



1 BEST Florida Teaching salary career ladder  
2 program; amending s. 1001.41, F.S.; requiring  
3 district school boards to adopt standards and  
4 policies to provide to each student a complete  
5 education program; amending s. 1001.42, F.S.,  
6 relating to requirements of district plans for  
7 school improvements; requiring alignment with  
8 the Sunshine State Standards; repealing s.  
9 1001.51(24), F.S., and amending s. 1001.54,  
10 F.S.; conforming provisions relating to the  
11 2005 repeal of the BEST Florida Teaching salary  
12 career ladder program; requiring each secondary  
13 school principal to implement a school redesign  
14 plan; amending s. 1003.01, F.S.; revising the  
15 definition of the terms "special education  
16 services" and "career education"; defining the  
17 terms "career academies" and "small learning  
18 communities" and providing requirements;  
19 amending s. 1003.05, F.S.; deleting the  
20 requirement that certain children receive  
21 preference for admission to special academic  
22 programs even if maximum enrollment has been  
23 reached; revising programs defined as "special  
24 academic programs" for purposes of such  
25 preference; amending s. 1003.415, F.S.;  
26 renaming the Middle Grades Reform Act as the  
27 "Florida Secondary Schools Redesign Act";  
28 providing legislative purpose and intent;  
29 requiring that school boards adopt policies for  
30 individual secondary school redesign plans;  
31 providing requirements for the middle school

1 redesign plans and high school redesign plans;  
2 requiring each middle school to develop a  
3 personalized academic and career plan for each  
4 student; requiring that the plan be refined  
5 each year; providing requirements for  
6 remediation; requiring that the academic and  
7 career plan be incorporated into the individual  
8 student plan; requiring that the Department of  
9 Education provide model personalized academic  
10 and career plans; requiring public schools and  
11 charter schools to provide an academic  
12 improvement plan for students who score below a  
13 specified level on the FCAT; creating s.  
14 1003.4156, F.S.; specifying general  
15 requirements for middle school promotion;  
16 requiring an intensive reading course under  
17 certain circumstances; requiring school  
18 district policies for implementation and  
19 authorizing alternative methods for  
20 progression; amending s. 1003.42, F.S.,  
21 relating to required instruction; revising the  
22 requirements for studying U.S. history and free  
23 enterprise; amending s. 1003.43, F.S., relating  
24 to requirements for high school graduation;  
25 revising requirements for graduation;  
26 conforming cross-references; amending s.  
27 1003.437, F.S.; including middle grades in the  
28 uniform grading system; amending s. 1003.491,  
29 F.S.; including within career education the  
30 academic and career plans and career academies;  
31 amending s. 1003.62, F.S.; conforming

1 provisions relating to the designation of  
2 school grades and differentiated-pay polices;  
3 amending s. 1003.57, F.S.; providing guidelines  
4 for determining the residency of a student who  
5 receives instruction as an exceptional student  
6 with a disability; requiring the student's  
7 placing authority or parent to pay the cost of  
8 such instruction, facilities, and services;  
9 providing responsibilities of the Department of  
10 Education; providing responsibilities of  
11 residential facilities that educate exceptional  
12 students with disabilities; providing  
13 applicability; creating s. 1003.576, F.S.;  
14 requiring the Department of Education to  
15 develop an individual education plan form for  
16 use in developing and implementing individual  
17 education plans for exceptional students;  
18 requiring school districts to use the form;  
19 amending s. 1003.58, F.S.; correcting a  
20 cross-reference; creating s. 1004.64, F.S.;  
21 establishing the Florida Center for Reading  
22 Research; specifying the duties of the center;  
23 amending s. 1006.09, F.S.; conforming a  
24 cross-reference; amending s. 1007.21, F.S.;  
25 revising the readiness requirements for  
26 postsecondary education and the workplace;  
27 amending s. 1007.271, F.S.; revising the  
28 weighting systems for certain high school  
29 courses; amending s. 1008.22, F.S.; specifying  
30 FCAT grade level and subject area testing  
31 requirements; requiring documentation of

1 | procedures that ensure test difficulty under  
2 | certain circumstances; requiring the State  
3 | Board of Education to conduct concordance  
4 | studies to determine FCAT equivalencies for  
5 | high school graduation; deleting a limitation  
6 | on and specifying requirements for the use of  
7 | alternative assessments to the grade 10 FCAT;  
8 | requiring an annual report on student  
9 | performance; amending s. 1008.25, F.S.;  
10 | revising requirements for assessment and  
11 | remediation; requiring that students be  
12 | provided with strategies for intervention and  
13 | instruction; requiring that the academic  
14 | improvement plan be incorporated into the  
15 | personalized academic and career plan;  
16 | repealing s. 1008.301, F.S., relating to a  
17 | concordance study of FCAT equivalencies for  
18 | high school graduation; amending s. 1008.31,  
19 | F.S.; revising goals and measures of the K-20  
20 | performance accountability system and requiring  
21 | data quality improvements; providing for  
22 | development of reporting or data collection  
23 | requirements; amending s. 1008.33, F.S.;  
24 | conforming a cross-reference and provisions  
25 | relating to the designation of school grades;  
26 | amending s. 1008.34, F.S.; revising terminology  
27 | and provisions relating to designation and  
28 | determination of school grades; providing for  
29 | the designation of school grades for feeder  
30 | pattern schools under certain circumstances;  
31 | specifying use of assessment data with respect

1 to alternative schools; defining the term "home  
2 school"; requiring an annual school report card  
3 to be published by the department and  
4 distributed by school districts; creating s.  
5 1008.341, F.S.; requiring improvement ratings  
6 for certain alternative schools; providing the  
7 basis for such ratings and requiring annual  
8 performance reports; providing for  
9 determination of school improvement ratings,  
10 identification of learning gains, and  
11 eligibility for school recognition awards;  
12 requiring the development and distribution of  
13 an annual school report card; amending s.  
14 1008.345, F.S.; conforming cross-references and  
15 provisions relating to the designation of  
16 school grades; amending s. 1011.62, F.S.;  
17 providing FTE funding for juveniles enrolled in  
18 specified education programs; providing funding  
19 for supplemental educational programs;  
20 providing funding for supplemental educational  
21 services for certain students; conforming  
22 cross-references and provisions relating to the  
23 designation of school grades; establishing a  
24 research-based reading instruction allocation  
25 to provide funds for a comprehensive reading  
26 instruction system; requiring school district  
27 plans for use of the allocation and approval  
28 thereof; including the allocation in the total  
29 amount allocated to each school district for  
30 current operation; amending s. 1011.64, F.S.;  
31 conforming terminology and a cross-reference;

1 amending s. 1011.685, F.S.; conforming  
2 provisions relating to the 2005 repeal of the  
3 BEST Florida Teaching salary career ladder  
4 program and implementation of a  
5 differentiated-pay policy; amending s. 1011.71,  
6 F.S.; correcting a cross-reference; amending s.  
7 1012.21, F.S.; requiring the department to  
8 annually post online school district collective  
9 bargaining contracts and the salary and  
10 benefits of certain personnel; amending s.  
11 1012.22, F.S.; deleting a requirement that each  
12 district school board adopt a performance-pay  
13 policy; requiring each district school board to  
14 annually provide to the department its  
15 negotiated collective bargaining contract and  
16 the salary and benefits of certain personnel;  
17 creating s. 1012.2312, F.S.; requiring each  
18 district school board to adopt a  
19 differentiated-pay policy for instructional  
20 personnel; providing factors on which  
21 differentiated pay shall be based; authorizing  
22 the withholding of funds from school districts  
23 under certain circumstances; creating s.  
24 1012.2313, F.S.; requiring each district school  
25 board to have a differentiated-pay policy for  
26 school administrators; providing factors on  
27 which differentiated pay shall be based;  
28 authorizing the withholding of funds from  
29 school districts under certain circumstances;  
30 creating s. 1012.2315, F.S.; providing school  
31 district requirements for the assignment of

1 teachers and authorizing incentives; providing  
2 procedures for noncompliance; providing  
3 requirements relating to collective bargaining;  
4 amending s. 1012.27, F.S.; conforming  
5 provisions relating to the 2005 repeal of the  
6 BEST Florida Teaching salary career ladder  
7 program and implementation of a  
8 differentiated-pay policy; amending s. 1012.28,  
9 F.S.; conforming a cross-reference; amending s.  
10 1012.34, F.S.; conforming provisions relating  
11 to deletion of a rigorous reading requirement;  
12 amending s. 1012.56, F.S., relating to middle  
13 grades certification; encouraging school  
14 districts to provide for additional  
15 certification for teachers; amending s.  
16 1012.98, F.S., relating to the School Community  
17 Professional Development Act; revising the  
18 purpose of the professional development system;  
19 providing for additional activities; requiring  
20 instructional strategies and methods that  
21 support rigorous, relevant, and challenging  
22 curriculum; providing requirements for followup  
23 support and the master plan for inservice  
24 activities; providing requirements for the  
25 individual professional development plan for  
26 instructional employees; deleting a provision  
27 authorizing an organization of private schools  
28 to develop a professional development system;  
29 requiring the department to disseminate  
30 best-practice methods and model professional  
31 development programs; amending s. 1012.985,



1 F.S.; providing for a statewide system for the  
2 professional development of school leaders  
3 consisting of a collaborative network of  
4 professional organizations; providing goals of  
5 the network; repealing s. 1012.987, F.S., which  
6 requires the State Board of Education to adopt  
7 rules through which school principals may earn  
8 a leadership designation; providing an  
9 effective date.

10

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

12

13 Section 1. Subsection (8) is added to section 11.90,  
14 Florida Statutes, to read:

15 11.90 Legislative Budget Commission.--

16 (8) The commission shall review the proposed state  
17 plans of the State Board of Education and the Commissioner of  
18 Education which are required under federal law before those  
19 plans are submitted.

20 Section 2. Paragraph (f) is added to subsection (3) of  
21 section 20.15, Florida Statutes, to read:

22 20.15 Department of Education.--There is created a  
23 Department of Education.

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

26 (f) Division of Accountability, Research, and  
27 Measurement.

28 Section 3. Subsection (4) of section 1000.03, Florida  
29 Statutes, is amended to read:

30 1000.03 Function, mission, and goals of the Florida  
31 K-20 education system.--

1           (4) The mission of Florida's K-20 education system is  
2 to allow its students to increase their proficiency by  
3 allowing them the opportunity to expand their knowledge and  
4 skills through high quality, rigorous, relevant ~~adequate~~  
5 learning opportunities, in accordance with the mission  
6 statement and accountability requirements of s. 1008.31.

7           Section 4. Section 1000.041, Florida Statutes, is  
8 repealed.

9           Section 5. Paragraph (g) of subsection (2) of section  
10 1001.02, Florida Statutes, is amended to read:

11           1001.02 General powers of State Board of Education.--

12           (2) The State Board of Education has the following  
13 duties:

14           (g) To approve plans for cooperating with the Federal  
15 Government. Upon the 2007 reauthorization of the federal No  
16 Child Left Behind Act of 2001, the Commissioner of Education  
17 shall seek public input and secure legislative approval of the  
18 revised state plan prior to submission.

19           Section 6. Subsections (1) and (14) of section  
20 1001.03, Florida Statutes, are amended to read:

21           1001.03 Specific powers of State Board of Education.--

22           (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The  
23 State Board of Education shall approve the student performance  
24 standards known as the Sunshine State Standards in key  
25 academic subject areas and grade levels. The state board shall  
26 facilitate the review and refinement of the standards to  
27 ensure adequate rigor, relevance, and appropriate student  
28 progression. The process for review and proposed revisions  
29 must include leadership and input from the state's classroom  
30 teachers, school administrators, community colleges and  
31 universities, and representatives from business and industry

1 identified by local education foundations. Proposed revisions  
2 must be completed by December 1, 2006, and a report submitted  
3 to the Governor, the President of the Senate, and the Speaker  
4 of the House of Representatives by January 1, 2007.

5 (14) UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT  
6 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.--The State Board of  
7 Education shall maintain ~~recommend to the Legislature by~~  
8 ~~February 1, 2003,~~ a uniform classification system for school  
9 district administrative and management personnel that will  
10 facilitate the uniform coding of administrative and management  
11 personnel to total district employees.

12 Section 7. Subsection (8) of section 1001.10, Florida  
13 Statutes, is amended to read:

14 1001.10 Commissioner of Education; general powers and  
15 duties.--The Commissioner of Education is the chief  
16 educational officer of the state, and is responsible for  
17 giving full assistance to the State Board of Education in  
18 enforcing compliance with the mission and goals of the  
19 seamless K-20 education system. To facilitate innovative  
20 practices and to allow local selection of educational methods,  
21 the State Board of Education may authorize the commissioner to  
22 waive, upon the request of a district school board, State  
23 Board of Education rules that relate to district school  
24 instruction and school operations, except those rules  
25 pertaining to civil rights, and student health, safety, and  
26 welfare. The Commissioner of Education is not authorized to  
27 grant waivers for any provisions in rule pertaining to the  
28 allocation and appropriation of state and local funds for  
29 public education; the election, compensation, and organization  
30 of school board members and superintendents; graduation and  
31 state accountability standards; financial reporting

1 requirements; reporting of out-of-field teaching assignments  
2 under s. 1012.42; public meetings; public records; or due  
3 process hearings governed by chapter 120. No later than  
4 January 1 of each year, the commissioner shall report to the  
5 Legislature and the State Board of Education all approved  
6 waiver requests in the preceding year. Additionally, the  
7 commissioner has the following general powers and duties:

8 (8) To develop and implement a plan for cooperating  
9 with the Federal Government in carrying out any or all phases  
10 of the educational program and to recommend policies for  
11 administering funds that are appropriated by Congress and  
12 apportioned to the state for any or all educational purposes.

13 Upon the 2007 reauthorization of the federal No Child Left  
14 Behind Act of 2001, the Commissioner of Education shall seek  
15 public input and secure legislative approval of the revised  
16 state plan prior to submission.

17  
18 The commissioner's office shall operate all statewide  
19 functions necessary to support the State Board of Education  
20 and the K-20 education system, including strategic planning  
21 and budget development, general administration, and assessment  
22 and accountability.

23 Section 8. Section 1001.215, Florida Statutes, is  
24 created to read:

25 1001.215 Just Read, Florida! Office.--There is created  
26 in the Department of Education the Just Read, Florida! office.  
27 The office shall be fully accountable to the Commissioner of  
28 Education and shall:

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

31

1           (2) Create multiple designations of effective reading  
2 instruction, with accompanying credentials, which encourage  
3 all teachers to integrate reading instruction into their  
4 content areas.

5           (3) Train K-12 teachers, school principals, and  
6 parents on research-based reading instructional strategies and  
7 secondary teachers on effective reading in the content area  
8 strategies.

9           (4) Provide technical assistance to school districts  
10 in the development and implementation of district plans for  
11 use of the research-based reading instruction allocation  
12 provided in s. 1011.62(8) and annually review and approve such  
13 plans.

14           (5) Review, evaluate, and provide technical assistance  
15 to school districts' implementation of the K-12 comprehensive  
16 reading plan required in s. 1011.62(8).

17           (6) Work with the Florida Center for Reading Research  
18 to provide information on research-based reading programs and  
19 effective reading in the content area strategies.

20           (7) Periodically review the Sunshine State Standards  
21 for reading at all grade levels.

22           (8) Periodically review teacher certification  
23 examinations, including alternative certification exams, to  
24 ascertain whether the examinations measure the skills needed  
25 for research-based reading and reading in the content area  
26 instructional strategies.

27           (9) Work with teacher preparation programs approved  
28 pursuant to s. 1004.04 to integrate research-based reading  
29 instructional strategies and reading in the content area  
30 instructional strategies into teacher preparation programs.

31

1           (10) Administer grants and perform other functions as  
2 necessary to meet the goal that all students read at grade  
3 level.

