



1 district school boards to adopt standards and  
2 policies to provide to each student a complete  
3 education program; amending s. 1001.42, F.S.,  
4 relating to requirements of district plans for  
5 school improvement; providing requirements for  
6 district school boards in developing the plans;  
7 providing that the opening date for the school  
8 year may not be earlier than a specified date;  
9 repealing s. 1001.51(24), F.S., and amending s.  
10 1001.54, F.S.; conforming provisions relating  
11 to the 2005 repeal of the BEST Florida Teaching  
12 salary career ladder program; requiring each  
13 secondary school principal to implement a  
14 school redesign component; amending s. 1003.01,  
15 F.S.; revising the definition of the terms  
16 "special education services" and "career  
17 education"; amending s. 1003.03, F.S.;  
18 requiring that each teacher assigned to any  
19 classroom be included in the calculation for  
20 compliance with constitutional class-size  
21 limits; providing criteria for teaching  
22 strategies that involve assigning more than one  
23 teacher to a classroom; providing for  
24 retroactive application; prohibiting the  
25 imposition of penalties for the use of any  
26 legal strategy relating to the implementation  
27 of class-size reduction; amending s. 1003.05,  
28 F.S.; deleting the requirement that certain  
29 children receive preference for admission to  
30 special academic programs; revising programs  
31 defined as "special academic programs" for

1 purposes of such preference; amending s.  
2 1003.21, F.S.; requiring student exit  
3 interviews prior to terminating school  
4 enrollment; amending s. 1003.415, F.S.;  
5 renaming the Middle Grades Reform Act as the  
6 "Florida Secondary Schools Redesign Act";  
7 providing legislative purpose and intent;  
8 requiring that school boards adopt policies for  
9 the secondary school redesign component;  
10 providing requirements for the middle school  
11 plans and high school plans; requiring each  
12 middle school to develop a personalized  
13 academic and career plan for each student;  
14 requiring that the plan be refined each year;  
15 providing requirements for remediation;  
16 requiring that the Department of Education  
17 provide model personalized academic and career  
18 plans; requiring public schools and charter  
19 schools to provide a progress monitoring plan  
20 for students who score below a specified level  
21 on the FCAT; creating s. 1003.4156, F.S.;  
22 specifying general requirements for middle  
23 school promotion; requiring an intensive  
24 reading course under certain circumstances;  
25 requiring school district policies for  
26 implementation and authorizing alternative  
27 methods for progression; amending s. 1003.42,  
28 F.S., relating to required instruction;  
29 revising the requirements for studying U.S.  
30 history and free enterprise; creating s.  
31 1003.428, F.S.; providing revised requirements

1 for high school graduation; specifying the  
2 required courses; requiring that certain  
3 courses be based on the student's performance  
4 on the FCAT; requiring that district school  
5 boards establish policies for implementing  
6 secondary school reform; requiring the  
7 Department of Education to increase the number  
8 of courses that are available to school  
9 districts; providing for the State Board of  
10 Education to adopt rules; amending s. 1003.429,  
11 F.S.; revising requirements applicable to  
12 selecting an option for accelerated high school  
13 graduation; revising required courses for the  
14 3-year standard college preparatory program;  
15 revising requirements for grades that must be  
16 earned to participate in the accelerated  
17 program; providing for default to the standard  
18 graduation requirements in certain  
19 circumstances; amending s. 1003.437, F.S.;  
20 including middle grades in the uniform grading  
21 system; amending s. 1003.491, F.S.; including  
22 within career education personal and career  
23 plans; creating s. 1003.493, F.S.; defining the  
24 term "career and professional academy";  
25 providing academy goals and duties; providing  
26 types of career and professional academies;  
27 providing for the approval of career education  
28 courses as core curricula courses under certain  
29 circumstances; creating s. 1003.494, F.S.;  
30 requiring the Department of Education to  
31 establish a Career High-Skill Occupational

1 Initiative for Career Education (CHOICE)  
2 project as a competitive process for the  
3 designation of school district participants and  
4 CHOICE academies; providing eligibility  
5 criteria for such designation; providing duties  
6 of school districts and the department;  
7 providing for the award to certain school  
8 districts of startup funds for the development  
9 of CHOICE academies; creating s. 1003.495,  
10 F.S.; requiring the department to establish a  
11 comprehensive career academy project to provide  
12 for the designation of comprehensive career  
13 academies; providing duties of the department;  
14 providing for assessment of academies; amending  
15 s. 1003.43, F.S.; requiring district school  
16 board student progression plans to provide for  
17 the substitution of certain courses for credit  
18 requirements for high school graduation;  
19 amending ss. 288.9015 and 445.004, F.S.;  
20 providing duties of Enterprise Florida, Inc.,  
21 and Workforce Florida, Inc., to conform;  
22 amending s. 1003.51, F.S.; modifying guidelines  
23 for funding requirements that must be included  
24 in a rule adopted by the State Board of  
25 Education and relating to education programs  
26 for youth in Department of Juvenile Justice  
27 programs; amending s. 1003.57, F.S.; providing  
28 guidelines for determining the residency of a  
29 student who receives instruction as an  
30 exceptional student with a disability;  
31 requiring the student's placing authority or

