and the public.

16       2. The testing program will include a combination of  
 17 norm-referenced and criterion-referenced tests and include, to  
 18 the extent determined by the commissioner, questions that  
 19 require the student to produce information or perform tasks in  
 20 such a way that the skills and competencies he or she uses can  
 21 be measured.

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

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

30       5. Except as provided in s. 1003.43(11)(b), students  
 31 must earn a passing score on the grade 10 assessment test

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 described in this paragraph or on an alternate assessment as  
 2 described in subsection (9) in reading, writing, and  
 3 mathematics to qualify for a regular high school diploma. The  
 4 State Board of Education shall designate a passing score for  
 5 each part of the grade 10 assessment test. In establishing  
 6 passing scores, the state board shall consider any possible  
 7 negative impact of the test on minority students. ~~All students~~  
 8 ~~who took the grade 10 FCAT during the 2000-2001 school year~~  
 9 ~~shall be required to earn the passing scores in reading and~~  
 10 ~~mathematics established by the State Board of Education for~~  
 11 ~~the March 2001 test administration. Such students who did not~~  
 12 ~~earn the established passing scores and must repeat the grade~~  
 13 ~~10 FCAT are required to earn the passing scores established~~  
 14 ~~for the March 2001 test administration. All students who take~~  
 15 ~~the grade 10 FCAT for the first time in March 2002 shall be~~  
 16 ~~required to earn the passing scores in reading and mathematics~~  
 17 ~~established by the State Board of Education for the March 2002~~  
 18 ~~test administration.~~ The State Board of Education shall adopt  
 19 rules that ~~which~~ specify the passing scores for the grade 10  
 20 FCAT. Any such rules, which have the effect of raising the  
 21 required passing scores, shall ~~only~~ apply only to students  
 22 taking the grade 10 FCAT for the first time after such rules  
 23 are adopted by the State Board of Education.

24           6. Participation in the testing program is mandatory  
 25 for all students attending public school, including students  
 26 served in Department of Juvenile Justice programs, except as  
 27 otherwise prescribed by the commissioner. If a student does  
 28 not participate in the statewide assessment, the district must  
 29 notify the student's parent and provide the parent with  
 30 information regarding the implications of such  
 31 nonparticipation. If modifications are made in the student's

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 instruction to provide accommodations that would not be  
2 permitted on the statewide assessment tests, the district must  
3 notify the student's parent of the implications of such  
4 instructional modifications. A parent must provide signed  
5 consent for a student to receive instructional modifications  
6 that would not be permitted on the statewide assessments and  
7 must acknowledge in writing that he or she understands the  
8 implications of such accommodations. The State Board of  
9 Education shall adopt rules, based upon recommendations of the  
10 commissioner, for the provision of test accommodations and  
11 modifications of procedures as necessary for students in  
12 exceptional education programs and for students who have  
13 limited English proficiency. Accommodations that negate the  
14 validity of a statewide assessment are not allowable.

15           7. A student seeking an adult high school diploma must  
16 meet the same testing requirements that a regular high school  
17 student must meet.

18           8. District school boards must provide instruction to  
19 prepare students to demonstrate proficiency in the skills and  
20 competencies necessary for successful grade-to-grade  
21 progression and high school graduation. If a student is  
22 provided with accommodations or modifications that are not  
23 allowable in the statewide assessment program, as described in  
24 the test manuals, the district must inform the parent in  
25 writing and must provide the parent with information regarding  
26 the impact on the student's ability to meet expected  
27 proficiency levels in reading, writing, and math. The  
28 commissioner shall conduct studies as necessary to verify that  
29 the required skills and competencies are part of the district  
30 instructional programs.

31           9. The Department of Education must develop, or

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 select, and implement a common battery of assessment tools  
 2 that will be used in all juvenile justice programs in the  
 3 state. These tools must accurately measure the skills and  
 4 competencies established in the Florida Sunshine State  
 5 Standards.

6  
 7 The commissioner may design and implement student testing  
 8 programs, for any grade level and subject area, necessary to  
 9 effectively monitor educational achievement in the state.

10 (d) Conduct ongoing research to develop improved  
 11 methods of assessing student performance, including, without  
 12 limitation, the use of technology to administer tests, score,  
 13 or report the results of, the use of electronic transfer of  
 14 data, the development of work-product assessments, and the  
 15 development of process assessments.

16 (e) Conduct ongoing research into and analysis of  
 17 student achievement data, including, without limitation,  
 18 monitoring trends in student achievement by grade level and  
 19 overall student achievement, identifying school programs that  
 20 are successful, and analyzing correlates of school  
 21 achievement.

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

25 ~~(5)(4)~~ DISTRICT TESTING PROGRAMS.--Each district  
 26 school board shall periodically assess student performance and  
 27 achievement within each school of the district. The assessment  
 28 programs must be based upon local goals and objectives that  
 29 are compatible with the state plan for education and that  
 30 supplement the skills and competencies adopted by the State  
 31 Board of Education. All school districts must participate in

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 the statewide assessment program designed to measure annual  
2 student learning and school performance. All district school  
3 boards shall report assessment results as required by the  
4 state management information system.

5 ~~(6)~~~~(5)~~ SCHOOL TESTING PROGRAMS.--Each public school  
6 shall participate in the statewide assessment program, unless  
7 specifically exempted by state board rule based on serving a  
8 specialized population for which standardized testing is not  
9 appropriate. Student performance data shall be analyzed and  
10 reported to parents, the community, and the state. Student  
11 performance data shall be used in developing objectives of the  
12 school improvement plan, evaluation of instructional  
13 personnel, evaluation of administrative personnel, assignment  
14 of staff, allocation of resources, acquisition of  
15 instructional materials and technology, performance-based  
16 budgeting, and promotion and assignment of students into  
17 educational programs. The analysis of student performance data  
18 also must identify strengths and needs in the educational  
19 program and trends over time. The analysis must be used in  
20 conjunction with the budgetary planning processes developed  
21 pursuant to s. 1008.385 and the development of the programs of  
22 remediation.