4           Section 9. Section 1001.33, Florida Statutes, is  
5 amended to read:

6           1001.33 Schools under control of district school board  
7 and district school superintendent.--

8           ~~(1) Except as otherwise provided by law, all public~~  
9 ~~schools conducted within the district shall be under the~~  
10 ~~direction and control of the district school board with the~~  
11 ~~district school superintendent as executive officer.~~

12           ~~(2) Each district school board, each district school~~  
13 ~~superintendent, and each district and school based~~  
14 ~~administrator shall cooperate to apply the following guiding~~  
15 ~~principles of Better Educated Students and Teachers (BEST)~~  
16 ~~Florida Teaching:~~

17           ~~(a) Teachers lead, students learn.~~

18           ~~(b) Teachers maintain orderly, disciplined classrooms~~  
19 ~~conducive to student learning.~~

20           ~~(c) Teachers are trained, recruited, well compensated,~~  
21 ~~and retained for quality.~~

22           ~~(d) Teachers are well rewarded for their students'~~  
23 ~~high performance.~~

24           ~~(e) Teachers are most effective when served by~~  
25 ~~exemplary school administrators.~~

26           Section 10. Subsection (3) of section 1001.41, Florida  
27 Statutes, is amended to read:

28           1001.41 General powers of district school board.--The  
29 district school board, after considering recommendations  
30 submitted by the district school superintendent, shall  
31 exercise the following general powers:

1           (3) Prescribe and adopt standards and policies to  
2 provide each student the opportunity to receive a complete  
3 education program, including language arts, mathematics,  
4 science, social studies, health, physical education, foreign  
5 languages, and the arts, as defined by the Sunshine State  
6 Standards. The standards and policies must emphasize  
7 integration and reinforcement of reading, writing, and  
8 mathematics skills, including career awareness, exploration,  
9 and planning, across all subjects. ~~as are considered desirable~~  
10 ~~by it for improving the district school system.~~

11           Section 11. Paragraph (c) of subsection (5) of section  
12 1001.42, Florida Statutes, is repealed, and subsection (16) of  
13 that section is amended, to read:

14           1001.42 Powers and duties of district school  
15 board.--The district school board, acting as a board, shall  
16 exercise all powers and perform all duties listed below:

17           (5) PERSONNEL.--

18           ~~(c) Fully support and cooperate in the application of~~  
19 ~~the guiding principles of Better Educated Students and~~  
20 ~~Teachers (BEST) Florida Teaching, pursuant to s. 1000.041.~~

21           (16) IMPLEMENT SCHOOL IMPROVEMENT AND  
22 ACCOUNTABILITY.--Maintain a system of school improvement and  
23 education accountability as provided by statute and State  
24 Board of Education rule. This system of school improvement and  
25 education accountability shall be consistent with, and  
26 implemented through, the district's continuing system of  
27 planning and budgeting required by this section and ss.  
28 1008.385, 1010.01, and 1011.01. This system of school  
29 improvement and education accountability shall include, but is  
30 not limited to, the following:

31

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

22           **(b) Alignment with Sunshine State Standards.--Design**  
23 **the school district's system of school improvement and student**  
24 **progression to provide frequent and accurate information to**  
25 **the teacher and student regarding each student's progress**  
26 **toward mastering the Sunshine State Standards. The system must**  
27 **support the alignment of the Sunshine State Standards,**  
28 **monitoring of individual student progress, and enhanced**  
29 **instructional strategies, assessment, and professional**  
30 **development. Each school improvement plan must include:**  
31



1           1. Professional development that supports enhanced  
2 instructional strategies, improves teaching and learning, and  
3 addresses skill gaps.

4           2. Evidence of continuous use of disaggregated student  
5 achievement data to determine effectiveness of instructional  
6 strategies.

7           3. Ongoing assessment to monitor individual student  
8 progress and to redesign instruction, if needed.

9           4. Alternative instructional delivery methods to  
10 support remediation and enrichment strategies.

11           ~~(c)(b)~~ Approval process.--Develop a process for  
12 approval of a school improvement plan presented by an  
13 individual school and its advisory council. In the event a  
14 district school board does not approve a school improvement  
15 plan after exhausting this process, the Department of  
16 Education shall be notified of the need for assistance.

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

18           1. Develop a 2-year plan of increasing individualized  
19 assistance and intervention for each school in danger of not  
20 meeting state standards or making adequate progress, as  
21 defined pursuant to statute and State Board of Education rule,  
22 toward meeting the goals and standards of its approved school  
23 improvement plan.

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

27           3. Develop a plan to encourage teachers with  
28 demonstrated mastery in improving student performance to  
29 remain at or transfer to a school designated as performance  
30 grade category "D" or "F" or to an alternative school that  
31 serves disruptive or violent youths. If a classroom teacher,

1 as defined by s. 1012.01(2)(a), who meets the definition of  
2 teaching mastery developed according to the provisions of this  
3 paragraph, requests assignment to a school designated as  
4 performance grade category "D" or "F" or to an alternative  
5 school that serves disruptive or violent youths, the district  
6 school board shall make every practical effort to grant the  
7 request.

8 4. Prioritize, to the extent possible, the  
9 expenditures of funds received from the supplemental academic  
10 instruction categorical fund under s. 1011.62(1)(f) to improve  
11 student performance in schools that receive a performance  
12 grade category designation of "D" or "F."

13 (e)~~(d)~~ After 2 years.--Notify the Commissioner of  
14 Education and the State Board of Education in the event any  
15 school does not make adequate progress toward meeting the  
16 goals and standards of a school improvement plan by the end of  
17 2 years of failing to make adequate progress and proceed  
18 according to guidelines developed pursuant to statute and  
19 State Board of Education rule. School districts shall provide  
20 intervention and assistance to schools in danger of being  
21 designated as performance grade category "F," failing to make  
22 adequate progress.

23 (f)~~(e)~~ Public disclosure.--Provide information  
24 regarding performance of students and educational programs as  
25 required pursuant to ss. 1008.22 and 1008.385 and implement a  
26 system of school reports as required by statute and State  
27 Board of Education rule that shall include schools operating  
28 for the purpose of providing educational services to youth in  
29 Department of Juvenile Justice programs, and for those  
30 schools, report on the elements specified in s. 1003.52(19).  
31 Annual public disclosure reports shall be in an easy-to-read

1 report card format and shall include the school's student and  
2 school performance grade category designation and performance  
3 data as specified in state board rule.

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

8 Section 12. Subsection (24) of section 1001.51,  
9 Florida Statutes, is repealed.

10 Section 13. Paragraphs (c) and (d) of subsection (1)  
11 and subsection (2) of section 1001.54, Florida Statutes, are  
12 amended to read:

13 1001.54 Duties of school principals.--

14 (1)

15 ~~(c) The school principal shall encourage school~~  
16 ~~personnel to implement the guiding principles for Better~~  
17 ~~Educated Students and Teachers (BEST) Florida Teaching,~~  
18 ~~pursuant to s. 1000.041.~~

19 ~~(c)(d)~~ The school principal shall fully support the  
20 authority of each teacher and school bus driver to remove  
21 disobedient, disrespectful, violent, abusive, uncontrollable,  
22 or disruptive students from the classroom and the school bus  
23 and, when appropriate and available, place such students in an  
24 alternative educational setting.

25 (2) Each school principal shall provide instructional  
26 leadership in the development, ~~or~~ revision, and implementation  
27 of a school improvement plan, pursuant to s. 1001.42(16), and,  
28 for secondary school principals, an integrated school redesign  
29 plan pursuant to s. 1003.415(4).

30  
31

1           Section 14. Paragraph (b) of subsection (3) and  
2 subsection (4) of section 1003.01, Florida Statutes, are  
3 amended to read:

4           1003.01 Definitions.--As used in this chapter, the  
5 term:

6           (3)

7           (b) "Special education services" means specially  
8 designed instruction and such related services as are  
9 necessary for an exceptional student to benefit from  
10 education. Such services may include: transportation;  
11 diagnostic and evaluation services; social services; physical  
12 and occupational therapy; speech and language pathology  
13 services; job placement; orientation and mobility training;  
14 braille, typists, and readers for the blind; interpreters  
15 and auditory amplification; rehabilitation counseling;  
16 transition services; mental health services; guidance and  
17 career counseling; specified materials, assistive technology  
18 devices, and other specialized equipment; and other such  
19 services as approved by rules of the state board.

20           (4)(a) "Career education" means education that  
21 provides instruction for the following purposes:

22           1.(a) At the elementary, middle, and high ~~secondary~~  
23 school levels, exploratory courses designed to give students  
24 initial exposure to a broad range of occupations to assist  
25 them in preparing their academic and occupational plans, and  
26 practical arts courses that provide generic skills that may  
27 apply to many occupations but are not designed to prepare  
28 students for entry into a specific occupation. Career  
29 education provided before high school completion must be  
30 designed to strengthen ~~enhance~~ both occupational awareness and  
31

1 academic skills integrated throughout all ~~through integration~~  
2 ~~with~~ academic instruction.

3 ~~2.(b)~~ At the secondary school level, job-preparatory  
4 instruction in the competencies that prepare students for  
5 effective entry into an occupation, including diversified  
6 cooperative education, work experience, and job-entry programs  
7 that coordinate directed study and on-the-job training.

8 ~~3.(c)~~ At the postsecondary education level, courses of  
9 study that provide competencies needed for entry into specific  
10 occupations or for advancement within an occupation.

11 (b) "Career academies" are defined as strategic  
12 educational training opportunities provided in small learning  
13 communities to ensure outcomes and skills based on viable  
14 careers, occupations, and industry needs. The academic focus  
15 of individual career academies must be determined  
16 cooperatively among school districts, postsecondary  
17 institutions, local workforce boards, and chambers of  
18 commerce. Career academies shall use existing infrastructure  
19 whenever possible and include, at a minimum:

20 1. Rigorous coursework based on industry performance  
21 standards;

22 2. Attainment of a high school diploma;

23 3. Preparation for careers based on local, regional,  
24 and national economic trends to provide a skilled Florida  
25 workforce;

26 4. Industry certification, if applicable, for  
27 occupations based on local and national economic indicators;

28 5. Opportunities to earn college credit; and

29 6. Ease of access into postsecondary education or the  
30 workforce, or both.

31

1           (c) "Small learning communities" are defined as  
2 schools within a school, magnet programs within a school, or a  
3 similar model having an emphasis on a particular subject, area  
4 of study, or career themes or clusters. Small learning  
5 communities shall use existing infrastructure whenever  
6 possible and include:

7           1. Rigorous coursework based on state and  
8 career-related standards;

9           2. Attainment of a high school diploma;

10           3. Preparation for careers based on student interests  
11 and a skilled Florida workforce;

12           4. Opportunities to earn college credit; and

13           5. Ease of access into postsecondary education or the  
14 workforce, or both.

15           Section 15. Subsection (3) of section 1003.05, Florida  
16 Statutes, is amended to read:

17           1003.05 Assistance to transitioning students from  
18 military families.--

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

1 magnet schools, advanced studies programs, advanced placement,  
2 dual enrollment, Advanced International Certificate of  
3 Education, and International Baccalaureate.

4 Section 16. Section 1003.415, Florida Statutes, is  
5 amended to read:

6 1003.415 The Florida Secondary Schools Redesign Middle  
7 Grades Reform Act.--

8 (1) SHORT TITLE POPULAR NAME.--This section may be  
9 cited as shall be known by the popular name the "Florida  
10 Secondary Schools Redesign Middle Grades Reform Act."

11 (2) PURPOSE AND INTENT.--The purpose of this section  
12 is to provide added academic focus, and rigor, relevance, and  
13 opportunity for relationships to academics in the secondary  
14 middle grades. Using integrated reading instruction as the  
15 foundation, all secondary middle grade students shall should  
16 receive rigorous academic instruction through challenging and  
17 relevant curricula delivered by highly qualified teachers in  
18 schools that have with outstanding principal leadership and,  
19 which schools are supported by engaged and informed parents  
20 and business partners. It is the intent of the Legislature  
21 that students entering 9th promoted from the eighth grade will  
22 be prepared ready for success in high school and that students  
23 graduating from high school will be prepared for postsecondary  
24 education and the workforce.

25 (3) DEFINITION.--As used in this section, the term  
26 "secondary schools middle grades" means grades 6 through 12,  
27 7, and 8.

28 (4) REDESIGN PLANS.--Beginning with the 2006-2007  
29 school year, each district school board shall adopt policies  
30 to provide support for all secondary schools to develop an  
31 individual school redesign plan. The primary goal of the

1 redesign plan is to increase student engagement and  
2 achievement through enhanced instructional opportunities that  
3 stress rigor, relevance, and relationships; to encourage  
4 students to remain in school and graduate on time; and to  
5 prepare students for postsecondary education and the world of  
6 work. Each secondary school's plan must include a timeline, a  
7 comprehensive professional development plan, and designation  
8 of the responsibilities of teachers, administrators, parents,  
9 students, the business community, and district staff.  
10 Secondary school redesign plans must be integral to school and  
11 district improvement plans pursuant to s. 1001.42(16)(a) and  
12 district professional development plans pursuant to s.  
13 1012.98(4)(b).

14 (a) The middle school redesign plans must be based on  
15 a sound and strategic preparation for high school success and  
16 include the following:

17 1. Instructional strategies to increase rigor and  
18 relevance throughout the curriculum to prepare middle school  
19 students for rigorous high school courses, postsecondary  
20 studies, and the world of work;

21 2. Instructional strategies to increase annually the  
22 percentage of students enrolled in and successfully completing  
23 algebra. Middle schools are encouraged to provide at least one  
24 high school course with priority given to algebra;

25 3. Integration of reading strategies in all content  
26 areas;

27 4. Comprehensive career exploration, which results in  
28 the development of individual 4- to 5-year academic plans for  
29 every student by the end of grade 8 pursuant to s. 1006.02;

30 5. Organizational strategies as specified in s.  
31 1003.02(4) which include small-group advisement, small



1 learning communities, or similar models to ensure enhanced  
2 adult relationships for every student to support and sustain  
3 rigorous and relevant academics;

4 6. Intensive remediation strategies to close skill  
5 gaps, including summer bridge academies;

6 7. Organizational strategies to encourage common  
7 planning time and professional learning communities for  
8 instructional and administrative staff;

9 8. Strategies to increase continuous monitoring of  
10 student achievement using data and data analysis; and

11 9. Strategies to communicate redesign plans with  
12 feeder pattern high schools in order to obtain input and  
13 feedback and ensure continuous improvement of academic  
14 achievement for all students.

15 (b) The high school redesign plans must be based on a  
16 sound and strategic preparation for postsecondary education  
17 and the workforce and include the following:

18 1. Instructional strategies to increase rigor and  
19 relevance throughout the curriculum to prepare high school  
20 students for rigorous postsecondary studies and the demands of  
21 the workplace;

22 2. Instructional strategies to increase annually the  
23 percentage of students enrolled in and successful in  
24 higher-level math courses, including algebra II and above;

25 3. Integration of reading strategies in all content  
26 areas;

27 4. Use and refinement of individual student 4- to  
28 5-year academic and career plans as the basis for course  
29 selection and enrollment pursuant to s. 1006.02;

30 5. Organizational strategies as specified in s.  
31 1003.02(4) which include small group advisement, small

1 learning communities, or similar models to ensure enhanced  
2 adult relationships with every student to support and sustain  
3 rigorous and relevant academics;

4 6. Intensive remediation strategies to close skill  
5 gaps, including summer bridge academies;

6 7. Organizational strategies to encourage common  
7 planning time and professional learning communities for  
8 instructional and administrative staff;

9 8. Strategies to develop and refine 9th grade  
10 academies as the cornerstone year to ensure successful  
11 transition to high school, student engagement in rigorous  
12 coursework, and preparation for postsecondary education and  
13 the workforce pursuant to s. 1006.02;

14 9. Strategies to share redesign plans with feeder  
15 pattern middle schools in order to obtain input and feedback  
16 and ensure continuous improvement of academic achievement for  
17 all students;

18 10. Strategies to transform the senior year as the  
19 capstone year to enhance student transition to postsecondary  
20 school and the workforce; and

21 11. Strategies for developing or enhancing existing  
22 professional career academies as defined in s. 1003.01(4).

23 (5) PERSONALIZED ACADEMIC AND CAREER PLANS.--

24 (a) Beginning with the 2006-2007 school year, each  
25 middle school shall begin development of personalized academic  
26 and career plans based on a comprehensive career exploration  
27 course. Beginning with the 2007-2008 school year, personalized  
28 academic and career plans shall be developed by the end of  
29 grade 8 as a collaborative effort between the student and the  
30 student's teachers, teacher advisors, guidance counselors, and  
31 parents. The purpose of the plan is to provide each student

1 with a 4- to 5-year plan based on individual aspirations and  
2 goals for postsecondary education and possible careers. The  
3 plan shall be developed and refined yearly in collaboration  
4 with the student and his or her parent, teachers, teacher  
5 advisors, and guidance staff, and shall be focused on rigorous  
6 coursework that is aligned to the student's plans for  
7 postsecondary education or the workforce, or both.

8 (b) For secondary students who score below Level 3 in  
9 reading or math on the most recently administered FCAT, the  
10 personalized academic and career plan must also include a  
11 provision for instructional assistance pursuant to s.  
12 1008.25(4) and must include identification of the student's  
13 strengths and weaknesses, intervention strategies, and  
14 continuous monitoring of the student's progress in academic  
15 performance.

16 (c) The personalized academic and career plan must be  
17 seamlessly incorporated into individual student plans required  
18 by federal or state law, including the academic improvement  
19 plan required in s. 1008.25, an individual education plan  
20 (IEP) for a student with disabilities, a federal 504 plan, or  
21 an ESOL plan.