23 ~~(7)~~~~(6)~~ REQUIRED ANALYSES.--The commissioner shall  
24 provide, at a minimum, for the following analyses of data  
25 produced by the student achievement testing program:

26 (a) The statistical system for the annual assessments  
27 shall use measures of student learning, such as the FCAT, to  
28 determine teacher, school, and school district statistical  
29 distributions, which shall be determined using available data  
30 from the FCAT, and other data collection as deemed appropriate  
31 by the Department of Education, to measure the differences in



Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 student prior year achievement compared to the current year  
2 achievement for the purposes of accountability and  
3 recognition.

4 (b) The statistical system shall provide the best  
5 estimates of teacher, school, and school district effects on  
6 student progress. The approach used by the department shall be  
7 approved by the commissioner before implementation.

8 (c) The annual testing program shall be administered  
9 to provide for valid statewide comparisons of learning gains  
10 to be made for purposes of accountability and recognition. The  
11 commissioner shall establish a schedule for the administration  
12 of the statewide assessments. In establishing such schedule,  
13 the commissioner is charged with the duty to accomplish the  
14 latest possible administration of the statewide assessments  
15 and the earliest possible provision of the results to the  
16 school districts feasible within available technology and  
17 specific appropriation. District school boards shall not  
18 establish school calendars that jeopardize or limit the valid  
19 testing and comparison of student learning gains.

20 ~~(8)(7)~~ LOCAL ASSESSMENTS.--Measurement of the learning  
21 gains of students in all subjects and grade levels other than  
22 subjects and grade levels required for the state student  
23 achievement testing program is the responsibility of the  
24 school districts.

25 ~~(9)(8)~~ APPLICABILITY OF TESTING STANDARDS.--A student  
26 must meet the testing requirements for high school graduation  
27 that were in effect at the time the student entered 9th grade,  
28 provided the student's enrollment was continuous.

29 ~~(10)(9)~~ EQUIVALENCIES FOR STANDARDIZED TESTS.--

30 (a) The Commissioner of Education shall approve the  
31 use of the SAT and ACT tests as alternative assessments to the

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 grade 10 FCAT ~~for the 2003-2004 school year~~. Students who  
 2 attain scores on the SAT or ACT which equate to the passing  
 3 scores on the grade 10 FCAT for purposes of high school  
 4 graduation shall satisfy the assessment requirement for a  
 5 standard high school diploma as provided in s. 1003.429(6)(a)  
 6 or s. 1003.43(5)(a) ~~for the 2003-2004 school year~~ if the  
 7 students meet the requirement in paragraph (b).

8 (b) A student shall be required to take the grade 10  
 9 FCAT a total of three times without earning a passing score in  
 10 order to use the scores on an alternative assessment pursuant  
 11 to paragraph (a). This requirement shall not apply to a  
 12 student who is a new student to the public school system in  
 13 grade 12.

14 ~~(11)(10)~~ RULES.--The State Board of Education shall  
 15 adopt rules under ~~pursuant to~~ ss. 120.536(1) and 120.54 to  
 16 implement ~~the provisions of~~ this section.

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

20 1008.25 Public school student progression; remedial  
 21 instruction; reporting requirements.--

22 (8) ANNUAL REPORT.--

23 (a) In addition to the requirements in paragraph  
 24 (5)(b), each district school board must annually report to the  
 25 parent of each student the progress of the student toward  
 26 achieving state and district expectations for proficiency in  
 27 reading, writing, science, and mathematics. The district  
 28 school board must report to the parent the student's results  
 29 on each statewide assessment test. The evaluation of each  
 30 student's progress must be based upon the student's classroom  
 31 work, observations, tests, district and state assessments, and

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 other relevant information. Progress reporting must be  
2 provided to the parent in writing in a format adopted by the  
3 district school board.

4 (b) ~~Beginning with the 2001-2002 school year,~~ Each  
5 district school board must annually publish in the local  
6 newspaper, and report in writing to the State Board of  
7 Education by September 1 of each year, the following  
8 information on the prior school year:

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

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

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

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

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

22 (c) The Department of Education shall establish a  
23 uniform format in which school districts must report such  
24 information. The department shall annually compile the  
25 information required under subparagraphs (b)2., 3., and 4.,  
26 along with state-level summary information, and shall report  
27 the information to the Governor, the President of the Senate,  
28 and the Speaker of the House of Representatives.

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1       (a) The longitudinal performance of students in math  
2 and reading.

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

5       (c) The longitudinal performance regarding efforts to  
6 close the achievement gap.

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

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

12           Section 24. Section 1008.31, Florida Statutes, is  
13 amended to read:

14           1008.31 Florida's K-20 education performance  
15 accountability system; legislative intent; public  
16 accountability and reporting ~~performance-based funding~~;  
17 mission, goals, and systemwide measures.--

18           (1) LEGISLATIVE INTENT.--It is the intent of the  
19 Legislature that:

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

24           1. What is the public receiving in return for funds it  
25 invests in education?

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

28           3. How effectively are the major delivery sectors  
29 promoting student achievement?

30           4. How are individual schools and postsecondary  
31 education institutions performing their responsibility to

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 educate their students as measured by how students are  
2 exhibiting ~~performing~~ and how much they are learning?

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

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

12 (d) The State Board of Education recommend to the  
13 Legislature systemwide performance standards; the Legislature  
14 establish systemwide performance measures and standards; and  
15 the systemwide measures and standards provide Floridians with  
16 information on what the public is receiving in return for the  
17 funds it invests in education and how well the K-20 system  
18 educates its students.

19 (e) The State Board of Education establish performance  
20 measures and set performance standards for individual  
21 components of the public education system, including  
22 individual schools and community colleges ~~postsecondary~~  
23 ~~educational institutions~~, with measures and standards based  
24 primarily on student achievement.

25 (f) The Board of Governors establish performance  
26 measures and set performance standards for state universities,  
27 with measures and standards based primarily on student access  
28 and achievement. Measures should encourage the seamless  
29 transition of students from one educational level to the next  
30 and be consistent with other educational accountability  
31 measures.

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

2       ~~(a) The State Board of Education shall cooperate with~~  
3 ~~each delivery system to develop proposals for~~  
4 ~~performance-based funding, using performance measures adopted~~  
5 ~~pursuant to this section.~~

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

10       ~~(c) The State Board of Education shall adopt~~  
11 ~~guidelines required to implement performance-based funding~~  
12 ~~that allow 1 year to demonstrate achievement of specified~~  
13 ~~performance standards prior to a reduction in appropriations~~  
14 ~~pursuant to this section.~~

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

18           ~~1. Use the state core measures and the sector-specific~~  
19 ~~measures to evaluate the progress of each sector of the~~  
20 ~~educational delivery system toward meeting the systemwide~~  
21 ~~goals for public education.~~

22           ~~2. Notify the sectors of their progress in achieving~~  
23 ~~the specified measures so that they may develop improvement~~  
24 ~~plans that directly influence decisions about policy, program~~  
25 ~~development, and management.~~

26           ~~3. Implement the performance-based budgeting system~~  
27 ~~described in this section.~~

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

31       ~~(f) By December 1, 2004, the Department of Education~~

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 ~~shall recommend to the Legislature a formula for~~  
 2 ~~performance-based funding that applies accountability~~  
 3 ~~standards for the individual components of the public~~  
 4 ~~education system at every level, kindergarten through graduate~~  
 5 ~~school. Effective for the 2004-2005 fiscal year and~~  
 6 ~~thereafter, subject to annual legislative approval in the~~  
 7 ~~General Appropriations Act, performance-based funds shall be~~  
 8 ~~allocated based on the progress, rewards, and sanctions~~  
 9 ~~established pursuant to this section.~~

10 ~~(2)(3)~~ MISSION, GOALS, AND SYSTEMWIDE MEASURES.--

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

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

- 20 1. Focused on student success;
- 21 2. Actionable, in that an educational entity can  
 22 affect the outcomes through policy and program changes;
- 23 3. High-quality and efficient;
- 24 4. Measurable over time;
- 25 5. Simple to explain and display to the public; and
- 26 6. Aligned with other measures and other sectors to  
 27 support a coordinated K-20 education system.

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

- 31 1. Highest student achievement, as indicated by

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 ~~evidence of student learning gains at all levels measured by:~~  
 2 ~~student FCAT performance and annual learning gains; the number~~  
 3 ~~and percentage of schools that improve at least one school~~  
 4 ~~performance grade designation or maintain a school performance~~  
 5 ~~grade designation of "A" pursuant to s. 1008.34; graduation or~~  
 6 ~~completion rates at all learning levels; and other measures~~  
 7 ~~identified in law or rule.~~

8           2. Seamless articulation and maximum access, as  
 9 measured by evidence of progression and readiness and evidence  
 10 of access by targeted groups of students identified by the  
 11 commissioner: ~~the percentage of students who demonstrate~~  
 12 ~~readiness for the educational level they are entering, from~~  
 13 ~~kindergarten through postsecondary education and into the~~  
 14 ~~workforce; the number and percentage of students needing~~  
 15 ~~remediation; the percentage of Floridians who complete~~  
 16 ~~associate, baccalaureate, graduate, professional, and~~  
 17 ~~postgraduate degrees; the number and percentage of credits~~  
 18 ~~that articulate; the extent to which each set of exit-point~~  
 19 ~~requirements matches the next set of entrance-point~~  
 20 ~~requirements; the degree to which underserved populations~~  
 21 ~~access educational opportunity; the extent to which access is~~  
 22 ~~provided through innovative educational delivery strategies;~~  
 23 ~~and other measures identified in law or rule.~~

24           3. Skilled workforce and economic development, as  
 25 measured by evidence of employment and earnings: ~~the number~~  
 26 ~~and percentage of graduates employed in their areas of~~  
 27 ~~preparation; the percentage of Floridians with high school~~  
 28 ~~diplomas and postsecondary education credentials; the~~  
 29 ~~percentage of business and community members who find that~~  
 30 ~~Florida's graduates possess the skills they need; national~~  
 31 ~~rankings; and other measures identified in law or rule.~~



Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1           4. Quality efficient services, as measured by evidence  
 2 of return on investment; cost per completer or graduate;  
 3 average cost per noncompleter at each educational level; cost  
 4 disparity across institutions offering the same degrees; the  
 5 percentage of education customers at each educational level  
 6 who are satisfied with the education provided; and other  
 7 measures identified in law or rule.

8           (3)(4) K-20 EDUCATION DATA QUALITY IMPROVEMENT.--To  
 9 provide data required to implement education performance  
 10 accountability measures in state and federal law, the  
 11 commissioner shall initiate and maintain strategies to improve  
 12 data quality and timeliness.

13           (a) SYSTEMWIDE DATA COLLECTION.--School districts and  
 14 public postsecondary educational institutions shall maintain  
 15 information systems that will provide the State Board of  
 16 Education, the Board of Governors, and the Legislature with  
 17 information and reports necessary to address the  
 18 specifications of the accountability system. The State Board  
 19 of Education shall determine the standards for the required  
 20 data. The level of comprehensiveness and quality shall be no  
 21 less than that which was available as of June 30, 2001.

22           (b) The Commissioner of Education shall determine the  
 23 standards for the required data, monitor data quality, and  
 24 measure improvements. The commissioner shall report annually  
 25 to the Legislature, the State Board of Education, and the  
 26 Board of Governors data quality indicators and ratings for all  
 27 public postsecondary education institutions and school  
 28 districts.

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 Section 25. Section 1008.33, Florida Statutes, is  
2 amended to read:

3 1008.33 Authority to enforce public school  
4 improvement.--It is the intent of the Legislature that all  
5 public schools be held accountable for students performing at  
6 acceptable levels. A system of school improvement and  
7 accountability that assesses student performance by school,  
8 identifies schools in which students are not making adequate  
9 progress toward state standards, institutes appropriate  
10 measures for enforcing improvement, and provides rewards and  
11 sanctions based on performance shall be the responsibility of  
12 the State Board of Education.