22 (d) The Department of Education, with input from  
23 school-based instructional leaders, shall provide model 4- to  
24 5-year personalized academic and career plans in order to  
25 provide resource samples to secondary schools. Model plans  
26 shall be made available on the department's website by  
27 December 1, 2006. The assistance model shall include  
28 strategies to synchronize and integrate existing plans  
29 required by state or federal law in order to minimize  
30 paperwork.

1           (6) CHALLENGE SECONDARY SCHOOLS AWARD PROGRAM.--The  
2 Commissioner of Education shall create and implement the  
3 Challenge Secondary Schools Award Program to reward public  
4 middle and high schools that demonstrate continuous academic  
5 improvement and show the greatest gains in student academic  
6 achievement in reading and mathematics.

7           ~~(4) CURRICULA AND COURSES. The Department of~~  
8 ~~Education shall review course offerings, teacher~~  
9 ~~qualifications, instructional materials, and teaching~~  
10 ~~practices used in reading and language arts programs in the~~  
11 ~~middle grades. The department must consult with the Florida~~  
12 ~~Center for Reading Research at Florida State University, the~~  
13 ~~Just Read, Florida! Office, reading researchers, reading~~  
14 ~~specialists, and district supervisors of curriculum in the~~  
15 ~~development of findings and recommendations. The Commissioner~~  
16 ~~of Education shall make recommendations to the State Board of~~  
17 ~~Education regarding changes to reading and language arts~~  
18 ~~curricula in the middle grades based on research based proven~~  
19 ~~effective programs. The State Board of Education shall adopt~~  
20 ~~rules based upon the commissioner's recommendations no later~~  
21 ~~than March 1, 2005. Implementation of new or revised reading~~  
22 ~~and language arts courses in all middle grades shall be phased~~  
23 ~~in beginning no later than the 2005-2006 school year with~~  
24 ~~completion no later than the 2008-2009 school year.~~

25           ~~(7)(5) ACADEMIC IMPROVEMENT PLAN RIGOROUS READING~~  
26 ~~REQUIREMENT.--~~

27           ~~(a)~~ Beginning with the 2007-2008 ~~2004-2005~~ school  
28 year, each public school serving middle grade students in  
29 grades 6 through 12, including charter schools, must include,  
30 as a component of the personalized academic and career plan,  
31 an academic improvement plan pursuant to s. 1008.25(4), for

1 ~~students scoring below with fewer than 75 percent of its~~  
2 ~~students reading at or above grade level in grade 6, grade 7,~~  
3 ~~or grade 8 as measured by a student scoring at Level 3 on the~~  
4 ~~most recently administered or above on the FCAT. during the~~  
5 ~~prior school year, must incorporate by October 1 a rigorous~~  
6 ~~reading requirement for reading and language arts programs as~~  
7 ~~the primary component of its school improvement plan. The~~  
8 ~~department shall annually provide to each district school~~  
9 ~~board by June 30 a list of its schools that are required to~~  
10 ~~incorporate a rigorous reading requirement as the primary~~  
11 ~~component of the school's improvement plan. The department~~  
12 ~~shall provide technical assistance to school districts and~~  
13 ~~school administrators required to implement the rigorous~~  
14 ~~reading requirement. The department shall annually provide to~~  
15 ~~each district school board by June 30 a list of its schools~~  
16 ~~that are required to incorporate a rigorous reading~~  
17 ~~requirement as the primary component of the school's~~  
18 ~~improvement plan. The department shall provide technical~~  
19 ~~assistance to school districts and school administrators~~  
20 ~~required to implement the rigorous reading requirement.~~

21 (b) ~~The purpose of the rigorous reading requirement is~~  
22 ~~to assist each student who is not reading at or above grade~~  
23 ~~level to do so before entering high school. The rigorous~~  
24 ~~reading requirement must include for a middle school's~~  
25 ~~low performing student population specific areas that address~~  
26 ~~phonemic awareness, phonics, fluency, comprehension, and~~  
27 ~~vocabulary; the desired levels of performance in those areas;~~  
28 ~~and the instructional and support services to be provided to~~  
29 ~~meet the desired levels of performance. The school shall use~~  
30 ~~research based reading activities that have been shown to be~~  
31 ~~successful in teaching reading to low performing students.~~

1           ~~(c) Schools required to implement the rigorous reading~~  
2 ~~requirement must provide quarterly reports to the district~~  
3 ~~school superintendent on the progress of students toward~~  
4 ~~increased reading achievement.~~

5           ~~(d) The results of implementation of a school's~~  
6 ~~rigorous reading requirement shall be used as part of the~~  
7 ~~annual evaluation of the school's instructional personnel and~~  
8 ~~school administrators as required in s. 1012.34.~~

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

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

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

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

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

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

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

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

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

19           ~~(b) The personalized middle school success plan must:~~  
20                 ~~1. Identify educational goals and intermediate~~  
21 ~~benchmarks for the student in the core curriculum areas which~~  
22 ~~will prepare the student for high school.~~  
23                 ~~2. Be based upon academic performance data and an~~  
24 ~~identification of the student's strengths and weaknesses.~~  
25                 ~~3. Include academic intervention strategies with~~  
26 ~~frequent progress monitoring.~~  
27                 ~~4. Provide innovative methods to promote the student's~~  
28 ~~advancement which may include, but not be limited to, flexible~~  
29 ~~scheduling, tutoring, focus on core curricula, online~~  
30 ~~instruction, an alternative learning environment, or other~~  
31



1 ~~interventions that have been shown to accelerate the learning~~  
2 ~~process.~~

3 ~~(c) The personalized middle school success plan must~~  
4 ~~be incorporated into any individual student plan required by~~  
5 ~~federal or state law, including the academic improvement plan~~  
6 ~~required in s. 1008.25, an individual education plan (IEP) for~~  
7 ~~a student with disabilities, a federal 504 plan, or an ESOL~~  
8 ~~plan.~~

9 ~~(d) The Department of Education shall provide~~  
10 ~~technical assistance for districts, school administrators, and~~  
11 ~~instructional personnel regarding the development of~~  
12 ~~personalized middle school success plans. The assistance shall~~  
13 ~~include strategies and techniques designed to maximize~~  
14 ~~interaction between students, parents, teachers, and other~~  
15 ~~instructional and administrative staff while minimizing~~  
16 ~~paperwork.~~

17 ~~(8) STATE BOARD OF EDUCATION AUTHORITY.—~~

18 ~~(a) The State Board of Education shall have authority~~  
19 ~~to adopt rules pursuant to ss. 120.536(1) and 120.54 to~~  
20 ~~implement the provisions of this section.~~

21 ~~(b) The State Board of Education shall have authority~~  
22 ~~pursuant to s. 1008.32 to enforce the provisions of this~~  
23 ~~section.~~

24 Section 17. Section 1003.4156, Florida Statutes, is  
25 created to read:

26 1003.4156 General requirements for middle school  
27 promotion.--

28 (1) Beginning with students entering grade 6 in the  
29 2007-2008 school year, promotion from a middle school with  
30 grades 6 through 8 requires that:

31

1           (a) A student must successfully complete 12 academic  
2 courses as follows:

3           1. Three middle school or higher courses in  
4 English/language arts.

5           2. Three middle school or higher courses in  
6 mathematics.

7           3. Two middle school or higher courses in social  
8 studies.

9           4. Two middle school or higher courses in science.

10           5. One and one-half middle school or higher elective  
11 courses.

12           6. One-half course in comprehensive career  
13 exploration, to be completed by the end of seventh grade.

14           (b) For each year in which a student scores at Level 1  
15 or Level 2 on FCAT Reading, the student must the following  
16 year be enrolled in and complete a full-year intensive reading  
17 course. Reading courses shall be designed and offered pursuant  
18 to the reading instruction plan required by s. 1011.62(8). To  
19 provide flexibility for students to enroll in elective courses  
20 and meet required course competencies, school districts are  
21 encouraged to provide applied, integrated academic courses for  
22 students enrolled in intensive reading.

23           (c) Additional course requirements for middle-grades  
24 promotion shall be determined by each school district in the  
25 pupil progression plan, which may include additional academic  
26 courses, including the fine and performing arts, physical  
27 education, or career and technical education, in order to  
28 provide a complete education program as defined in s.  
29 1001.41(3).

30           (2) District school boards shall establish policies to  
31 implement the requirements of this section. The policies must

1 include procedures for placing and promoting students who  
2 enter a Florida public school at the sixth, seventh, or eighth  
3 grade from out of state or from a foreign country. The polices  
4 may allow alternative methods for students to demonstrate  
5 competency in the courses required by this section. School  
6 districts shall emphasize alternative methods for students  
7 scoring at Level 1 on FCAT Reading who have been retained in  
8 elementary school. The alternatives shall include, but are not  
9 limited to, opportunities for students to:

10 (a) Be promoted on time to high school.

11 (b) Be placed in programs that emphasize applied  
12 integrated curricula, small learning communities, career  
13 exploration, support services, alternative discipline, or  
14 other strategies documented to improve student achievement.

15  
16 Within 30 days after adoption, the school district's policies  
17 shall be submitted to the State Board of Education for  
18 approval. The school district's policies shall be  
19 automatically approved unless specifically rejected by the  
20 State Board of Education within 60 days after receipt.

21 (3) Students in the sixth, seventh, or eighth grade  
22 who are not enrolled in schools having a middle grades  
23 configuration are subject to the promotion requirements of  
24 this section.

25 Section 18. Section 1003.42, Florida Statutes, is  
26 amended to read:

27 1003.42 Required instruction.--

28 (1) Each district school board shall provide all  
29 courses required for high school graduation and appropriate  
30 instruction designed to ensure that students meet State Board  
31 of Education adopted standards in the following subject areas:

1 reading and other language arts, mathematics, science, social  
2 studies, foreign languages, health and physical education, and  
3 the arts.

4 (2) Members of the instructional staff of the public  
5 schools, subject to the rules of the State Board of Education  
6 and the district school board, shall teach efficiently and  
7 faithfully, using the books and materials required that meet  
8 the highest standards for professionalism and historic  
9 accuracy, following the prescribed courses of study, and  
10 employing approved methods of instruction, the following:

11 (a) The history and content of the Declaration of  
12 Independence, including national sovereignty, natural law,  
13 self-evident truth, equality of all persons, limited  
14 government, popular sovereignty, and inalienable rights of  
15 life, liberty, and property, and how they form ~~it forms~~ the  
16 philosophical foundation of our government.

17 (b) The history, meaning, significance, and effect of  
18 the provisions of the Constitution of the United States and  
19 amendments thereto, with emphasis on each of the 10 amendments  
20 that make up the Bill of Rights and how the constitution  
21 provides the structure of our government.

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

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

27 (d) Flag education, including proper flag display and  
28 flag salute.

29 (e) The elements of civil government, including the  
30 primary functions of and interrelationships between the  
31

1 Federal Government, the state, and its counties,  
2 municipalities, school districts, and special districts.

3 (f) The history of the United States, including the  
4 period of discovery, early colonies, the War for Independence,  
5 the Civil War, the expansion of the United States to its  
6 present boundaries, the world wars, and the civil rights  
7 movement to the present. American history shall be viewed as  
8 factual, not as constructed, shall be viewed as knowable,  
9 teachable, and testable, and shall be defined as the creation  
10 of a new nation based largely on the universal principles  
11 stated in the Declaration of Independence.

12 (g)(f) The history of the Holocaust (1933-1945), the  
13 systematic, planned annihilation of European Jews and other  
14 groups by Nazi Germany, a watershed event in the history of  
15 humanity, to be taught in a manner that leads to an  
16 investigation of human behavior, an understanding of the  
17 ramifications of prejudice, racism, and stereotyping, and an  
18 examination of what it means to be a responsible and  
19 respectful person, for the purposes of encouraging tolerance  
20 of diversity in a pluralistic society and for nurturing and  
21 protecting democratic values and institutions.

22 (h)(g) The history of African Americans, including the  
23 history of African peoples before the political conflicts that  
24 led to the development of slavery, the passage to America, the  
25 enslavement experience, abolition, and the contributions of  
26 African Americans to society.

27 (i)(h) The elementary principles of agriculture.

28 (j)(i) The true effects of all alcoholic and  
29 intoxicating liquors and beverages and narcotics upon the  
30 human body and mind.

31 (k)(j) Kindness to animals.

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

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

3           ~~(n)(m)~~ Comprehensive health education that addresses

4 concepts of community health; consumer health; environmental

5 health; family life, including an awareness of the benefits of

6 sexual abstinence as the expected standard and the

7 consequences of teenage pregnancy; mental and emotional

8 health; injury prevention and safety; nutrition; personal

9 health; prevention and control of disease; and substance use

10 and abuse.

11           ~~(o)(n)~~ Such additional materials, subjects, courses,

12 or fields in such grades as are prescribed by law or by rules

13 of the State Board of Education and the district school board

14 in fulfilling the requirements of law.

15           ~~(p)(o)~~ The study of Hispanic contributions to the

16 United States.

17           ~~(q)(p)~~ The study of women's contributions to the

18 United States.

19           (r) The nature and importance of free enterprise to

20 the United States economy.

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

22 elementary schools, similar to Character First or Character

23 Counts, which is secular in nature ~~and stresses such character~~

24 ~~qualities as attentiveness, patience, and initiative.~~

25 Beginning in school year 2004-2005, the character-development

26 program shall be required in kindergarten through grade 12.

27 Each district school board shall develop or adopt a curriculum

28 for the character-development program that shall be submitted

29 to the department for approval. The character-development

30 curriculum shall stress the qualities of patriotism;i

31 responsibility;i citizenship;i kindness;i respect for

1 authority, life, liberty, and personal property; honesty;  
2 charity; self-control; racial, ethnic, and religious  
3 tolerance; and cooperation.

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

10  
11 The State Board of Education is encouraged to adopt standards  
12 and pursue assessment of the requirements of this subsection.

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

21 Section 19. Subsections (1), (5), (7), and (10) of  
22 section 1003.43, Florida Statutes, are amended to read:

23 1003.43 General requirements for high school  
24 graduation.--

25 (1) Graduation requires successful completion of  
26 either a minimum of 24 academic credits in grades 9 through  
27 12, ~~or~~ an International Baccalaureate curriculum, or an  
28 Advanced International Certification curriculum. The 24  
29 credits shall be distributed as follows:

30 (a) Four credits in English, with major concentration  
31 in composition and literature.

1           (b) ~~Four~~ Three credits in mathematics, effective for  
2 the 2008-2009 school year. Effective for students entering  
3 the 9th grade in the 1997-1998 school year and thereafter, one  
4 of these credits must be Algebra I, a series of courses  
5 equivalent to Algebra I, or a higher-level mathematics course.

6           (c) Three credits in science, two of which must have a  
7 laboratory component. Agriscience Foundations I, the core  
8 course in secondary Agriscience and Natural Resources  
9 programs, counts as one of the science credits.

10           (d) One credit in American history.

11           (e) One credit in world history, including a  
12 comparative study of the history, doctrines, and objectives of  
13 all major political systems.

14           (f) One-half credit in economics, including a  
15 comparative study of the history, doctrines, and objectives of  
16 all major economic systems. The Florida Council on Economic  
17 Education shall provide technical assistance to the department  
18 and district school boards in developing curriculum materials  
19 for the study of economics.

20           (g) One-half credit in American government, including  
21 study of the Constitution of the United States. For students  
22 entering the 9th grade in the 1997-1998 school year and  
23 thereafter, the study of Florida government, including study  
24 of the State Constitution, the three branches of state  
25 government, and municipal and county government, shall be  
26 included as part of the required study of American government.

27           (h)1. One credit in practical arts career education or  
28 exploratory career education. Any career education course as  
29 defined in s. 1003.01 may be taken to satisfy the high school  
30 graduation requirement for one credit in practical arts or  
31 exploratory career education provided in this subparagraph;



1           2. One credit in performing fine arts to be selected  
2 from music, dance, drama, painting, or sculpture. A course in  
3 any art form, in addition to painting or sculpture, that  
4 requires manual dexterity, or a course in speech and debate,  
5 may be taken to satisfy the high school graduation requirement  
6 for one credit in performing arts pursuant to this  
7 subparagraph; or

8           3. One-half credit each in practical arts career  
9 education or exploratory career education and performing fine  
10 arts, as defined in this paragraph.

11  
12 Such credit for practical arts career education or exploratory  
13 career education or for performing fine arts shall be made  
14 available in the 9th grade, and students shall be scheduled  
15 into a 9th grade course as a priority.

16           (i) One-half credit in life management skills to  
17 include consumer education, positive emotional development,  
18 marriage and relationship skill-based education, nutrition,  
19 parenting skills, prevention of human immunodeficiency virus  
20 infection and acquired immune deficiency syndrome and other  
21 sexually transmissible diseases, benefits of sexual abstinence  
22 and consequences of teenage pregnancy, information and  
23 instruction on breast cancer detection and breast  
24 self-examination, cardiopulmonary resuscitation, drug  
25 education, and the hazards of smoking.