13 (1) Pursuant to Art. IX of the State Constitution  
14 prescribing the duty of the State Board of Education to  
15 supervise Florida's public school system and notwithstanding  
16 any other statutory provisions to the contrary, the State  
17 Board of Education shall intervene in the operation of a  
18 district school system when one or more schools in the school  
19 district have failed to make adequate progress for 2 school  
20 years in a 4-year period. For purposes of determining when a  
21 school is eligible for state board action and opportunity  
22 scholarships for its students, the terms "2 years in any  
23 4-year period" and "2 years in a 4-year period" mean that in  
24 any year that a school has a grade of "F," the school is  
25 eligible for state board action and opportunity scholarships  
26 for its students if it also has had a grade of "F" in any of  
27 the previous 3 school years. The State Board of Education may  
28 determine that the school district or school has not taken  
29 steps sufficient for students in the school to be academically  
30 well served. Considering recommendations of the Commissioner  
31 of Education, the State Board of Education shall recommend

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 action to a district school board intended to improve  
2 educational services to students in each school that is  
3 designated with a grade of ~~as performance grade category~~ "F."  
4 Recommendations for actions to be taken in the school district  
5 shall be made only after thorough consideration of the unique  
6 characteristics of a school, which shall include student  
7 mobility rates, the number and type of exceptional students  
8 enrolled in the school, and the availability of options for  
9 improved educational services. The state board shall adopt by  
10 rule steps to follow in this process. Such steps shall  
11 provide school districts sufficient time to improve student  
12 performance in schools and the opportunity to present evidence  
13 of assistance and interventions that the district school board  
14 has implemented.

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

20 (a) Provide additional resources, change certain  
21 practices, and provide additional assistance if the state  
22 board determines the causes of inadequate progress to be  
23 related to school district policy or practice;

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

26 (c) Contract for the educational services of the  
27 school, or reorganize the school at the end of the school year  
28 under a new school principal who is authorized to hire new  
29 staff and implement a plan that addresses the causes of  
30 inadequate progress;

31 (d) Transfer high-quality teachers, faculty, and staff

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 to improve the performance of students in any low-performing  
2 school;

3       ~~(e)(d)~~ Allow parents of students in the school to send  
4 their children to another district school of their choice; or  
5       ~~(f)(e)~~ Other action appropriate to improve the  
6 school's performance.

7       (3) In recommending actions to district school boards,  
8 the State Board of Education shall specify the length of time  
9 available to implement the recommended action. The State  
10 Board of Education may adopt rules to further specify how it  
11 may respond in specific circumstances. ~~No~~ Action taken by the  
12 State Board of Education does not shall relieve a school from  
13 state accountability requirements.

14       (4) The State Board of Education may require the  
15 Department of Education or Chief Financial Officer to withhold  
16 any transfer of state funds to the school district if, within  
17 the timeframe specified in state board action, the school  
18 district has failed to comply with the action ordered to  
19 improve the district's low-performing schools. ~~Withholding~~ The  
20 transfer of funds may be withheld shall occur only after all  
21 other recommended actions for school improvement have failed  
22 to improve performance. The State Board of Education may  
23 impose the same penalty on any district school board that  
24 fails to develop and implement a plan for assistance and  
25 intervention for low-performing schools as specified in s.  
26 1001.42(16)(c).

27       Section 26. Section 1008.34, Florida Statutes, is  
28 amended to read:

29       1008.34 School grading system; school report cards;  
30 district performance grade.--

31       (1) ANNUAL REPORTS.--The Commissioner of Education

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 shall prepare annual reports of the results of the statewide  
 2 assessment program which describe student achievement in the  
 3 state, each district, and each school. The commissioner shall  
 4 prescribe the design and content of these reports, which must  
 5 include, without limitation, descriptions of the performance  
 6 of all schools participating in the assessment program and all  
 7 of their major student populations as determined by the  
 8 Commissioner of Education, and must also include the median  
 9 scores of all eligible students who scored at or in the lowest  
 10 25th percentile of the state in the previous school year;  
 11 ~~provided, however, that~~ the provisions of s. 1002.22  
 12 pertaining to student records apply to this section.

13 (2) SCHOOL GRADES ~~PERFORMANCE GRADE CATEGORIES~~.--The  
 14 annual report shall identify schools as having one of the  
 15 following grades ~~being in one of the following grade~~  
 16 ~~categories~~ defined according to rules of the State Board of  
 17 Education:

- 18 (a) "A," schools making excellent progress.
- 19 (b) "B," schools making above average progress.
- 20 (c) "C," schools making satisfactory progress.
- 21 (d) "D," schools making less than satisfactory  
 22 progress.
- 23 (e) "F," schools failing to make adequate progress.

24  
 25 Each school designated with a grade of ~~in performance grade~~  
 26 ~~category~~ "A," making excellent progress, or having improved at  
 27 least two grade levels ~~performance grade categories~~, shall  
 28 have greater authority over the allocation of the school's  
 29 total budget generated from the FEFP, state categoricals,  
 30 lottery funds, grants, and local funds, as specified in state  
 31 board rule. The rule must provide that the increased budget

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 authority shall remain in effect until the school's  
2 performance grade declines.

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

7 (a) Criteria ~~Timeframes~~.--

8 1. ~~School performance grade category designations~~  
9 ~~shall be based on the school's current year performance and~~  
10 ~~the school's annual learning gains.~~

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

13 1. Student achievement scores;~~i~~

14 2. Student learning gains as measured by annual FCAT  
15 assessments in grades 3 through 10;~~i~~ and

16 3. Improvement of the lowest 25th percentile of  
17 students in the school in reading, ~~math, or writing~~ on the  
18 FCAT, unless these students are exhibiting ~~performing~~ above  
19 satisfactory performance.

20 (b) Schools to be graded.--All schools shall receive a  
21 school grade except those alternative schools that receive a  
22 school improvement rating pursuant to s. 1008.341. Alternative  
23 schools may choose to receive a school grade pursuant to the  
24 provisions of this section in lieu of a school improvement  
25 rating described in s. 1008.341.

26 (c) ~~(b)~~ Student assessment data.--Student assessment  
27 data used in determining school grades ~~performance grade~~  
28 ~~categories~~ shall include:

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

31 2. The aggregate scores of all eligible students

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 enrolled in the school who have been assessed on the FCAT,  
 2 including Florida Writes, and who have scored at or in the  
 3 lowest 25th percentile of students in the school in reading,  
 4 math, or writing, unless these students are exhibiting  
 5 ~~performing~~ above satisfactory performance.

6       3. The achievement scores and learning gains of  
 7 eligible students attending alternative schools that provide  
 8 dropout prevention and academic intervention services pursuant  
 9 to s. 1003.53. The term "eligible students" as used in this  
 10 subparagraph does not include students attending an  
 11 alternative school who are subject to district school board  
 12 policies for expulsion for repeated or serious offenses, who  
 13 are in dropout retrieval programs serving students who have  
 14 officially been designated as dropouts, and who are in the  
 15 programs operated or contracted by the Department of Juvenile  
 16 Justice. The student performance data for eligible students  
 17 identified in this subparagraph shall be included in  
 18 calculating the originating school's grade. For purposes of  
 19 this section and s. 1008.341, the term "originating school"  
 20 means the school that the student was attending when assigned  
 21 to an alternative school. If an alternative school chooses to  
 22 be graded pursuant to this section, student performance data  
 23 for eligible students identified in this subparagraph may not  
 24 be included in the originating school's grade, but shall be  
 25 included only in the calculation of the alternative school's  
 26 grade. School districts must ensure collaboration between the  
 27 originating school and the alternative school in order to  
 28 promote student success.

29  
 30 ~~The Department of Education shall study the effects of~~  
 31 ~~mobility on the performance of highly mobile students and~~

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 ~~recommend programs to improve the performance of such~~  
2 ~~students.~~ The State Board of Education shall adopt appropriate  
3 criteria for each school grade ~~performance grade category~~. The  
4 criteria must also give added weight to student achievement in  
5 reading. Schools designated with a grade of ~~as performance~~  
6 ~~grade category~~ "C," making satisfactory progress, shall be  
7 required to demonstrate that adequate progress has been made  
8 by students in the school who are in the lowest 25th  
9 percentile in reading, math, or writing on the FCAT, including  
10 Florida Writes, unless these students are exhibiting  
11 ~~performing~~ above satisfactory performance.

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

19 (5) SCHOOL REPORT CARD.--The Department of Education  
20 shall annually develop in collaboration with the school  
21 districts a school report card to be delivered to parents  
22 throughout each school district. The report card must include  
23 the school's grade, information regarding school improvement,  
24 an explanation of school performance as evaluated by the  
25 federal No Child Left Behind Act, and indicators of return on  
26 investment. ~~PERFORMANCE GRADE CATEGORY AND IMPROVEMENT RATING~~  
27 ~~REPORTS~~.--~~School performance grade category designations and~~  
28 ~~improvement ratings shall apply to each school's performance~~  
29 ~~for the year in which performance is measured.~~ Each school's  
30 report card designation and rating shall be published annually  
31 by the Department of Education on the department's website,



Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 and the school district shall provide the report card to each  
2 parent. ~~Parents shall be entitled to an easy-to-read report~~  
3 ~~card about the designation and rating of the school in which~~  
4 ~~their child is enrolled.~~

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

8 ~~(6)(7)~~ PERFORMANCE-BASED FUNDING.--The Legislature may  
9 factor in the performance of schools in calculating any  
10 performance-based funding policy that is provided for annually  
11 in the General Appropriations Act.

12 ~~(7)(8)~~ DISTRICT PERFORMANCE GRADE.--The annual report  
13 required by subsection (1) shall include district performance  
14 grades, which shall consist of weighted district average  
15 grades, by level, for all elementary schools, middle schools,  
16 and high schools in the district. A district's weighted  
17 average grade shall be calculated by weighting individual  
18 school grades determined pursuant to subsection (2) by school  
19 enrollment.

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

22 Section 27. Section 1008.341, Florida Statutes, is  
23 created to read:

24 1008.341 School improvement rating for alternative  
25 schools.--

26 (1) ANNUAL REPORTS.--The Commissioner of Education  
27 shall prepare an annual report on the performance of each  
28 school receiving a school improvement rating pursuant to this  
29 section if the provisions of s. 1002.22 pertaining to student  
30 records apply.

31 (2) SCHOOL IMPROVEMENT RATING.--Alternative schools

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 that provide dropout prevention and academic intervention  
 2 services pursuant to s. 1003.53 may not receive a school grade  
 3 as described in s. 1008.34, but shall receive a school  
 4 improvement rating pursuant to this section. The school  
 5 improvement rating shall identify schools as having one of the  
 6 following ratings defined according to rules of the State  
 7 Board of Education:

8 (a) "Improving" schools with students making more  
 9 academic progress than when the students were served in their  
 10 home school.

11 (b) "Maintaining" schools with students making the  
 12 equivalent progress as when the students were served in their  
 13 home school.

14 (c) "Declining" schools with students making less  
 15 academic progress than when the students were served in their  
 16 home school.

17  
 18 The school improvement rating shall be based on a comparison  
 19 of the current year's and previous year's students and school  
 20 performance data. Schools that improve at least one level  
 21 pursuant to this section are eligible for school recognition  
 22 awards pursuant to s. 1008.36.

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

26 (a) The aggregate scores of all eligible students who  
 27 were assigned to and enrolled in the school during the October  
 28 or February FTE counts, who have been assessed on the FCAT,  
 29 and who have FCAT or comparable scores for the preceding  
 30 school year.

31 (b) The aggregate scores of all eligible students who

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 were assigned to and enrolled in the school during the October  
2 or February FTE counts, who have been assessed on the FCAT,  
3 including Florida Writes, and who have scored at or in the  
4 lowest 25th percentile of students in the state on FCAT  
5 Reading.

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

14 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.--For all  
15 alternative schools receiving a school improvement rating, the  
16 Department of Education shall annually identify the percent of  
17 students making learning gains as compared to the percent of  
18 the same students making learning gains at their originating  
19 school in the year before being assigned to the alternative  
20 school.

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

30 (6) RULES.--The State Board of Education shall adopt  
31 rules pursuant to ss. 120.536(1) and 120.54 to administer the

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 provisions of this section.

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

4 1008.36 Florida School Recognition Program.--

5 (1) The Legislature finds that there is a need for a  
6 performance incentive program for outstanding faculty and  
7 staff in highly productive schools. The Legislature further  
8 finds that performance-based incentives are commonplace in the  
9 private sector and should be infused into the public sector as  
10 a reward for productivity.