26           (j) One credit in physical education to include  
27 assessment, improvement, and maintenance of personal fitness.  
28 Participation in an interscholastic sport at the junior  
29 varsity or varsity level, for two full seasons, shall satisfy  
30 the one-credit requirement in physical education if the  
31 student passes a competency test on personal fitness with a

1 score of "C" or better. The competency test on personal  
2 fitness must be developed by the Department of Education. A  
3 district school board may not require that the one credit in  
4 physical education be taken during the 9th grade year.  
5 Completion of one semester with a grade of "C" or better in a  
6 marching band class, in a physical activity class that  
7 requires participation in marching band activities as an  
8 extracurricular activity, or in a Reserve Officer Training  
9 Corps (R.O.T.C.) class a significant component of which is  
10 drills shall satisfy a one-half credit requirement in physical  
11 education. This one-half credit may not be used to satisfy  
12 the personal fitness requirement or the requirement for  
13 adaptive physical education under an individual educational  
14 plan (IEP) or 504 plan.

15 (k) Seven ~~Eight~~ and one-half elective credits.

16  
17 District school boards may award a maximum of one-half credit  
18 in social studies and one-half elective credit for student  
19 completion of nonpaid voluntary community or school service  
20 work. Students choosing this option must complete a minimum  
21 of 75 hours of service in order to earn the one-half credit in  
22 either category of instruction. Credit may not be earned for  
23 service provided as a result of court action. District school  
24 boards that approve the award of credit for student volunteer  
25 service shall develop guidelines regarding the award of the  
26 credit, and school principals are responsible for approving  
27 specific volunteer activities. A course designated in the  
28 Course Code Directory as grade 9 through grade 12 that is  
29 taken below the 9th grade may be used to satisfy high school  
30 graduation requirements or Florida Academic Scholars award  
31 requirements as specified in a district school board's student

1 progression plan. A student shall be granted credit toward  
2 meeting the requirements of this subsection for equivalent  
3 courses, as identified pursuant to s. 1007.271(6), taken  
4 through dual enrollment.

5 (5) Each district school board shall establish  
6 standards for graduation from its schools, and these standards  
7 must include:

8 (a) Earning passing scores on the FCAT, as defined in  
9 s. 1008.22(3)(c), or scores on a standardized test that are  
10 concordant with passing scores on the FCAT as defined in s.  
11 1008.22(9).

12 (b) Polices that encourage and recognize rigorous  
13 coursework and student areas of specialization and expertise  
14 on the high school diploma. Such recognition may include  
15 successful completion of IB, AICE, or dual enrollment;  
16 content-area proficiency; and portfolio development and  
17 demonstration.

18 ~~(c)(b)~~ Completion of all other applicable requirements  
19 prescribed by the district school board pursuant to s.  
20 1008.25.

21 ~~(d)(e)~~ Achievement of a cumulative grade point average  
22 of 1.5 on a 4.0 scale, or its equivalent, for students  
23 entering 9th grade before the 1997-1998 school year; however,  
24 these students must earn a cumulative grade point average of  
25 2.0 on a 4.0 scale, or its equivalent, in the courses required  
26 by subsection (1) that are taken after July 1, 1997, or have  
27 an overall cumulative grade point average of 2.0 or above.

28 ~~(e)(d)~~ Achievement of a cumulative grade point average  
29 of 2.0 on a 4.0 scale, or its equivalent, in the courses  
30 required by subsection (1), for students entering 9th grade in  
31 the 1997-1998 school year and thereafter.

1           ~~(f)(e)~~ For purposes of paragraphs~~(d)(e)~~ and (e)(d):

2           1. Each district school board shall adopt policies

3 designed to assist students in meeting these requirements.

4 These policies may include, but are not limited to:

5 forgiveness policies, summer school or before or after school

6 attendance, special counseling, volunteer and/or peer tutors,

7 school-sponsored help sessions, homework hotlines, and study

8 skills classes. Beginning in the 2000-2001 school year and

9 each year thereafter, forgiveness policies for required

10 courses shall be limited to replacing a grade of "D" or "F,"

11 or the equivalent of a grade of "D" or "F," with a grade of

12 "C" or higher, or the equivalent of a grade of "C" or higher,

13 earned subsequently in the same or comparable course.

14 Forgiveness policies for elective courses shall be limited to

15 replacing a grade of "D" or "F," or the equivalent of a grade

16 of "D" or "F," with a grade of "C" or higher, or the

17 equivalent of a grade of "C" or higher, earned subsequently in

18 another course. Any course grade not replaced according to a

19 district school board forgiveness policy shall be included in

20 the calculation of the cumulative grade point average required

21 for graduation.

22           2. At the end of each semester, the parent of each

23 student in grades 9, 10, 11, and 12 who has a cumulative grade

24 point average of less than 0.5 above the cumulative grade

25 point average required for graduation shall be notified that

26 the student is at risk of not meeting the requirements for

27 graduation. The notice shall contain an explanation of the

28 policies the district school board has in place to assist the

29 student in meeting the grade point average requirement.

30           3. Special assistance to obtain a high school

31 equivalency diploma pursuant to s. 1003.435 may be given only

1 when the student has completed all requirements for graduation  
2 except the attainment of the required cumulative grade point  
3 average.

4  
5 The standards required in this subsection, and any subsequent  
6 modifications, shall be reprinted in the Florida  
7 Administrative Code even though not defined as "rules."

8 (7) No student may be granted credit toward high  
9 school graduation for enrollment in the following courses or  
10 programs:

11 (a) More than a total of nine elective credits in  
12 remedial programs.

13 (b) More than one credit in exploratory career  
14 education courses as defined in s. 1003.01(4)(a)1.

15 (c) More than three credits in practical arts family  
16 and consumer sciences classes as defined in s. 1003.01(4)(a)1.

17 (d) Any Level I course unless the student's assessment  
18 indicates that a more rigorous course of study would be  
19 inappropriate, in which case a written assessment of the need  
20 must be included in the student's individual educational plan  
21 or in a student performance plan, signed by the principal, the  
22 guidance counselor, and the parent of the student, or the  
23 student if the student is 18 years of age or older.

24 (10)(a) A student who meets all requirements  
25 prescribed in subsections (1), (4), and (5) shall be awarded a  
26 standard diploma in a form prescribed by the State Board of  
27 Education. A district school board may attach the Florida gold  
28 seal career endorsement to a standard diploma or, instead of  
29 the standard diploma, award differentiated diplomas to those  
30 exceeding the prescribed minimums, as specified in paragraph  
31 (5)(b).

1 (b) A student who completes the minimum number of  
2 credits and other requirements prescribed by subsections (1)  
3 and (4), but who is unable to meet the standards of paragraph  
4 (5)(a), paragraph~~(5)(c)~~~~(5)(b)~~, or paragraph~~(5)(d)~~~~(5)(e)~~,  
5 shall be awarded a certificate of completion in a form  
6 prescribed by the State Board of Education. However, any  
7 student who is otherwise entitled to a certificate of  
8 completion may elect to remain in the secondary school either  
9 as a full-time student or a part-time student for up to 1  
10 additional year and receive special instruction designed to  
11 remedy his or her identified deficiencies.

12 Section 20. Section 1003.437, Florida Statutes, is  
13 amended to read:

14 1003.437 Middle and high school grading system.--The  
15 grading system and interpretation of letter grades used for  
16 students in public ~~high~~ schools in grades 6-12 shall be as  
17 follows:

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

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

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

27 (4) Grade "D" equals 60 percent through 69 percent,  
28 has a grade point average value of 1, and is defined as  
29 "lowest acceptable progress."  
30  
31

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

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

6  
7 For the purposes of class ranking, district school boards may  
8 exercise a weighted grading system.

9           Section 21. Section 1003.491, Florida Statutes, is  
10 amended to read:

11           1003.491 Career education.--

12           (1) School board, superintendent, and school  
13 accountability for career education within elementary and  
14 secondary schools includes, but is not limited to:

15           (a) Student exposure to a variety of careers and  
16 provision of instruction to explore specific careers in  
17 greater depth.

18           (b) Student awareness of available career programs and  
19 the corresponding occupations into which such programs lead.

20           (c) Student development of individual academic and  
21 career plans as specified in s. 1003.415(5).

22           (d) Integration of academic and career skills in the  
23 secondary curriculum.

24           (e) Implementation of career academies and small  
25 learning communities as defined in s. 1003.01(4).

26           ~~(f)(e)~~ Student preparation to enter the workforce and  
27 enroll in postsecondary education without being required to  
28 complete college preparatory or career preparatory  
29 instruction.

30           ~~(g)(f)~~ Student retention in school through high school  
31 graduation.

1            ~~(h)(g)~~ Career education curriculum articulation with  
2 corresponding postsecondary programs in the career center or  
3 community college, or both.

4            (2) A ~~No~~ school board or public school may not ~~shall~~  
5 require a student to participate in any school-to-work or job  
6 training program. A district school board or school may ~~shall~~  
7 not require a student to meet occupational standards for grade  
8 level promotion or graduation unless the student is  
9 voluntarily enrolled in a job training program.

10           (3) Each district school board and superintendent  
11 shall implement all components required to obtain the career  
12 education certification on the high school diploma if the  
13 school district chooses to offer the certification.

14           Section 22. Paragraph (a) of subsection (1) and  
15 paragraph (a) of subsection (2) of section 1003.62, Florida  
16 Statutes, are amended to read:

17           1003.62 Academic performance-based charter school  
18 districts.--The State Board of Education may enter into a  
19 performance contract with district school boards as authorized  
20 in this section for the purpose of establishing them as  
21 academic performance-based charter school districts. The  
22 purpose of this section is to examine a new relationship  
23 between the State Board of Education and district school  
24 boards that will produce significant improvements in student  
25 achievement, while complying with constitutional and statutory  
26 requirements assigned to each entity.

27           (1) ACADEMIC PERFORMANCE-BASED CHARTER SCHOOL  
28 DISTRICT.--

29           (a) A school district shall be eligible for  
30 designation as an academic performance-based charter school  
31 district if it is a high-performing school district in which a



1 | minimum of 50 percent of the schools earn a ~~performance~~ grade  
2 | of category "A" or "B" and in which no school earns a  
3 | ~~performance~~ grade of category "D" or "F" for 2 consecutive  
4 | years pursuant to s. 1008.34. Schools that receive a  
5 | ~~performance~~ grade of category "I" or "N" shall not be included  
6 | in this calculation. The performance contract for a school  
7 | district that earns a charter based on school ~~performance~~  
8 | grades shall be predicated on maintenance of at least 50  
9 | percent of the schools in the school district earning a  
10 | ~~performance~~ grade of category "A" or "B" with no school in the  
11 | school district earning a ~~performance~~ grade of category "D" or  
12 | "F" for 2 consecutive years. A school district in which the  
13 | number of schools that earn a ~~performance~~ grade of "A" or "B"  
14 | is less than 50 percent may have its charter renewed for 1  
15 | year; however, if the percentage of "A" or "B" schools is less  
16 | than 50 percent for 2 consecutive years, the charter shall not  
17 | be renewed.

18 |           (2) EXEMPTION FROM STATUTES AND RULES.--

19 |           (a) An academic performance-based charter school  
20 | district shall operate in accordance with its charter and  
21 | shall be exempt from certain State Board of Education rules  
22 | and statutes if the State Board of Education determines such  
23 | an exemption will assist the district in maintaining or  
24 | improving its high-performing status pursuant to paragraph  
25 | (1)(a). However, the State Board of Education may not exempt  
26 | an academic performance-based charter school district from any  
27 | of the following statutes:

28 |           1. Those statutes pertaining to the provision of  
29 | services to students with disabilities.

30 |           2. Those statutes pertaining to civil rights,  
31 | including s. 1000.05, relating to discrimination.

1           3. Those statutes pertaining to student health,  
2 safety, and welfare.

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

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

7           6. Those statutes pertaining to financial matters,  
8 including chapter 1010.

9           7. Those statutes pertaining to planning and  
10 budgeting, including chapter 1011, except that ss. 1011.64 and  
11 1011.69 shall be eligible for exemption.

12           8. Sections 1012.22(1)(c), 1012.2312, 1012.2313, and  
13 1012.27(2), relating to performance-pay policies for school  
14 administrators and instructional personnel. Professional  
15 service contracts shall be subject to the provisions of ss.  
16 1012.33 and 1012.34.

17           9. Those statutes pertaining to educational  
18 facilities, including chapter 1013, except as specified under  
19 contract with the State Board of Education. However, no  
20 contractual provision that could have the effect of requiring  
21 the appropriation of additional capital outlay funds to the  
22 academic performance-based charter school district shall be  
23 valid.

24           Section 23. Section 1003.57, Florida Statutes, is  
25 amended to read:

26           1003.57 Exceptional students instruction.--

27           (1) Each district school board shall provide for an  
28 appropriate program of special instruction, facilities, and  
29 services for exceptional students as prescribed by the State  
30 Board of Education as acceptable, including provisions that:  
31

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

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

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

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

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

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

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

1 supplementary aids and services cannot be achieved  
2 satisfactorily.

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

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

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

29 (c) The Department of Education shall develop a  
30 process by which a school district must, before providing  
31 services to an exceptional student with a disability who

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

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

18 Section 24. Section 1003.576, Florida Statutes, is  
19 created to read:

20 1003.576 Individual education plans for exceptional  
21 students.--The Department of Education shall develop an  
22 individual education plan (IEP) form for use in developing and  
23 implementing individual education plans for exceptional  
24 students. The IEP form must have a streamlined format and, to  
25 provide for the use of an existing IEP form when a student  
26 transfers from one school district to another, the IEP form  
27 developed by the department must be used in each school  
28 district in the state.

29 Section 25. Subsection (3) of section 1003.58, Florida  
30 Statutes, is amended to read:

31

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

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

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

18           Section 26. Section 1004.64, Florida Statutes, is  
19 created to read:

20           1004.64 Florida Center for Reading Research.--There is  
21 created at the Florida State University, the Florida Center  
22 for Reading Research (FCRR). The center shall include two  
23 outreach centers, one at a central Florida community college  
24 and one at a south Florida state university. The center and  
25 the outreach centers, under the center's leadership, shall:

26           (1) Provide technical assistance and support to all  
27 school districts and schools in this state in the  
28 implementation of evidence-based literacy instruction,  
29 assessments, programs, and professional development.

30           (2) Conduct applied research that will have an  
31 immediate impact on policy and practices related to literacy

1 instruction and assessment in this state with an emphasis on  
2 struggling readers and reading in the content area strategies  
3 and methods for secondary teachers.

4 (3) Conduct basic research on reading, reading growth,  
5 reading assessment, and reading instruction which will  
6 contribute to scientific knowledge about reading.

7 (4) Develop frameworks for comprehensive reading  
8 intervention courses for possible use in middle schools and  
9 secondary schools.

10 (5) Develop frameworks for professional development  
11 activities, using multiple delivery methods for teaching  
12 reading in the content area.

13 (6) Disseminate information about research-based  
14 practices related to literacy instruction, assessment, and  
15 programs for students in preschool through grade 12.

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

24 Section 27. Subsection (4) of section 1006.09, Florida  
25 Statutes, is amended to read:

26 1006.09 Duties of school principal relating to student  
27 discipline and school safety.--

28 (4) When a student has been the victim of a violent  
29 crime perpetrated by another student who attends the same  
30 school, the school principal shall make full and effective use  
31 of the provisions of subsection (2) and s. 1006.13(5). A



1 school principal who fails to comply with this subsection  
2 shall be ineligible for any portion of the performance pay  
3 policy incentive under s. 1012.2313(2)(b) ~~s. 1012.22(1)(c)~~.  
4 However, if any party responsible for notification fails to  
5 properly notify the school, the school principal shall be  
6 eligible for the incentive.

7 Section 28. Section 1007.21, Florida Statutes, is  
8 amended to read:

9 1007.21 Readiness for postsecondary education and the  
10 workplace.--

11 (1) It is the intent of the Legislature that students  
12 and parents develop academic ~~set early~~ achievement and career  
13 goals for the student's post-high-school ~~post high school~~  
14 experience during the middle grades. ~~This section sets forth a~~  
15 ~~model which schools, through their school advisory councils,~~  
16 ~~may choose to implement to ensure that students are ready for~~  
17 ~~postsecondary education and the workplace. If such a program~~  
18 ~~is adopted, students and their parents shall have the option~~  
19 ~~of participating in this model to plan the student's secondary~~  
20 ~~level course of study.~~ Parents and students are to become  
21 partners with school personnel in career exploration and  
22 educational decisionmaking ~~choice~~. Clear academic course  
23 expectations that emphasize rigorous coursework shall be made  
24 available to all students by allowing both student and parent  
25 choice.