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

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

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

17 (3) All public schools, including charter schools,  
18 that receive a school grade pursuant to s. 1008.34 are  
19 eligible to participate in the program. For purposes of this  
20 section, a school serving any combination of kindergarten  
21 through grade 3 students which does not receive a school grade  
22 under s. 1008.34 shall be assigned the school performance  
23 grade of the feeder pattern school designated by the  
24 Department of Education and verified by the school district  
25 and shall be eligible to participate in the program based upon  
26 that feeder. A feeder school pattern is defined where at least  
27 60 percent of the students in the school or schools servicing  
28 a combination of kindergarten through grade 3 students are  
29 scheduled to be assigned to the school receiving the school  
30 grade. In addition, the feeder pattern school shall be subject  
31 to the Opportunity Scholarship Program as defined in s.

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 1002.38.

2 (4) All selected schools shall receive financial  
3 awards depending on the availability of funds appropriated and  
4 the number and size of schools selected to receive an award.  
5 Funds must be distributed to the school's fiscal agent and  
6 placed in the school's account and must be used for purposes  
7 listed in subsection (5) as determined jointly by the school's  
8 staff and school advisory council. ~~If school staff and the~~  
9 ~~school advisory council cannot reach agreement by November 1,~~  
10 ~~the awards must be equally distributed to all classroom~~  
11 ~~teachers currently teaching in the school.~~

12 (5) School recognition awards must be used for the  
13 following:

14 (a) Nonrecurring bonuses to the faculty and staff who  
15 presently are employed at the school or who were employed at  
16 the school during the year of improved performance;

17 (b) Nonrecurring expenditures for educational  
18 equipment or materials to assist in maintaining and improving  
19 student performance; or

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

22  
23 Notwithstanding statutory provisions to the contrary,  
24 incentive awards are not subject to collective bargaining.

25 Section 29. Paragraph (f) of subsection (1),  
26 paragraphs (a) and (b) of subsection (4), and subsection (8)  
27 of section 1011.62, Florida Statutes, are amended, present  
28 paragraphs (o) through (r) of subsection (1) are redesignated  
29 as paragraphs (p) through (s), respectively and a new  
30 paragraph (o) is added to subsection (1), and present  
31 subsection (9) of that section is redesignated as subsection

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 (10), and a new subsection (9) is added to that section, to  
2 read:

3           1011.62 Funds for operation of schools.--If the annual  
4 allocation from the Florida Education Finance Program to each  
5 district for operation of schools is not determined in the  
6 annual appropriations act or the substantive bill implementing  
7 the annual appropriations act, it shall be determined as  
8 follows:

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

13           (f) Supplemental academic instruction; categorical  
14 fund.--

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

19           2. Categorical funds for supplemental academic  
20 instruction shall be allocated annually to each school  
21 district in the amount provided in the General Appropriations  
22 Act. These funds shall be in addition to the funds  
23 appropriated on the basis of FTE student membership in the  
24 Florida Education Finance Program and shall be included in the  
25 total potential funds of each district. These funds shall be  
26 used to provide supplemental academic instruction to students  
27 enrolled in the K-12 program. Supplemental instruction  
28 strategies may include, but are not limited to: modified  
29 curriculum, reading instruction, after-school instruction,  
30 tutoring, mentoring, class size reduction, extended school  
31 year, intensive skills development in summer school, and other

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 methods for improving student achievement. Supplemental  
 2 instruction may be provided to a student in any manner and at  
 3 any time during or beyond the regular 180-day term identified  
 4 by the school as being the most effective and efficient way to  
 5 best help that student progress from grade to grade and to  
 6 graduate.

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

18           4. The Florida State University School, as a lab  
 19 school, is authorized to expend from its FEFP or Lottery  
 20 Enhancement Trust Fund allocation the cost to the student of  
 21 remediation in reading, writing, or mathematics for any  
 22 graduate who requires remediation at a postsecondary  
 23 educational institution.

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

28           (o) Calculation of additional full-time equivalent  
 29 membership for the Florida Virtual School.--The total reported  
 30 full-time equivalent student membership shall be multiplied by  
 31 0.118, and the value shall be added to the total full-time

1 equivalent student membership.

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

10 (a) Estimated taxable value calculations.--

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

27 b. The General Appropriations Act shall direct the  
28 computation of the statewide adjusted aggregate amount for  
29 required local effort for all school districts collectively  
30 from ad valorem taxes to ensure that no school district's  
31 revenue from required local effort millage will produce more



Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 than 90 percent of the district's total Florida Education  
 2 Finance Program calculation, and the adjustment of the  
 3 required local effort millage rate of each district that  
 4 produces more than 90 percent of its total Florida Education  
 5 Finance Program entitlement to a level that will produce only  
 6 90 percent of its total Florida Education Finance Program  
 7 entitlement in the July calculation.

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

15           (b) Final calculation.--

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

25           2. For the purposes of this paragraph, the official  
 26 final taxable value for school purposes shall be the taxable  
 27 value for school purposes on which the tax bills are computed  
 28 and mailed to the taxpayers, adjusted to reflect final  
 29 administrative actions of value adjustment boards and judicial  
 30 decisions pursuant to part I of chapter 194. By September 1 of  
 31 each year, the Department of Revenue shall certify to the

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 commissioner the official prior year final taxable value for  
 2 school purposes. For each county that has not submitted a  
 3 revised tax roll reflecting final value adjustment board  
 4 actions and final judicial decisions, the Department of  
 5 Revenue shall certify the most recent revision of the official  
 6 taxable value for school purposes. The certified value shall  
 7 be the final taxable value for school purposes, and no further  
 8 adjustments shall be made, except those made pursuant to  
 9 subparagraph (10)(a)2 ~~subparagraph (9)(a)2~~.

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

1 funded.

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

3 (a) There is created the Research-Based  
4 Reading-Instruction Allocation to provide comprehensive  
5 reading instruction to students in kindergarten through grade  
6 12.

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

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

- 18 1. Highly qualified reading coaches;
- 19 2. Professional development for district teachers in  
20 scientifically based reading instruction;
- 21 3. Summer reading camps for students who score at  
22 Level 1 on the FCAT;
- 23 4. Supplemental instructional materials that are  
24 grounded in scientifically based reading research; and
- 25 5. Intensive interventions for middle-school and  
26 secondary-school students who are reading below grade level.