26 (2)(a) Students entering the 9th grade and their  
27 parents shall have developed during the middle grades a 4- to  
28 5-year academic and career plan based on postsecondary and  
29 career ~~be active participants in choosing an~~  
30 ~~end of high school student destination based upon both student~~  
31 ~~and parent goals.~~ Alternate career and academic ~~Four or more~~

1 destinations should be considered ~~available~~ with bridges  
2 between destinations to enable students to shift academic and  
3 career priorities if ~~destinations should~~ they choose to change  
4 goals. The destinations shall accommodate the needs of  
5 students served in exceptional education programs to the  
6 extent appropriate for individual students. Exceptional  
7 education students may continue to follow the courses outlined  
8 in the district school board student progression plan.  
9 ~~Participating~~ Students and their parents shall choose among  
10 destinations, which must include:  
11       1. Four-year college or university, community college  
12 plus university, or military academy degree.  
13       2. Two-year postsecondary degree.  
14       3. Postsecondary career certificate.  
15       4. Immediate employment or entry-level military.  
16       5. A combination of the above.  
17       (b) The student progression model toward a chosen  
18 destination shall include:  
19       1. A "path" of core courses leading to each of the  
20 destinations provided in paragraph (a).  
21       2. A recommended group of electives which shall help  
22 define each path.  
23       3. Provisions for a teacher, school administrator,  
24 other school staff member, or community volunteer to be  
25 assigned to a student as an "academic advocate" if parental  
26 involvement is lacking.  
27       (c) The common placement test authorized in ss.  
28 1001.03(10) and 1008.30 or a similar test may be administered  
29 to all high school second semester sophomores who have chosen  
30 one of the four destinations. The results of the placement  
31

1 test shall be used to target additional instructional needs in  
2 reading, writing, and mathematics prior to graduation.

3 (d) Ample opportunity shall be provided for students  
4 to move from one destination to another, and some latitude  
5 shall exist within each destination, to meet the individual  
6 needs of students.

7 (e) Destinations specified in subparagraphs (a)1., 2.,  
8 and 3. shall support the goals of the Tech Prep program.

9 Students participating in Tech Prep shall be enrolled in  
10 articulated, sequential programs of study that include a  
11 technical component and at least a minimum of a postsecondary  
12 certificate or 2-year degree.

13 (f) In order for these destinations to be attainable,  
14 the business community shall be encouraged to support  
15 real-world internships and apprenticeships.

16 (g) All students shall be encouraged to take part in  
17 service learning opportunities.

18 (h) High school equivalency diploma preparation  
19 programs shall not be a choice for high school students  
20 leading to any of the four destinations provided in paragraph  
21 (a) since the appropriate coursework, counseling component,  
22 and career preparation cannot be ensured.

23 (i) Schools shall ensure that students and parents are  
24 made aware of the destinations available and provide the  
25 necessary coursework to assist the student in reaching the  
26 chosen destination. Students and parents shall be made aware  
27 of the student's progress toward the chosen destination.

28 (j) The Department of Education shall offer technical  
29 assistance to school districts to ensure that the destinations  
30 offered also meet the academic standards adopted by the state.

31

1           (3)(a) Access to Level I courses for graduation credit  
2 and for pursuit of a declared destination shall be limited to  
3 only those students for whom assessment indicates a more  
4 rigorous course of study would be inappropriate.

5           (b) The school principal shall:

6           1. Designate a member of the existing instructional or  
7 administrative staff to serve as a specialist to help  
8 coordinate the use of student achievement strategies to help  
9 students succeed in their coursework. The specialist shall  
10 also assist teachers in integrating the academic and career  
11 curricula, utilizing technology, providing feedback regarding  
12 student achievement, and implementing the Blueprint for Career  
13 Preparation and Tech Prep programs.

14           2. Institute strategies to eliminate reading, writing,  
15 and mathematics deficiencies of secondary students.

16           Section 29. Subsections (5) and (16) of section  
17 1007.271, Florida Statutes, are amended to read:

18           1007.271 Dual enrollment programs.--

19           (5) Each district school board shall inform all  
20 secondary students of dual enrollment as an educational option  
21 and mechanism for acceleration. Students shall be informed of  
22 eligibility criteria, the option for taking dual enrollment  
23 courses beyond the regular school year, and the minimum  
24 academic credits required for graduation. District school  
25 boards shall annually assess the demand for dual enrollment  
26 and other advanced courses, and the district school board  
27 shall consider strategies and programs to meet that demand and  
28 include access to dual enrollment on the high school campus  
29 whenever possible. Alternative grade calculation, weighting  
30 systems, or information regarding student education options  
31

1 which discriminates against dual enrollment courses are  
2 prohibited.

3 (16) School districts and community colleges must  
4 weigh college-level dual enrollment courses the same as ~~honors~~  
5 ~~courses and~~ advanced placement, International Baccalaureate,  
6 and AICE courses when grade point averages are calculated.  
7 Alternative grade calculation or weighting systems that  
8 discriminate against dual enrollment courses are prohibited.

9 Section 30. Paragraph (f) of subsection (1),  
10 paragraphs (c) and (e) of subsection (3), and subsection (9)  
11 of section 1008.22, Florida Statutes, are amended, paragraph  
12 (g) is added to subsection (3) of that section, present  
13 subsection (10) of that section is redesignated as subsection  
14 (11), and a new subsection (10) is added to that section, to  
15 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 (f) Provide information on the performance of Florida  
25 students compared with that of other students ~~others~~ across  
26 the United States.

27 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner  
28 shall design and implement a statewide program of educational  
29 assessment that provides information for the improvement of  
30 the operation and management of the public schools, including  
31 schools operating for the purpose of providing educational

1 services to youth in Department of Juvenile Justice programs.  
2 The commissioner may enter into contracts for the continued  
3 administration of the assessment, testing, and evaluation  
4 programs authorized and funded by the Legislature. Contracts  
5 may be initiated in 1 fiscal year and continue into the next  
6 and may be paid from the appropriations of either or both  
7 fiscal years. The commissioner is authorized to negotiate for  
8 the sale or lease of tests, scoring protocols, test scoring  
9 services, and related materials developed pursuant to law.  
10 Pursuant to the statewide assessment program, the commissioner  
11 shall:

12 (c) Develop and implement a student achievement  
13 testing program known as the Florida Comprehensive Assessment  
14 Test (FCAT) as part of the statewide assessment program, ~~to be~~  
15 ~~administered annually in grades 3 through 10~~ to measure  
16 reading, writing, science, and mathematics. Other content  
17 areas may be included as directed by the commissioner. The  
18 assessment of reading and mathematics shall be administered  
19 annually in grades 3 through 10. The assessment of writing and  
20 science shall be administered at least once at the elementary,  
21 middle, and high school levels. The commissioner must document  
22 the procedures used to ensure that the versions of the FCAT  
23 which are taken by students retaking the grade 10 FCAT are  
24 equally as challenging and difficult as the tests taken by  
25 students in grade 10 which contain performance tasks. The  
26 testing program must be designed so that:

27 1. The tests measure student skills and competencies  
28 adopted by the State Board of Education as specified in  
29 paragraph (a). The tests must measure and report student  
30 proficiency levels in reading, writing, mathematics, and  
31 science. The commissioner shall provide for the tests to be

1 developed or obtained, as appropriate, through contracts and  
2 project agreements with private vendors, public vendors,  
3 public agencies, postsecondary educational institutions, or  
4 school districts. The commissioner shall obtain input with  
5 respect to the design and implementation of the testing  
6 program from state educators and the public.

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

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

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

21           5. Except as provided in s. 1003.43(11)(b), students  
22 must earn a passing score on the grade 10 assessment test  
23 described in this paragraph or on an alternate assessment as  
24 described in subsection (9) in reading, writing, and  
25 mathematics to qualify for a regular high school diploma. The  
26 State Board of Education shall designate a passing score for  
27 each part of the grade 10 assessment test. In establishing  
28 passing scores, the state board shall consider any possible  
29 negative impact of the test on minority students. ~~All students~~  
30 ~~who took the grade 10 FCAT during the 2000-2001 school year~~  
31 ~~shall be required to earn the passing scores in reading and~~

1 ~~mathematics established by the State Board of Education for~~  
2 ~~the March 2001 test administration. Such students who did not~~  
3 ~~earn the established passing scores and must repeat the grade~~  
4 ~~10 FCAT are required to earn the passing scores established~~  
5 ~~for the March 2001 test administration. All students who take~~  
6 ~~the grade 10 FCAT for the first time in March 2002 shall be~~  
7 ~~required to earn the passing scores in reading and mathematics~~  
8 ~~established by the State Board of Education for the March 2002~~  
9 ~~test administration.~~ The State Board of Education shall adopt  
10 rules which specify the passing scores for the grade 10 FCAT.  
11 Any such rules, which have the effect of raising the required  
12 passing scores, shall only apply to students taking the grade  
13 10 FCAT for the first time after such rules are adopted by the  
14 State Board of Education.

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



1 commissioner, for the provision of test accommodations and  
2 modifications of procedures as necessary for students in  
3 exceptional education programs and for students who have  
4 limited English proficiency. Accommodations that negate the  
5 validity of a statewide assessment are not allowable.

6 7. A student seeking an adult high school diploma must  
7 meet the same testing requirements that a regular high school  
8 student must meet.

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

22 9. District school boards must provide opportunities  
23 for students to retake the FCAT following enrollment in summer  
24 bridge academies pursuant to s. 1003.415(4).

25 ~~10.9.~~ The Department of Education must develop, or  
26 select, and implement a common battery of assessment tools  
27 that will be used in all juvenile justice programs in the  
28 state. These tools must accurately measure the skills and  
29 competencies established in the ~~Florida~~ Sunshine State  
30 Standards.  
31

1 ~~The commissioner may design and implement student testing~~  
2 ~~programs, for any grade level and subject area, necessary to~~  
3 ~~effectively monitor educational achievement in the state.~~

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

9 (f) Encourage and assist school districts in  
10 developing and establishing secondary school end-of-course  
11 assessments. Such assessment shall be based on identified  
12 course competencies and end-of-course expected outcomes and  
13 may be administered by performance or alternative methods  
14 other than paper and pencil.

15 (9) EQUIVALENCIES FOR STANDARDIZED TESTS.--

16 (a) The State Board of Education shall conduct  
17 concordance studies, as necessary, in order to determine  
18 scores on the SAT and the ACT which are equivalent to those  
19 required on the FCAT for high school graduation pursuant to s.  
20 1003.429(6)(a) or s. 1003.43(5)(a).

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

30 ~~(c)(b)~~ A student shall be required to take each  
31 subject area of the grade 10 FCAT a total of three times

1 without earning a passing score in order to use the  
2 corresponding subject area scores on an alternative assessment  
3 pursuant to paragraph ~~(b)~~ ~~(a)~~. This requirement shall not  
4 apply to a new student who enters ~~is a new student~~ to the  
5 public school system in grade 12, who may take the FCAT or use  
6 approved score equivalencies for the purpose of fulfilling the  
7 graduation requirement.

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

12 (a) Longitudinal performance of students in  
13 mathematics and reading.

14 (b) Longitudinal performance of students by grade  
15 level in mathematics and reading.

16 (c) Longitudinal performance regarding efforts to  
17 close the achievement gap.

18 (d) Longitudinal performance of students on the  
19 norm-referenced component of the FCAT.

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

23 Section 31. Subsection (4) of section 1008.25, Florida  
24 Statutes, is amended to read:

25 1008.25 Public school student progression; remedial  
26 instruction; reporting requirements.--

27 (4) ASSESSMENT AND REMEDIATION.--

28 (a) Each student must participate in the statewide  
29 assessment tests required by s. 1008.22. Each student who does  
30 not meet specific levels of performance as determined by the  
31 district school board in reading, writing, science, and

1 mathematics for each grade level, or who scores below Level 3  
2 in reading or math ~~does not meet specific levels of~~  
3 ~~performance as determined by the commissioner on statewide~~  
4 ~~assessments at selected grade levels~~, must be provided with  
5 additional diagnostic assessments to determine the nature of  
6 the student's difficulty, the ~~and~~ areas of academic need, and  
7 strategies for appropriate intervention and instruction.

8 (b) The school in which the student is enrolled must  
9 develop, in consultation with the student's parent, and must  
10 implement an academic improvement plan designed to assist the  
11 student in meeting state and district expectations for  
12 proficiency. The ~~For a student for whom a personalized~~  
13 academic and career plan must be incorporated into an academic  
14 improvement plan required for any secondary student middle  
15 ~~school success plan is required pursuant to s. 1003.415, the~~  
16 ~~middle school success plan must be incorporated in the~~  
17 ~~student's academic improvement plan.~~ Beginning with the  
18 2006-2007 ~~2002-2003~~ school year, if the student has been  
19 identified as having a deficiency in reading or math, the  
20 academic improvement plan shall identify the student's  
21 specific areas of deficiency or skills gaps in math and  
22 reading ~~phonemic awareness, phonics, fluency, comprehension,~~  
23 ~~and vocabulary~~; the desired levels of performance in these  
24 areas; and the instructional and support services to be  
25 provided to meet the desired levels of performance. Schools  
26 shall also provide for the frequent monitoring of the  
27 student's progress in meeting the desired levels of  
28 performance. District school boards shall assist schools and  
29 teachers to implement research-based reading and math  
30 activities and instructional strategies that have been shown  
31 to be successful with ~~in teaching reading to~~ low-performing

1 students. Intensive remedial instruction provided during  
2 middle and high school to students scoring at Level I on the  
3 most recently administered FCAT may not be in lieu of English  
4 and mathematics ~~credits required for graduation.~~

5 (c) Upon subsequent evaluation, if the documented  
6 deficiency has not been remediated in accordance with the  
7 academic improvement plan, the student may be retained. Each  
8 student who does not meet the minimum performance expectations  
9 defined by the Commissioner of Education for the statewide  
10 assessment tests in reading, writing, science, and mathematics  
11 must continue to be provided with remedial or supplemental  
12 instruction until the expectations are met or the student  
13 graduates from high school or is not subject to compulsory  
14 school attendance.

15 Section 32. Section 1008.301, Florida Statutes, is  
16 repealed.

17 Section 33. Section 1008.31, Florida Statutes, is  
18 amended to read:

19 1008.31 Florida's K-20 education performance  
20 accountability system; legislative intent; ~~performance based~~  
21 ~~funding~~; mission, goals, and systemwide measures; public  
22 accountability and reporting.--

23 (1) LEGISLATIVE INTENT.--It is the intent of the  
24 Legislature that:

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

29 1. What is the public receiving in return for funds it  
30 invests in education?

31

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

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

5           4. How are individual schools and postsecondary  
6 education institutions performing their responsibility to  
7 educate their students as measured by how students are  
8 performing, ~~and~~ how much they are learning, and what their  
9 actual completion rates are?

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

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

19           (d) The State Board of Education recommend to the  
20 Legislature systemwide performance standards; the Legislature  
21 establish systemwide performance measures and standards; and  
22 the systemwide measures and standards provide Floridians with  
23 information on what the public is receiving in return for the  
24 funds it invests in education and how well the K-20 system  
25 educates its students.

26           (e) The State Board of Education establish performance  
27 measures and set performance standards for individual  
28 components of the public education system, including  
29 individual schools and postsecondary educational institutions,  
30 with measures and standards based primarily on student  
31 achievement.

1 (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.--

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

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

- 11 1. Focused on student success.
- 12 2. Addressable through policy and program changes.
- 13 3. Efficient and of high quality.
- 14 4. Measurable over time.
- 15 5. Simple to explain and display to the public.
- 16 6. Aligned with other measures and other sectors in  
17 order to support a coordinated K-20 education system.

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

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

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

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

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

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

29         5. Other goals, as identified by law or rule.

30         (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS  
31 SYSTEMWIDE DATA COLLECTION.--In order to provide the data



1 required to implement education performance accountability  
2 measures in state and federal law, the Commissioner of  
3 Education shall initiate and maintain strategies to improve  
4 data quality and timeliness.

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

14 (b) The Commissioner of Education shall determine the  
15 standards for the required data, monitor data quality, and  
16 measure improvements. The commissioner shall report annually  
17 to the State Board of Education, the Board of Governors of the  
18 State University System, the President of the Senate, and the  
19 Speaker of the House of Representatives the data quality  
20 indicators, ratings for all school districts and public  
21 postsecondary educational institutions, and information on  
22 Florida's calculation of graduation rates and how this  
23 compares to calculation methods by other states.

24 (4) REPORTING OR DATA COLLECTION.--The department  
25 shall coordinate with school districts in developing any  
26 reporting or data-collection requirements to address the  
27 specifications of the accountability system. Before  
28 establishing any new reporting or data-collection  
29 requirements, the department shall use any existing data being  
30 collected to reduce duplication and minimize paperwork.