27 (d) Annually, by a date determined by the Department  
28 of Education but before May 1, school districts shall submit a  
29 plan for the specific use of the research-based reading  
30 instruction allocation in the format prescribed by the  
31 department for review and approval by the Just Read, Florida!

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 Office created pursuant to s. 1001.215. The plan annually  
2 submitted by school districts shall be deemed approved unless  
3 the department rejects the plan on or before June 1. If a  
4 school district and the Just Read, Florida! Office cannot  
5 agree on the contents of the plan, the school district may  
6 appeal to the State Board of Education. The plan format shall  
7 be developed with input from school district personnel,  
8 including teachers and principals, and shall allow courses in  
9 core, career, and alternative programs that deliver intensive  
10 reading remediation through integrated curricula. No later  
11 than July 1 annually, the department shall release the school  
12 district's allocation of appropriated funds to those districts  
13 with approved plans. A school district that spends 100  
14 percent of this allocation on its approved plan shall be  
15 deemed to have been in compliance with the plan. The  
16 department may withhold funds upon a determination that  
17 reading instruction allocation funds are not being used to  
18 implement the approved plan.

19 Section 30. Paragraph (b) of subsection (2) of section  
20 1011.685, Florida Statutes, is amended to read:

21 1011.685 Class size reduction; operating categorical  
22 fund.--

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

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

3 1011.71 District school tax.--

4 (1) If the district school tax is not provided in the  
5 General Appropriations Act or the substantive bill  
6 implementing the General Appropriations Act, each district  
7 school board desiring to participate in the state allocation  
8 of funds for current operation as prescribed by s. 1011.62(10)  
9 ~~s. 1011.62(9)~~ shall levy on the taxable value for school  
10 purposes of the district, exclusive of millage voted under the  
11 provisions of s. 9(b) or s. 12, Art. VII of the State  
12 Constitution, a millage rate not to exceed the amount  
13 certified by the commissioner as the minimum millage rate  
14 necessary to provide the district required local effort for  
15 the current year, pursuant to s. 1011.62(4)(a)1. In addition  
16 to the required local effort millage levy, each district  
17 school board may levy a nonvoted current operating  
18 discretionary millage. The Legislature shall prescribe  
19 annually in the appropriations act the maximum amount of  
20 millage a district may levy. The millage rate prescribed shall  
21 exceed zero mills but shall not exceed the lesser of 1.6 mills  
22 or 25 percent of the millage which is required pursuant to s.  
23 1011.62(4), exclusive of millage levied pursuant to subsection  
24 (2).

25 Section 32. Section 1011.6855, Florida Statutes, is  
26 created to read:

27 1011.6855 Minimum instructional personnel salary and  
28 class size reduction; operating categorical fund.--

29 (1) Effective upon the passage of an amendment to s.  
30 1, Art. IX of the State Constitution to create district  
31 average maximum class sizes, there is created an operating

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 categorical fund for implementing the average maximum class  
2 sizes and implementing the provisions of this section relating  
3 to instructional personnel salary.

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

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

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

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

19 Section 33. Subsection (6) is added to section  
20 1012.21, Florida Statutes, to read:

21 1012.21 Department of Education duties; K-12  
22 personnel.--

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

27 Section 34. Paragraph (c) of subsection (1) of section  
28 1012.22, Florida Statutes, is amended read:

29 1012.22 Public school personnel; powers and duties of  
30 the district school board.--The district school board shall:

31 (1) Designate positions to be filled, prescribe

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 qualifications for those positions, and provide for the  
2 appointment, compensation, promotion, suspension, and  
3 dismissal of employees as follows, subject to the requirements  
4 of this chapter:

5 (c) Compensation and salary schedules.--

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

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

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

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 individual, negotiated salary. The supplements shall be funded  
 2 from the performance-pay reserve funds adopted in the salary  
 3 schedule. ~~Beginning with the 2004-2005 academic year, The~~  
 4 district's 5-percent performance-pay policy must provide for  
 5 the evaluation of classroom teachers based on the level of  
 6 their responsibilities within each level of the salary career  
 7 ladder provided in s. 1012.231.

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

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

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

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

30       (III) The performance of school administrators and  
 31 instructional personnel as provided in subparagraph 4.; and



Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1       (IV) The responsibilities of the classroom teacher.

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

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

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

17           1012.2305 Minimum instructional personnel salary.--

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

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 this state shall be \$35,000 and shall be established by the  
2 Legislature to remain above the national average public school  
3 teacher beginning salary.

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

6 1012.2315 Assignment of teachers.--

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

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

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

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

Barcode 493828

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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 of wages or salary for the repayment of the certification fee

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 subsidy.

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

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

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

12 (6)(4) The State Board of Education may adopt rules  
13 pursuant to ss. 120.536 and 120.54 as necessary to administer  
14 the provisions for payment of the fee subsidies, incentives,  
15 and bonuses and for the repayment of defaulted certification  
16 fee subsidies under this section.

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

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

22 1012.986 Professional development for school  
23 leaders.--

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

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

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

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

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

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

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

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

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

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

31 (5) DELTA PROGRAM REQUIREMENTS.--



Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

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

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

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

- 21       (a) Approved school district training programs;
- 22       (b) Interactive technology-based instruction; and
- 23       (c) State, regional, or local leadership academies.

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

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

29       1013.512 Land Acquisition and Facilities Advisory  
 30 Board.--

31       (6) Upon certification by the advisory board that

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 corrective action has been taken, the Legislative Budget  
2 Commission shall release all funds remaining in reserve. Upon  
3 such release, each Land Acquisition and Facilities Advisory  
4 Board shall be disbanded.

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

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

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

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 district average maximum class sizes and minimum pay for  
2 teachers.

3  
4

5 ===== T I T L E A M E N D M E N T =====

6 And the title is amended as follows:

7 Delete everything before the enacting clause

8

9 and insert:

10

A bill to be entitled

11

An act relating to education; amending s.