31

1           Section 34. Subsections (1), (2), and (4) of section  
2 1008.33, Florida Statutes, are 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

1 | action to a district school board intended to improve  
2 | educational services to students in each school that is  
3 | designated with a ~~as~~ performance grade of ~~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 ~~as~~ performance  
18 | grade of ~~category~~ "F" to be academically well served by the  
19 | 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 |

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

5 (4) The State Board of Education may require the  
6 Department of Education or Chief Financial Officer to withhold  
7 any transfer of state funds to the school district if, within  
8 the timeframe specified in state board action, the school  
9 district has failed to comply with the action ordered to  
10 improve the district's low-performing schools. Withholding the  
11 transfer of funds shall occur only after all other recommended  
12 actions for school improvement have failed to improve  
13 performance. The State Board of Education may impose the same  
14 penalty on any district school board that fails to develop and  
15 implement a plan for assistance and intervention for  
16 low-performing schools as specified in s. 1001.42(16)(d) ~~s.~~  
17 ~~1001.42(16)(c)~~.

18 Section 35. Section 1008.34, Florida Statutes, is  
19 amended to read:

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

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

1 25th percentile of the state in the previous school year;  
2 provided, however, that the provisions of s. 1002.22  
3 pertaining to student records apply to this section.

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

- 9 (a) "A," schools making excellent progress.  
10 (b) "B," schools making above average progress.  
11 (c) "C," schools making satisfactory progress.  
12 (d) "D," schools making less than satisfactory  
13 progress.  
14 (e) "F," schools failing to make adequate progress.

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

25 (3) DESIGNATION OF SCHOOL GRADES ~~PERFORMANCE GRADE~~  
26 ~~CATEGORIES~~.--Each school that has students who are tested and  
27 included in the school grading system, except an alternative  
28 school that receives a school-improvement rating pursuant to  
29 s. 1008.341, shall receive a school grade; however, an  
30 alternative school may choose to receive a school grade under  
31 this section in lieu of a school-improvement rating.

1 Additionally, a school that serves any combination of students  
2 in kindergarten through grade 3 which does not receive a  
3 school grade because its students are not tested and included  
4 in the school grading system shall receive the school grade  
5 designation of a K-3 feeder pattern school identified by the  
6 Department of Education and verified by the school district. A  
7 school feeder pattern exists if at least 60 percent of the  
8 students in the school serving a combination of students in  
9 kindergarten through grade 3 are scheduled to be assigned to  
10 the graded school. School ~~grades~~ ~~performance grade category~~  
11 ~~designations~~ itemized in subsection (2) shall be based on the  
12 following:

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

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

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

22 3. Improvement of the lowest 25th percentile of  
23 students in the school ~~in reading, math, or writing on the~~  
24 FCAT Reading, unless these students are exhibiting ~~performing~~  
25 above satisfactory performance.

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

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

31

1           2. The aggregate scores of all eligible students  
2 enrolled in the school 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 school in reading,  
5 math, or writing, unless these students are exhibiting  
6 ~~performing~~ above satisfactory performance.

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

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

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

21 (5) ~~SCHOOL REPORT CARD PERFORMANCE GRADE CATEGORY AND~~  
22 ~~IMPROVEMENT RATING REPORTS.~~--The Department of Education shall  
23 annually develop, in collaboration with the school districts,  
24 a school report card to be delivered to parents throughout  
25 each school district. The report card shall include the  
26 school's grade, information regarding school improvement, an  
27 explanation of school performance as evaluated by the federal  
28 No Child Left Behind Act of 2001, and indicators of return on  
29 investment. School performance grade category designations and  
30 improvement ratings shall apply to each school's performance  
31 for the year in which performance is measured. Each school's



1 ~~report card designation and rating~~ shall be published annually  
2 by the department on its website, ~~of Education~~ and the school  
3 district shall provide the school report card to each parent.  
4 ~~Parents shall be entitled to an easy to read report card about~~  
5 ~~the designation and rating of the school in which their child~~  
6 ~~is enrolled.~~

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

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

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

22 Section 36. 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

1           (2) SCHOOL IMPROVEMENT RATING.--Alternative schools  
2 that provide dropout-prevention and academic-intervention  
3 services pursuant to s. 1003.53 shall receive a  
4 school-improvement rating pursuant to this section. The  
5 school-improvement rating shall identify schools as having one  
6 of the following ratings defined according to rules of the  
7 State Board of Education:

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

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

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

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

23           (3) DESIGNATION OF SCHOOL-IMPROVEMENT RATING.--Student  
24 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 count, who have been assessed on the FCAT, and  
29 who have FCAT or comparable scores for the preceding school  
30 year.

31

1           (b) The aggregate scores of all eligible students who  
2 were assigned to and enrolled in the school during the October  
3 or February FTE count, who have been assessed on the FCAT,  
4 including Florida Writes, and who have scored in the lowest  
5 25th percentile of students in the state on FCAT Reading.

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

14           (4) IDENTIFICATION OF STUDENT LEARNING GAINS.--For  
15 each alternative school receiving a school-improvement rating,  
16 the Department of Education shall annually identify the  
17 percentage of students making learning gains as compared to  
18 the percentage of the same students making learning gains in  
19 their home schools in the year prior to being assigned to the  
20 alternative 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 throughout each school district. The  
25 report card shall include the school-improvement rating,  
26 identification of student learning gains, student attendance  
27 data, information regarding school improvement, an explanation  
28 of school performance as evaluated by the federal No Child  
29 Left Behind Act of 2001, and indicators of return on  
30 investment.

31

1           Section 37. Subsection (5), paragraphs (b) and (d) of  
2 subsection (6), and subsection (7) of section 1008.345,  
3 Florida Statutes, are amended to read:

4           1008.345 Implementation of state system of school  
5 improvement and education accountability.--

6           (5) The commissioner shall report to the Legislature  
7 and recommend changes in state policy necessary to foster  
8 school improvement and education accountability. Included in  
9 the report shall be a list of the schools, including schools  
10 operating for the purpose of providing educational services to  
11 youth in Department of Juvenile Justice programs, for which  
12 district school boards have developed assistance and  
13 intervention plans and an analysis of the various strategies  
14 used by the school boards. School reports shall be distributed  
15 pursuant to this subsection and s. 1001.42(16)(f) ~~s.~~  
16 ~~1001.42(16)(e)~~ and according to rules adopted by the State  
17 Board of Education.

18           (6)

19           (b) Upon request, the department shall provide  
20 technical assistance and training to any school, including any  
21 school operating for the purpose of providing educational  
22 services to youth in Department of Juvenile Justice programs,  
23 school advisory council, district, or district school board  
24 for conducting needs assessments, developing and implementing  
25 school improvement plans, developing and implementing  
26 assistance and intervention plans, or implementing other  
27 components of school improvement and accountability. Priority  
28 for these services shall be given to schools designated with a  
29 ~~as performance~~ grade of category "D" or "F" and school  
30 districts in rural and sparsely populated areas of the state.  
31

1           (d) The department shall assign a community assessment  
2 team to each school district with a school designated with a  
3 ~~as performance~~ grade of category "D" or "F" to review the  
4 school performance data and determine causes for the low  
5 performance. The team shall make recommendations to the school  
6 board, to the department, and to the State Board of Education  
7 for implementing an assistance and intervention plan that will  
8 address the causes of the school's low performance. The  
9 assessment team shall include, but not be limited to, a  
10 department representative, parents, business representatives,  
11 educators, and community activists, and shall represent the  
12 demographics of the community from which they are appointed.

13           (7)(a) Schools designated with a in performance grade  
14 of category "A," making excellent progress, shall, if  
15 requested by the school, be given deregulated status as  
16 specified in s. 1003.63(5), (7), (8), (9), and (10).

17           (b) Schools that have improved at least two grades  
18 ~~performance grade categories~~ and that meet the criteria of the  
19 Florida School Recognition Program pursuant to s. 1008.36 may  
20 be given deregulated status as specified in s. 1003.63(5),  
21 (7), (8), (9), and (10).

22           Section 38. Paragraphs (f), (h), (l), (m), and (n) of  
23 subsection (1) and paragraphs (a) and (b) of subsection (4) of  
24 section 1011.62, Florida Statutes, are amended, present  
25 subsections (8) and (9) of that section are redesignated as  
26 subsections (9) and (10), respectively, and amended, and a new  
27 subsection (8) is added to that section, to read:

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

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

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

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

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

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

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

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

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

22           (h) Small, isolated high schools.--Districts which  
23 levy the maximum nonvoted discretionary millage, exclusive of  
24 millage for capital outlay purposes levied pursuant to s.  
25 1011.71(2), may calculate full-time equivalent students for  
26 small, isolated high schools by multiplying the number of  
27 unweighted full-time equivalent students times 2.75; provided  
28 the school has attained a ~~state accountability performance~~  
29 grade ~~category~~ of "C" or better, pursuant to s. 1008.34, for  
30 the previous school year. For the purpose of this section, the  
31 term "small, isolated high school" means any high school which

1 is located no less than 28 miles by the shortest route from  
2 another high school; which has been serving students primarily  
3 in basic studies provided by sub-subparagraphs (c)1.b. and c.  
4 and may include subparagraph (c)4.; and which has a membership  
5 of no more than 100 students, but no fewer than 28 students,  
6 in grades 9 through 12.

7 (1) Calculation of additional full-time equivalent  
8 membership based on international baccalaureate examination  
9 scores of students.--A value of 0.24 full-time equivalent  
10 student membership shall be calculated for each student  
11 enrolled in an international baccalaureate course who receives  
12 a score of 4 or higher on a subject examination. A value of  
13 0.3 full-time equivalent student membership shall be  
14 calculated for each student who receives an international  
15 baccalaureate diploma. Such value shall be added to the total  
16 full-time equivalent student membership in basic programs for  
17 grades 9 through 12 in the subsequent fiscal year. The school  
18 district shall distribute to each classroom teacher who  
19 provided international baccalaureate instruction:

20 1. A bonus in the amount of \$50 for each student  
21 taught by the International Baccalaureate teacher in each  
22 international baccalaureate course who receives a score of 4  
23 or higher on the international baccalaureate examination.

24 2. An additional bonus of \$500 to each International  
25 Baccalaureate teacher in a school designated with a  
26 ~~performance grade of category~~ "D" or "F" who has at least one  
27 student scoring 4 or higher on the international baccalaureate  
28 examination, regardless of the number of classes taught or of  
29 the number of students scoring a 4 or higher on the  
30 international baccalaureate examination.

31



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

5 (m) Calculation of additional full-time equivalent  
6 membership based on Advanced International Certificate of  
7 Education examination scores of students.--A value of 0.24  
8 full-time equivalent student membership shall be calculated  
9 for each student enrolled in a full-credit Advanced  
10 International Certificate of Education course who receives a  
11 score of E or higher on a subject examination. A value of 0.12  
12 full-time equivalent student membership shall be calculated  
13 for each student enrolled in a half-credit Advanced  
14 International Certificate of Education course who receives a  
15 score of E or higher on a subject examination. A value of 0.3  
16 full-time equivalent student membership shall be calculated  
17 for each student who receives an Advanced International  
18 Certificate of Education diploma. Such value shall be added to  
19 the total full-time equivalent student membership in basic  
20 programs for grades 9 through 12 in the subsequent fiscal  
21 year. The school district shall distribute to each classroom  
22 teacher who provided Advanced International Certificate of  
23 Education instruction:

24 1. A bonus in the amount of \$50 for each student  
25 taught by the Advanced International Certificate of Education  
26 teacher in each full-credit Advanced International Certificate  
27 of Education course who receives a score of E or higher on the  
28 Advanced International Certificate of Education examination. A  
29 bonus in the amount of \$25 for each student taught by the  
30 Advanced International Certificate of Education teacher in  
31 each half-credit Advanced International Certificate of

1 Education course who receives a score of E or higher on the  
2 Advanced International Certificate of Education examination.  
3         2. An additional bonus of \$500 to each Advanced  
4 International Certificate of Education teacher in a school  
5 designated with a performance grade of ~~category~~ "D" or "F" who  
6 has at least one student scoring E or higher on the  
7 full-credit Advanced International Certificate of Education  
8 examination, regardless of the number of classes taught or of  
9 the number of students scoring an E or higher on the  
10 full-credit Advanced International Certificate of Education  
11 examination.  
12         3. Additional bonuses of \$250 each to teachers of  
13 half-credit Advanced International Certificate of Education  
14 classes in a school designated with a performance grade of  
15 ~~category~~ "D" or "F" which has at least one student scoring an  
16 E or higher on the half-credit Advanced International  
17 Certificate of Education examination in that class. The  
18 maximum additional bonus for a teacher awarded in accordance  
19 with this subparagraph shall not exceed \$500 in any given  
20 school year. Teachers receiving an award under subparagraph 2.  
21 are not eligible for a bonus under this subparagraph.  
22  
23 Bonuses awarded to a teacher according to this paragraph shall  
24 not exceed \$2,000 in any given school year and shall be in  
25 addition to any regular wage or other bonus the teacher  
26 received or is scheduled to receive.  
27         (n) Calculation of additional full-time equivalent  
28 membership based on college board advanced placement scores of  
29 students.--A value of 0.24 full-time equivalent student  
30 membership shall be calculated for each student in each  
31 advanced placement course who receives a score of 3 or higher

1 on the College Board Advanced Placement Examination for the  
2 prior year and added to the total full-time equivalent student  
3 membership in basic programs for grades 9 through 12 in the  
4 subsequent fiscal year. Each district must allocate at least  
5 80 percent of the funds provided to the district for advanced  
6 placement instruction, in accordance with this paragraph, to  
7 the high school that generates the funds. The school district  
8 shall distribute to each classroom teacher who provided  
9 advanced placement instruction:

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

14           2. An additional bonus of \$500 to each Advanced  
15 Placement teacher in a school designated with a performance  
16 grade of ~~category~~ "D" or "F" who has at least one student  
17 scoring 3 or higher on the College Board Advanced Placement  
18 Examination, regardless of the number of classes taught or of  
19 the number of students scoring a 3 or higher on the College  
20 Board Advanced Placement Examination.

21  
22 Bonuses awarded to a teacher according to this paragraph shall  
23 not exceed \$2,000 in any given school year and shall be in  
24 addition to any regular wage or other bonus the teacher  
25 received or is scheduled to receive.

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

1 kindergarten through grade 12 programs shall be calculated as  
2 follows:

3 (a) Estimated taxable value calculations.--

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

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

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

7           (b) Final calculation.--

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

17           2. For the purposes of this paragraph, the official  
18 final taxable value for school purposes shall be the taxable  
19 value for school purposes on which the tax bills are computed  
20 and mailed to the taxpayers, adjusted to reflect final  
21 administrative actions of value adjustment boards and judicial  
22 decisions pursuant to part I of chapter 194. By September 1 of  
23 each year, the Department of Revenue shall certify to the  
24 commissioner the official prior year final taxable value for  
25 school purposes. For each county that has not submitted a  
26 revised tax roll reflecting final value adjustment board  
27 actions and final judicial decisions, the Department of  
28 Revenue shall certify the most recent revision of the official  
29 taxable value for school purposes. The certified value shall  
30 be the final taxable value for school purposes, and no further  
31

1 adjustments shall be made, except those made pursuant to  
2 subparagraph ~~(10)(a)2.(9)(a)2.~~

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

4 (a) The research-based reading instruction allocation  
5 is created to provide comprehensive reading instruction to  
6 students in kindergarten through grade 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 eligible school district shall receive the same  
11 minimum amount as specified in the General Appropriations Act,  
12 and any remaining funds shall be distributed to eligible  
13 school districts based on each school district's proportionate  
14 share of K-12 base funding.

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

19 1. The provision of highly qualified reading coaches.

20 2. Professional development for school district  
21 teachers in scientifically based reading instruction.

22 3. The provision of summer reading camps for students  
23 who score at Level 1 on FCAT Reading.

24 4. The provision of supplemental instructional  
25 materials that are grounded in scientifically based reading  
26 research.

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

29 6. The provision of integration of reading in the  
30 content area strategies for all middle and high school  
31 students.

1           (d) Annually, by a date determined by the Department  
2 of Education but before May 1, school districts shall submit a  
3 K-12 comprehensive reading plan for the specific use of the  
4 research-based reading instruction allocation in the format  
5 prescribed by the department for review and approval by the  
6 Just Read, Florida! Office created pursuant to s. 1001.215.  
7 The plan annually submitted by school districts shall be  
8 deemed approved unless the department rejects the plan on or  
9 before June 1. If a school district and the Just Read,  
10 Florida! Office cannot reach agreement on the contents of the  
11 plan, the school district may appeal to the State Board of  
12 Education for resolution. School districts shall be allowed  
13 reasonable flexibility in designing their plans and shall be  
14 encouraged to offer reading remediation through innovative  
15 methods, including career academies. The plan format shall be  
16 developed with input from school district personnel, including  
17 teachers and principals, and shall allow courses in core,  
18 career, and alternative programs that deliver intensive  
19 reading remediation through integrated curricula. No later  
20 than July 1 annually, the department shall release the school  
21 district's allocation of appropriated funds to those districts  
22 having approved plans. A school district that spends 100  
23 percent of this allocation on its approved plan shall be  
24 deemed to have been in compliance with the plan. The  
25 department may withhold funds upon a determination that  
26 reading instruction allocation funds are not being used to  
27 implement the approved plan.

28           ~~(9)(8)~~ QUALITY ASSURANCE GUARANTEE.--The Legislature  
29 may annually in the General Appropriations Act determine a  
30 percentage increase in funds per K-12 unweighted FTE as a  
31 minimum guarantee to each school district. The guarantee shall

1 | be calculated from prior year base funding per unweighted FTE  
2 | student which shall include the adjusted FTE dollars as  
3 | provided in subsection ~~(10)(9)~~, quality guarantee funds, and  
4 | actual nonvoted discretionary local effort from taxes. From  
5 | the base funding per unweighted FTE, the increase shall be  
6 | calculated for the current year. The current year funds from  
7 | which the guarantee shall be determined shall include the  
8 | adjusted FTE dollars as provided in subsection ~~(10)(9)~~ and  
9 | potential nonvoted discretionary local effort from taxes. A  
10 | comparison of current year funds per unweighted FTE to prior  
11 | year funds per unweighted FTE shall be computed. For those  
12 | school districts which have less than the legislatively  
13 | assigned percentage increase, funds shall be provided to  
14 | guarantee the assigned percentage increase in funds per  
15 | unweighted FTE student. Should appropriated funds be less than  
16 | the sum of this calculated amount for all districts, the  
17 | commissioner shall prorate each district's allocation. This  
18 | provision shall be implemented to the extent specifically  
19 | funded.

20 |         ~~(10)(9)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH  
21 | DISTRICT FOR CURRENT OPERATION.--The total annual state  
22 | allocation to each district for current operation for the FEFP  
23 | shall be distributed periodically in the manner prescribed in  
24 | the General Appropriations Act.

25 |         (a) The basic amount for current operation for the  
26 | FEFP as determined in subsection (1), multiplied by the  
27 | district cost differential factor as determined in subsection  
28 | (2), plus the amounts provided for categorical components  
29 | within the FEFP, plus the amount for the sparsity supplement  
30 | as determined in subsection (6), the decline in full-time  
31 | equivalent students as determined in subsection (7), the



1 research-based reading instruction allocation as determined in  
2 subsection (8), and the quality assurance guarantee as  
3 determined in subsection~~(9)(8)~~, less the required local  
4 effort as determined in subsection (4). If the funds  
5 appropriated for the purpose of funding the total amount for  
6 current operation as provided in this paragraph are not  
7 sufficient to pay the state requirement in full, the  
8 department shall prorate the available state funds to each  
9 district in the following manner:

10           1. Determine the percentage of proration by dividing  
11 the sum of the total amount for current operation, as provided  
12 in this paragraph for all districts collectively, and the  
13 total district required local effort into the sum of the state  
14 funds available for current operation and the total district  
15 required local effort.

16           2. Multiply the percentage so determined by the sum of  
17 the total amount for current operation as provided in this  
18 paragraph and the required local effort for each individual  
19 district.

20           3. From the product of such multiplication, subtract  
21 the required local effort of each district; and the remainder  
22 shall be the amount of state funds allocated to the district  
23 for current operation.

24           (b) The amount thus obtained shall be the net annual  
25 allocation to each school district. However, if it is  
26 determined that any school district received an  
27 underallocation or overallocation for any prior year because  
28 of an arithmetical error, assessment roll change, full-time  
29 equivalent student membership error, or any allocation error  
30 revealed in an audit report, the allocation to that district  
31 shall be appropriately adjusted. Beginning with audits for the

1 2001-2002 fiscal year, if the adjustment is the result of an  
2 audit finding in which group 2 FTE are reclassified to the  
3 basic program and the district weighted FTE are over the  
4 weighted enrollment ceiling for group 2 programs, the  
5 adjustment shall not result in a gain of state funds to the  
6 district. If the Department of Education audit adjustment  
7 recommendation is based upon controverted findings of fact,  
8 the Commissioner of Education is authorized to establish the  
9 amount of the adjustment based on the best interests of the  
10 state.

11 (c) The amount thus obtained shall represent the net  
12 annual state allocation to each district; however,  
13 notwithstanding any of the provisions herein, each district  
14 shall be guaranteed a minimum level of funding in the amount  
15 and manner prescribed in the General Appropriations Act.

16 Section 39. Paragraph (a) of subsection (2) of section  
17 1011.64, Florida Statutes, is amended to read:

18 1011.64 School district minimum classroom expenditure  
19 requirements.--

20 (2) For the purpose of implementing the provisions of  
21 this section, the Legislature shall prescribe minimum academic  
22 performance standards and minimum classroom expenditure  
23 requirements for districts not meeting such minimum academic  
24 performance standards in the General Appropriations Act.

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

28 Section 40. Paragraph (b) of subsection (2) of section  
29 1011.685, Florida Statutes, is amended to read:

30 1011.685 Class size reduction; operating categorical  
31 fund.--

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

3           (b) For any lawful operating expenditure, if the  
4 district has met the constitutional maximums identified in s.  
5 1003.03(1) or the reduction of two students per year required  
6 by s. 1003.03(2); however, priority shall be given to increase  
7 salaries of classroom teachers as defined in s. 1012.01(2)(a)  
8 and to implement the differentiated-pay provisions detailed in  
9 s. 1012.2312 ~~salary career ladder defined in s. 1012.231.~~

10           Section 41. Subsection (1) of section 1011.71, Florida  
11 Statutes, is amended to read:

12           1011.71 District school tax.--

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

1 1011.62(4), exclusive of millage levied pursuant to subsection  
2 (2).

3 Section 42. Subsection (6) is added to section  
4 1012.21, Florida Statutes, to read:

5 1012.21 Department of Education duties; K-12  
6 personnel.--

7 (6) REPORTING.--The Department of Education shall  
8 annually post online links to each school district's  
9 collective bargaining contracts and the salary and benefits of  
10 the personnel or officers of any educator association which  
11 were paid by the school district pursuant to s. 1012.22. The  
12 department shall prescribe the computer format for district  
13 school boards to use in providing the information.

14 Section 43. Paragraphs (c), (h), and (i) of subsection  
15 (1) of section 1012.22, Florida Statutes, are amended, and  
16 subsection (3) is added to that section, to read:

17 1012.22 Public school personnel; powers and duties of  
18 the district school board.--The district school board shall:

19 (1) Designate positions to be filled, prescribe  
20 qualifications for those positions, and provide for the  
21 appointment, compensation, promotion, suspension, and  
22 dismissal of employees as follows, subject to the requirements  
23 of this chapter:

24 (c) Compensation and salary schedules.--

25 1. The district school board shall adopt a salary  
26 schedule or salary schedules designed to furnish incentives  
27 for improvement in training and for continued efficient  
28 service to be used as a basis for paying all school employees  
29 and fix and authorize the compensation of school employees on  
30 the basis thereof.

31

1           2. A district school board, in determining the salary  
2 schedule for instructional personnel, must base a portion of  
3 each employee's compensation on performance demonstrated under  
4 s. 1012.34, must consider the prior teaching experience of a  
5 person who has been designated state teacher of the year by  
6 any state in the United States, and must consider prior  
7 professional experience in the field of education gained in  
8 positions in addition to district level instructional and  
9 administrative positions.

10           3. In developing the salary schedule, the district  
11 school board shall seek input from parents, teachers, and  
12 representatives of the business community.

13           ~~4. Beginning with the 2002-2003 fiscal year, each~~  
14 ~~district school board must adopt a performance pay policy for~~  
15 ~~school administrators and instructional personnel. The~~  
16 ~~district's performance pay policy is subject to negotiation as~~  
17 ~~provided in chapter 447; however, the adopted salary schedule~~  
18 ~~must allow school administrators and instructional personnel~~  
19 ~~who demonstrate outstanding performance, as measured under s.~~  
20 ~~1012.34, to earn a 5 percent supplement in addition to their~~  
21 ~~individual, negotiated salary. The supplements shall be funded~~  
22 ~~from the performance pay reserve funds adopted in the salary~~  
23 ~~schedule. Beginning with the 2004-2005 academic year, the~~  
24 ~~district's 5 percent performance pay policy must provide for~~  
25 ~~the evaluation of classroom teachers within each level of the~~  
26 ~~salary career ladder provided in s. 1012.231. The Commissioner~~  
27 ~~of Education shall determine whether the district school~~  
28 ~~board's adopted salary schedule complies with the requirement~~  
29 ~~for performance based pay. If the district school board fails~~  
30 ~~to comply with this section, the commissioner shall withhold~~  
31

1 ~~disbursements from the Educational Enhancement Trust Fund to~~  
2 ~~the district until compliance is verified.~~

3 (h) Planning and training time for teachers.--The  
4 district school board shall ~~may~~ adopt rules to make provisions  
5 for teachers to have time for lunch, professional ~~and some~~  
6 planning, and professional development ~~training~~ time when they  
7 will not be directly responsible for the children ~~if, provided~~  
8 ~~that~~ some adult supervision is ~~shall be~~ furnished for the  
9 students during such periods.

10 (i) Comprehensive program of staff development.--The  
11 district school board shall establish a comprehensive program  
12 of staff development and incorporate secondary school redesign  
13 plans pursuant to s. 1003.415 and principal leadership  
14 training pursuant to s. 1012.985 as a part of the plan.

15 (3) Annually provide to the Department of Education  
16 the negotiated collective bargaining contract for the school  
17 district and the salary and benefits for the personnel or  
18 officers of any educator association which are paid by the  
19 school district. The district school board shall report using  
20 the computer format prescribed by the department pursuant to  
21 s. 1012.21.

22 Section 44. Section 1012.2312, Florida Statutes, is  
23 created to read:

24 1012.2312 Differentiated pay for instructional  
25 personnel.--

26 (1) Beginning with the 2006-2007 fiscal year, each  
27 district school board shall have a differentiated-pay policy  
28 for instructional personnel and incorporate it into the school  
29 district's salary schedule.

30 (2) The differentiated-pay policy may be subject to  
31 negotiation as provided in chapter 447; however, the adopted

1 salary schedule must allow instructional personnel to receive  
2 differentiated pay based upon factors determined by the school  
3 district, including, but not limited to, each of the  
4 following:

5 (a) The subject areas taught, with classroom teachers  
6 who teach in critical shortage areas receiving higher pay.

7 (b) The economic demographics of the school, with  
8 instructional personnel in schools that have a majority of  
9 students who qualify for free or reduced-price lunches  
10 receiving higher pay.

11 (c) Additional responsibilities of instructional  
12 personnel, including, but not limited to, lead and mentoring  
13 responsibilities.

14 (d) A performance-pay policy that rewards  
15 high-performing instructional personnel with at least a  
16 5-percent performance-pay incentive.

17  
18 The differentiated pay provided in the salary schedule for  
19 each of the factors specified in paragraphs (a)-(d) shall  
20 provide an incentive and not be nominal.

21 (3) The Commissioner of Education shall determine  
22 whether the district school board's adopted salary schedule  
23 complies with the requirements in subsection (2). If the  
24 salary schedule does not comply, the commissioner shall  
25 recommend to the State Board of Education and the state board  
26 may withhold disbursements from the Educational Enhancement  
27 Trust Fund to the school district until the district's salary  
28 schedule is in compliance.

29 Section 45. Section 1012.2313, Florida Statutes, is  
30 created to read:  
31

1           1012.2313 Differentiated pay for school

2 administrators.--

3           (1) Beginning with the 2006-2007 fiscal year, each  
4 district school board shall have a differentiated-pay policy  
5 for school administrators and incorporate it into the school  
6 district's salary schedule.

7           (2) The adopted salary schedule must allow school  
8 administrators to receive differentiated pay based upon  
9 factors determined by the school district, including, but not  
10 limited to, each of the following:

11           (a) The economic demographics of the school, with  
12 school administrators in schools that have a majority of  
13 students who qualify for free or reduced-price lunches  
14 receiving higher pay.

15           (b) A performance-pay policy that rewards  
16 high-performing school administrators with at least a  
17 5-percent performance-pay incentive.

18  
19 The differentiated pay provided in the salary schedule for  
20 each of the factors specified in paragraphs (a) and (b) shall  
21 provide an incentive and not be nominal.

22           (3) The Commissioner of Education shall determine  
23 whether the district school board's adopted salary schedule  
24 complies with the requirements in subsection (2). If the  
25 salary schedule does not comply, the commissioner shall  
26 recommend to the State Board of Education and the state board  
27 may withhold disbursements from the Educational Enhancement  
28 Trust Fund to the school district until the district's salary  
29 schedule is in compliance.

30           Section 46. Section 1012.2315, Florida Statutes, is  
31 created to read:



1           1012.2315 Assignment of teachers.--

2           (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature  
3 finds disparities between teachers assigned to teach in a  
4 majority of "A" graded schools and teachers assigned to teach  
5 in a majority of "F" graded schools. The disparities can be  
6 found in the average years of experience, the median salary,  
7 and the performance of the teachers on teacher certification  
8 examinations. It is the intent of the Legislature that  
9 district school boards have flexibility through the collective  
10 bargaining process to assign teachers more equitably across  
11 the schools in the district.

12           (2) ASSIGNMENT TO SCHOOLS GRADED "D" OR "F."--School  
13 districts may not assign a higher percentage than the school  
14 district average of first-time teachers, temporarily certified  
15 teachers, teachers in need of improvement, or out-of-field  
16 teachers to schools with above the school district average of  
17 minority and economically disadvantaged students or schools  
18 that are graded "D" or "F." Each school district shall  
19 annually certify to the Commissioner of Education that this  
20 requirement has been met. If the commissioner determines that  
21 a school district is not in compliance with this subsection,  
22 the State Board of Education shall be notified and shall take  
23 action pursuant to s. 1008.32 in the next regularly scheduled  
24 meeting to require compliance.

25           (3) SALARY INCENTIVES.--District school boards are  
26 authorized to provide salary incentives to meet the  
27 requirement of subsection (2). A district school board may not  
28 sign a collective bargaining agreement that precludes the  
29 school district from providing sufficient incentives to meet  
30 this requirement.

31

1           (4) COLLECTIVE BARGAINING.--Notwithstanding provisions  
2 of chapter 447 relating to district school board collective  
3 bargaining, collective bargaining provisions may not preclude  
4 a school district from providing incentives to high-quality  
5 teachers and assigning such teachers to low-performing  
6 schools.

7           Section 47. Subsection (2) of section 1012.27, Florida  
8 Statutes, is amended to read:

9           1012.27 Public school personnel; powers and duties of  
10 district school superintendent.--The district school  
11 superintendent is responsible for directing the work of the  
12 personnel, subject to the requirements of this chapter, and in  
13 addition the district school superintendent shall perform the  
14 following:

15           (2) COMPENSATION AND SALARY SCHEDULES.--Prepare and  
16 recommend to the district school board for adoption a salary  
17 schedule or salary schedules. The district school  
18 superintendent must recommend a salary schedule for  
19 instructional personnel which bases a portion of each  
20 employee's compensation on performance demonstrated under s.  
21 1012.34. In developing the recommended salary schedule, the  
22 district school superintendent shall include input from  
23 parents, teachers, and representatives of the business  
24 community. Beginning with the 2006-2007 ~~2004-2005~~ academic  
25 year, the recommended salary schedule for classroom teachers  
26 shall be consistent with the district's differentiated-pay  
27 policy ~~career ladder~~ based upon s. 1012.2312 ~~s. 1012.231~~.

28           Section 48. Subsection (6) of section 1012.28, Florida  
29 Statutes, is amended to read:

30           1012.28 Public school personnel; duties of school  
31 principals.--

1           (6) A school principal who fails to comply with this  
2 section shall be ineligible for any portion of the performance  
3 pay policy incentive under s. 1012.2313(2)(b) ~~s.~~  
4 ~~1012.22(1)(c)~~.