12

1001.03, F.S., relating to the powers of the

13

State Board of Education; requiring the State

14

Board of Education to periodically review the

15

Sunshine State Standards; creating s. 1001.215,

16

F.S.; creating the Just Read, Florida! Office

17

within the Department of Education; providing

18

duties of the office; amending s. 1001.42,

19

F.S., relating to powers and duties of a

20

district school board; revising the

21

requirements for school improvement plans;

22

requiring school districts to observe Veterans'

23

Day; prohibiting holding classes on that day;

24

providing an exception; requiring the date of

25

the Veterans' Day observance to correspond with

26

the federal holiday; creating s. 1002.421,

27

F.S.; prescribing requirements of private

28

schools participating in state school choice

29

scholarship programs; requiring compliance with

30

requirements relating to notice, student

31

enrollment and attendance verification, fiscal

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 soundness, academic assessment, and  
2 criminal-background checks and to applicable  
3 state and local health, safety, and welfare  
4 laws, codes, and rules; providing grounds for  
5 ineligibility to participate in certain  
6 scholarship programs; providing rulemaking  
7 authority to the State Board of Education;  
8 creating s. 1002.423, F.S.; prescribing  
9 obligations of the Department of Education for  
10 education scholarship programs; requiring the  
11 department to identify certain assessments;  
12 requiring the department to select a private  
13 research organization to which private schools  
14 report student scores; providing reporting  
15 requirements; amending s. 1003.03, F.S.;  
16 revising dates for implementation of class size  
17 maximums; creating s. 1003.035, F.S.; providing  
18 for the contingent application of the section  
19 upon the adoption of an amendment to the State  
20 Constitution; prescribing district average  
21 class size limitations for grades  
22 prekindergarten through 3, grades 4 through 8,  
23 and grades 9 through 12; requiring the  
24 Department of Education to annually calculate  
25 class size measures based on a specified  
26 student-membership survey; providing  
27 implementation options; providing for  
28 accountability and for transfer of funds in  
29 certain circumstances; providing for the  
30 department redrawing attendance zones in  
31 certain circumstances; amending s. 1003.05,

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 amending s. 1003.57, F.S.; providing guidelines  
2 for determining the residency of a student who  
3 receives instruction as an exceptional student  
4 with a disability; requiring the student's  
5 placing authority or parent to pay the cost of  
6 such instruction, facilities, and services;  
7 providing responsibilities of the Department of  
8 Education; providing responsibilities of  
9 residential facilities that educate exceptional  
10 students with disabilities; providing  
11 applicability; creating s. 1003.575, F.S.;  
12 requiring the Department of Education to devise  
13 an individual education plan form for use in  
14 developing and implementing individual  
15 education plans for exceptional students;  
16 requiring school districts to use the form;  
17 amending s. 1003.58, F.S.; conforming a  
18 cross-reference; amending s. 1004.04, F.S.;  
19 requiring the Council for Education Policy  
20 Research and Improvement to review and report  
21 on the effectiveness of the graduates of  
22 state-approved teacher preparation programs and  
23 alternative certification programs; creating s.  
24 1004.64, F.S.; establishing the Florida Center  
25 for Reading Research; specifying duties of the  
26 center; amending s. 1008.22, F.S., relating to  
27 student assessment; expressing legislative  
28 intent; identifying grade levels for state  
29 assessment administration; eliminating obsolete  
30 references; requiring certain reports; amending  
31 s. 1008.25, F.S., relating to public school

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1           creating s. 1008.341, F.S.; requiring school  
2           improvement ratings for alternative schools;  
3           providing definitions; requiring that the  
4           Commissioner of Education prepare an annual  
5           report; specifying the data to be used in  
6           determining school improvement ratings;  
7           requiring the department to identify student  
8           learning gains annually; requiring that a  
9           school report card be delivered to parents;  
10          requiring the State Board of Education to adopt  
11          rules; amending s. 1008.36, F.S., relating to  
12          the Florida School Recognition Program;  
13          providing that certain feeder schools are  
14          eligible to participate in the program;  
15          providing a definition; requiring certain  
16          feeder schools to be subject to the Opportunity  
17          Scholarship Program, as defined in s. 1002.38,  
18          F.S.; providing for the disposition of school  
19          recognition funds; defining eligibility for the  
20          receipt of school recognition funds; amending  
21          s. 1011.62, F.S., relating to funds for the  
22          operation of schools; providing for additional  
23          funding for students enrolled in education  
24          programs for juveniles; providing a methodology  
25          to calculate full-time equivalent student  
26          membership of the Florida Virtual School;  
27          creating a research-based reading-instruction  
28          allocation for students in kindergarten through  
29          grade 12; providing for the use of the funds;  
30          providing for fund disbursement; amending ss.  
31          1011.685, and 1011.71, F.S., to conform;



Bill No. HCB 6007, 2nd Eng.

Barcode 493828

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

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 assignment of teachers at certain schools;  
2 amending s. 1012.72, F.S., relating to the Dale  
3 Hickam Excellent Teaching Program; requiring  
4 that the Department of Education administer the  
5 Dale Hickam Excellent Teaching Program Trust  
6 Fund; requiring the Council for Education  
7 Policy Research and Improvement to evaluate the  
8 benefits and effectiveness of the program;  
9 creating s. 1012.986, F.S.; establishing a  
10 statewide system for the professional  
11 development of school leaders; providing a  
12 short title; providing program purposes and  
13 legislative intent; requiring the Department of  
14 Education to annually determine criteria for  
15 school leadership designations based on certain  
16 factors; requiring certain program components;  
17 providing for a program delivery system;  
18 providing rulemaking authority to the State  
19 Board of Education; amending s. 1013.512, F.S.;  
20 requiring the release of funds remaining in  
21 reserve relating to school district land  
22 acquisition and facilities operations;  
23 specifying when a Land Acquisition and  
24 Facilities Advisory Board shall be disbanded;  
25 approving a transfer of an endowment from the  
26 Appleton Cultural Center, Inc., to the Central  
27 Florida Community College Foundation; providing  
28 restrictions on the management of the  
29 endowment; releasing the foundation from  
30 certain trust agreement and statutory  
31 requirements; repealing s. 1012.987, F.S.,

Bill No. HCB 6007, 2nd Eng.

Barcode 493828

1 relating to education leadership development;  
2 repealing s. 1012.231, F.S., relating to the  
3 BEST Florida Teaching Salary career ladder  
4 program; providing for severability; providing  
5 contingent effective dates.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31