5           Section 49. Paragraph (a) of subsection (3) of section  
6 1012.34, Florida Statutes, is amended to read:

7           1012.34 Assessment procedures and criteria.--

8           (3) The assessment procedure for instructional  
9 personnel and school administrators must be primarily based on  
10 the performance of students assigned to their classrooms or  
11 schools, as appropriate. Pursuant to this section, a school  
12 district's performance assessment is not limited to basing  
13 unsatisfactory performance of instructional personnel and  
14 school administrators upon student performance, but may  
15 include other criteria approved to assess instructional  
16 personnel and school administrators' performance, or any  
17 combination of student performance and other approved  
18 criteria. The procedures must comply with, but are not limited  
19 to, the following requirements:

20           (a) An assessment must be conducted for each employee  
21 at least once a year. The assessment must be based upon sound  
22 educational principles and contemporary research in effective  
23 educational practices. The assessment must primarily use data  
24 and indicators of improvement in student performance assessed  
25 annually as specified in s. 1008.22 and may consider results  
26 of peer reviews in evaluating the employee's performance.  
27 Student performance must be measured by state assessments  
28 required under s. 1008.22 and by local assessments for  
29 subjects and grade levels not measured by the state assessment  
30 program. The assessment criteria must include, but are not  
31 limited to, indicators that relate to the following:

- 1           1. Performance of students.
- 2           2. Ability to maintain appropriate discipline.
- 3           3. Knowledge of subject matter. The district school
- 4 board shall make special provisions for evaluating teachers
- 5 who are assigned to teach out-of-field.
- 6           4. Ability to plan and deliver instruction, ~~including~~
- 7 ~~implementation of the rigorous reading requirement pursuant to~~
- 8 ~~s. 1003.415, when applicable,~~ and the use of technology in the
- 9 classroom.
- 10          5. Ability to evaluate instructional needs.
- 11          6. Ability to establish and maintain a positive
- 12 collaborative relationship with students' families to increase
- 13 student achievement.
- 14          7. Other professional competencies, responsibilities,
- 15 and requirements as established by rules of the State Board of
- 16 Education and policies of the district school board.
- 17          Section 50. Subsection (4) of section 1012.56, Florida
- 18 Statutes, is amended to read:
- 19           1012.56 Educator certification requirements.--
- 20           (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable
- 21 means of demonstrating mastery of subject area knowledge are:
- 22           (a) Achievement of passing scores on subject area
- 23 examinations required by state board rule;
- 24           (b) Completion of the subject area specialization
- 25 requirements specified in state board rule and verification of
- 26 the attainment of the essential subject matter competencies by
- 27 the district school superintendent of the employing school
- 28 district or chief administrative officer of the employing
- 29 state-supported or private school for a subject area for which
- 30 a subject area examination has not been developed and required
- 31 by state board rule;

1 (c) Completion of the subject area specialization  
2 requirements specified in state board rule for a subject  
3 coverage requiring a master's or higher degree and achievement  
4 of a passing score on the subject area examination specified  
5 in state board rule;

6 (d) A valid professional standard teaching certificate  
7 issued by another state; or

8 (e) A valid certificate issued by the National Board  
9 for Professional Teaching Standards or a national educator  
10 credentialing board approved by the State Board of Education.

11  
12 School districts are encouraged to provide mechanisms for  
13 those middle school teachers holding only a K-5 teaching  
14 certificate to obtain a subject area coverage for middle  
15 grades through postsecondary coursework or district add-on  
16 certification.

17 Section 51. Section 1012.98, Florida Statutes, is  
18 amended to read:

19 1012.98 School Community Professional Development  
20 Act.--

21 (1) The Department of Education, public postsecondary  
22 educational institutions, public school districts, state  
23 education foundations, consortia, and professional  
24 organizations ~~and public schools~~ in this state shall  
25 collaborate to establish a coordinated system of professional  
26 development. The purpose of the professional development  
27 system is to increase student achievement, enhance classroom  
28 instructional strategies that promote rigor and relevance  
29 throughout the curriculum, and prepare students for continuing  
30 education and the workforce. The system of professional  
31 development must align to the standards adopted by the state

1 and support the framework for standards adopted by the  
2 National Council for Staff Development ~~enable the school~~  
3 ~~community to meet state and local student achievement~~  
4 ~~standards and the state education goals and to succeed in~~  
5 ~~school improvement as described in s. 1000.03.~~

6 (2) The school community includes students and  
7 parents, administrative personnel, managers, instructional  
8 personnel, support personnel, members of district school  
9 boards, members of school advisory councils, business  
10 partners, and personnel that provide health and social  
11 services to students.

12 (3) The activities designed to implement this section  
13 must:

14 (a) Support and increase the success of educators  
15 through collaboratively developed plans for secondary school  
16 redesign which are focused on:

17 1. Enhanced instructional strategies to engage  
18 students in rigorous and relevant curriculum that is based on  
19 ~~in guiding student learning and development so as to implement~~  
20 state and local educational standards, goals, and  
21 initiatives;-

22 2. Increased opportunities to provide meaningful  
23 relationships between teachers and all students; and

24 3. Increased opportunities for professional  
25 collaboration among and between teachers, guidance counselors,  
26 instructional leaders, postsecondary educators, and the  
27 workforce community.

28 (b) Assist the school community in providing  
29 stimulating, scientific ~~scientifically~~ research-based  
30 educational activities that encourage and motivate students to  
31 achieve at the highest levels and to participate as ~~become~~

1 active learners and that prepare students for success at  
2 subsequent educational levels and the workforce.

3 (c) Provide continuous support for all education  
4 professionals as well as temporary intervention for education  
5 professionals who need improvement in knowledge, skills, and  
6 performance.

7 (4) The Department of Education, school districts,  
8 schools, community colleges, and state universities share the  
9 responsibilities described in this section. These  
10 responsibilities include the following:

11 (a) The department shall develop and disseminate to  
12 the school community model professional development methods  
13 and programs that have demonstrated success in meeting  
14 identified student needs. The Commissioner of Education shall  
15 use data on student achievement to identify student needs. The  
16 methods of dissemination must include a statewide performance  
17 support system, a database of exemplary professional  
18 development activities, a listing of available professional  
19 development resources, training programs, and available  
20 assistance.

21 (b) Each school district shall develop a professional  
22 development system as specified in subsection (3). The system  
23 shall be developed in consultation with teachers, ~~and~~  
24 representatives of community colleges ~~college~~ and state  
25 universities ~~university faculty~~, business and community  
26 representatives ~~agencies~~, and local education foundations,  
27 consortia, and professional organizations ~~other interested~~  
28 ~~citizen groups to establish policy and procedures to guide the~~  
29 ~~operation of the district professional development program.~~  
30 The professional development system must:

31

1           ~~1. Be approved by the department. All substantial~~  
2 ~~revisions to the system shall be submitted to the department~~  
3 ~~for review for continued approval.~~

4           ~~1.2. Be based on an analysis~~ Require the use of  
5 student achievement data and instructional strategies and  
6 methods that support rigorous, relevant, and challenging  
7 curricula for all students. Schools and districts, in  
8 developing and refining the professional development system,  
9 shall also review and monitor; school discipline data; school  
10 environment surveys; assessments of parental satisfaction;  
11 performance appraisal data of teachers, managers, and  
12 administrative personnel; and other performance indicators to  
13 identify school and student needs that can be met by improved  
14 professional performance.

15           ~~2.3. Provide inservice activities coupled with~~  
16 ~~followup support that are appropriate to accomplish~~  
17 ~~district-level and school-level improvement goals and~~  
18 ~~standards. The inservice activities for instructional~~  
19 ~~personnel shall primarily focus on analysis of student~~  
20 achievement data, ongoing assessment of student achievement,  
21 identification and use of enhanced instructional strategies  
22 that emphasize rigor and relevance, enhancement of subject  
23 content expertise, strategies for reading in content areas,  
24 integrated use of technology and teaching methods, including  
25 technology, as related to the Sunshine State Standards,  
26 ~~assessment and data analysis~~, classroom management, parent  
27 involvement, and school safety.

28           ~~3.4. Include a master plan for inservice activities,~~  
29 ~~pursuant to rules of the State Board of Education, for all~~  
30 ~~district employees from all fund sources. The master plan~~  
31 ~~shall be updated annually by September 1, must be based on~~



1 input from teachers and district and school instructional  
2 leaders, and must use the latest student achievement data and  
3 research related to instructional strategies that enhance  
4 rigor and relevance in the classroom. Each district inservice  
5 plan must be aligned to and support the school-based inservice  
6 plans, school improvement plans, and secondary redesign plans  
7 pursuant to s. 1003.415. District plans ~~using criteria for~~  
8 ~~continued approval as specified by rules of the State Board of~~  
9 ~~Education. Written verification that the inservice plan meets~~  
10 ~~all requirements of this section~~ must be submitted annually to  
11 the commissioner by October 1 in order to ensure compliance  
12 with subsection (1) and to allow for dissemination of best  
13 practices by the department.

14 ~~4.5.~~ Require each school principal to establish and  
15 maintain an individual professional development plan for each  
16 instructional employee assigned to the school, based on and  
17 integral to the school improvement plan developed pursuant to  
18 1001.42(16)(a) and the secondary redesign plan developed  
19 pursuant to s. 1003.415(4). The individual professional  
20 development plan must:

- 21 a. Be related to specific performance data for the  
22 students to whom the teacher is assigned.
- 23 b. Define the inservice objectives and specific  
24 measurable improvements expected in student performance as a  
25 result of the inservice activity.
- 26 c. Include an evaluation component that determines the  
27 effectiveness of the professional development plan.

28 ~~5.6.~~ Include inservice activities for school  
29 administrative personnel which ~~that~~ address updated skills  
30 necessary for ~~effective school management and~~ instructional  
31

1 | leadership and effective school management pursuant to s.  
2 | 1012.985.

3 |         ~~6.7.~~ Provide for systematic consultation with regional  
4 | and state personnel designated to provide technical assistance  
5 | and evaluation of local professional development programs.

6 |         ~~7.8.~~ Provide for delivery of professional development  
7 | by distance learning and other technology-based delivery  
8 | systems to reach more educators at lower costs.

9 |         ~~8.9.~~ Provide for the continuous evaluation of the  
10 | quality and effectiveness of professional development programs  
11 | in order to eliminate ineffective programs and strategies and  
12 | to expand effective ones. Evaluations must consider the impact  
13 | of such activities on the performance of participating  
14 | educators and their students' achievement and behavior.

15 |         ~~(c) Each community college and state university shall~~  
16 | ~~assist the department, school districts, and schools in the~~  
17 | ~~design, delivery, and evaluation of professional development~~  
18 | ~~activities. This assistance must include active participation~~  
19 | ~~in state and local activities required by the professional~~  
20 | ~~development system.~~

21 |         ~~(c)(d)~~ The Department of Education shall approve a  
22 | public state university having an approved physical education  
23 | teacher preparation program within its college of education to  
24 | develop and implement an Internet-based clearinghouse for  
25 | physical education professional development programs that may  
26 | be accessed and used by all instructional personnel. The  
27 | development of these programs shall be financed primarily by  
28 | private funds and shall be available for use no later than  
29 | August 1, 2005.

30 |         (5) Each district school board shall provide funding  
31 | for the professional development system as required by s.

1 1011.62 and the General Appropriations Act, and shall direct  
2 expenditures from other funding sources to continuously  
3 strengthen the system in order to increase student achievement  
4 and support instructional staff in enhancing rigor and  
5 relevance in the classroom and ~~make it uniform and coherent~~. A  
6 school district may coordinate its professional development  
7 program with that of another district, with an educational  
8 consortium, or with a community college or university,  
9 especially in preparing and educating personnel. Each district  
10 school board shall make available inservice activities to  
11 instructional personnel of nonpublic schools in the district  
12 and the state certified teachers who are not employed by the  
13 district school board on a fee basis not to exceed the cost of  
14 the activity per all participants.

15 ~~(6) An organization of private schools which has no~~  
16 ~~fewer than 10 member schools in this state, which publishes~~  
17 ~~and files with the Department of Education copies of its~~  
18 ~~standards, and the member schools of which comply with the~~  
19 ~~provisions of part II of chapter 1003, relating to compulsory~~  
20 ~~school attendance, may also develop a professional development~~  
21 ~~system that includes a master plan for inservice activities.~~  
22 ~~The system and inservice plan must be submitted to the~~  
23 ~~commissioner for approval pursuant to rules of the State Board~~  
24 ~~of Education.~~

25 ~~(6)(7)~~ The Department of Education shall disseminate  
26 best-practice design methods by which the state and district  
27 school boards may evaluate and improve the professional  
28 development system. The best practices evaluation must include  
29 ~~an annual assessment of~~ data that indicate the progress ~~or~~  
30 ~~lack of progress~~ of all students. ~~If the review of the data~~  
31 ~~indicates progress, the department shall identify the best~~

1 ~~practices that contributed to the progress. If the review of~~  
2 ~~the data indicates a lack of progress, the department shall~~  
3 ~~investigate the causes of the lack of progress, provide~~  
4 ~~technical assistance, and require the school district to~~  
5 ~~employ a different approach to professional development.~~ The  
6 department shall report annually to the State Board of  
7 Education and the Legislature any school district that, in the  
8 determination of the department, has failed to provide an  
9 adequate professional development system. This report must  
10 include the results of the department's investigation and of  
11 any intervention provided.

12 ~~(7)(8)~~ The State Board of Education may adopt rules  
13 pursuant to ss. 120.536(1) and 120.54 to administer this  
14 section.

15 ~~(8)(9)~~ This section does not limit or discourage a  
16 district school board from contracting with independent  
17 entities for professional development services and inservice  
18 education if the district school board can demonstrate to the  
19 Commissioner of Education that, through such a contract, a  
20 better product can be acquired or its goals for education  
21 improvement can be better met.

22 ~~(9)(10)~~ For teachers, managers, and administrative  
23 personnel who have been evaluated as less than satisfactory, a  
24 district school board shall require participation in specific  
25 professional development programs as part of the improvement  
26 prescription.

27 (b) The department shall disseminate to the school  
28 community proven model professional development programs that  
29 have demonstrated success in increasing rigorous and relevant  
30 content, increasing student achievement and engagement, and  
31 meeting identified student needs. The methods of dissemination

1 must include a statewide performance-support system, a  
2 database of exemplary professional development activities, a  
3 listing of available professional development resources,  
4 training programs, and available technical assistance.

5 Section 52. Section 1012.985, Florida Statutes, is  
6 amended to read:

7 (Substantial rewording of section. See  
8 s. 1012.985, F.S., for present text.)

9 1012.985 Statewide system for professional development  
10 of school leaders.--The intent of this section is to establish  
11 a statewide system of professional development which provides  
12 high standards and sustained support for principals as  
13 instructional leaders. The system shall consist of a  
14 collaborative network of professional leadership  
15 organizations. The network shall be established to support the  
16 human-resource-development needs of principals, principal  
17 leadership teams, and candidates for principal leadership  
18 positions using the framework of leadership standards adopted  
19 by the Southern Regional Education Board, the National Council  
20 of Staff Development, and the State Board of Education. Funds  
21 appropriated for the leadership network for principals shall  
22 be allocated annually in the General Appropriations Act,  
23 contingent upon a commitment of financial support or  
24 human-resource support from the Florida Association of  
25 District School Superintendents, the Florida Association of  
26 School Administrators, the Southern Regional Education Board,  
27 the Department of Education, the Florida Regional Education  
28 Consortia, and education leadership faculty from Florida's  
29 community colleges and universities. The goal of the network  
30 and the principal leadership training is to:

1           (1) Provide resources to support and enhance the  
2 principal's role as the instructional leader.

3           (2) Maintain a clearinghouse and disseminate  
4 data-supported information related to enhanced student  
5 achievement, based on educational research and best practices.

6           (3) Build the capacity to increase the quality of  
7 programs for preservice and inservice professional development  
8 for principals and principal leadership teams.

9           (4) Develop, enhance, and sustain collaboration to  
10 ensure support of ongoing professional development for  
11 teachers and preservice training for aspiring teachers.

12           Section 53. Section 1012.987, Florida Statutes, is  
13 repealed.

14           Section 54. This act shall take effect upon becoming a  
15 law.

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SENATE SUMMARY

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2  
3 Revises various provisions governing the state's K-20  
4 education system. Requires that the State Board of  
5 Education facilitate a review of the Sunshine State  
6 Standards. Requires each school principal to implement a  
7 school redesign plan. Renames the Middle Grades Reform  
8 Act as the "Florida Secondary Schools Redesign Act."  
9 Requires that school boards adopt policies for individual  
10 school redesign plans. Provides requirements for the  
11 middle school redesign plans and high school redesign  
12 plans. Requires that each middle school develop a  
13 personalized academic and career plan for each student.  
14 Requires that the academic and career plan be  
15 incorporated into the individual student plan. Requires  
16 the Department of Education to provide model personalized  
17 academic and career plans. Requires public schools and  
18 charter schools to provide an academic improvement plan  
19 for students who score below a specified level on the  
20 FCAT. Requires that the State Board of Education conduct  
21 concordance studies to determine FCAT equivalencies for  
22 high school graduation. Revises requirements for  
23 determining school grades. Requires annual school report  
24 cards. Provides FTE funding for juveniles in alternative  
25 education programs. Requires that collective bargaining  
26 contracts for school district personnel be posted online.  
27 Requires a differentiated-pay policy for instructional  
28 personnel. Requires district school boards to adopt rules  
29 governing professional planning and professional  
30 development. Requires that secondary school redesign  
31 plans and principal leadership training be incorporated  
into the comprehensive program of staff development.  
Provides requirements for the individual professional  
development plan for instructional employees. Requires  
the Department of Education to disseminate best-practice  
methods and model professional development programs. (See  
bill for details.)