1 parent to pay the cost of such instruction,  
2 facilities, and services; providing  
3 responsibilities of the Department of  
4 Education; providing responsibilities of  
5 residential facilities that educate exceptional  
6 students with disabilities; providing  
7 applicability; creating s. 1003.576, F.S.;  
8 requiring the Department of Education to  
9 develop an individual education plan form for  
10 use in developing and implementing individual  
11 education plans for exceptional students;  
12 requiring school districts to use the form;  
13 amending s. 1003.58, F.S.; correcting a  
14 cross-reference; amending s. 1003.62, F.S.;  
15 conforming provisions relating to the  
16 designation of school grades and  
17 differentiated-pay polices; creating s.  
18 1004.64, F.S.; establishing the Florida Center  
19 for Reading Research; specifying the duties of  
20 the center; amending s. 1006.09, F.S.;  
21 conforming a cross-reference; amending s.  
22 1007.21, F.S.; revising the readiness  
23 requirements for postsecondary education and  
24 the workplace; amending s. 1007.2615, F.S.;  
25 revising the date by which a teacher of  
26 American Sign Language must be certified;  
27 deleting a provision allowing alternative  
28 certification; amending s. 1007.271, F.S.;  
29 revising the weighting systems for certain high  
30 school courses; amending s. 1008.22, F.S.;  
31 specifying FCAT grade level and subject area

1 testing requirements; requiring documentation  
2 of procedures that ensure test difficulty under  
3 certain circumstances; requiring the State  
4 Board of Education to conduct concordance  
5 studies to determine FCAT equivalencies for  
6 high school graduation; deleting a limitation  
7 on and specifying requirements for the use of  
8 alternative assessments to the grade 10 FCAT;  
9 requiring an annual report on student  
10 performance; amending s. 1008.25, F.S.;  
11 revising requirements for assessment and  
12 remediation; requiring that students be  
13 provided with strategies for intervention and  
14 instruction; repealing s. 1008.301, F.S.,  
15 relating to a concordance study of FCAT  
16 equivalencies for high school graduation;  
17 amending s. 1008.31, F.S.; revising goals and  
18 measures of the K-20 performance accountability  
19 system and requiring data quality improvements;  
20 providing for development of reporting or data  
21 collection requirements; amending s. 1008.33,  
22 F.S.; conforming a cross-reference and  
23 provisions relating to the designation of  
24 school grades; prohibiting, in a contract that  
25 provides for a private entity to administer an  
26 alternative school, a provision that changes  
27 certain characteristics of the student  
28 population as it existed when the school was a  
29 public school; amending s. 1008.34, F.S.;  
30 revising terminology and provisions relating to  
31 designation and determination of school grades;

1 providing for the designation of school grades  
2 for feeder pattern schools under certain  
3 circumstances; requiring that a school  
4 performance grade category designation include  
5 achievement scores and, by a specified  
6 deadline, include learning gains for students  
7 seeking a special diploma; specifying use of  
8 assessment data with respect to alternative  
9 schools; defining the term "home school";  
10 requiring an annual school report card to be  
11 published by the department and distributed by  
12 school districts; creating s. 1008.341, F.S.;  
13 requiring improvement ratings for certain  
14 alternative schools; providing the basis for  
15 such ratings and requiring annual performance  
16 reports; providing for determination of school  
17 improvement ratings, identification of learning  
18 gains, and eligibility for school recognition  
19 awards; requiring the development and  
20 distribution of an annual school report card;  
21 amending s. 1008.345, F.S.; conforming  
22 cross-references and provisions relating to the  
23 designation of school grades; amending s.  
24 1009.24, F.S.; providing that undergraduate  
25 tuition be set annually in the General  
26 Appropriations Act; providing authority,  
27 procedures, and guidelines for determining  
28 tuition for graduate and professional programs  
29 and for determining out-of-state fees for all  
30 programs; amending s. 1011.62, F.S.; providing  
31 FTE funding for juveniles enrolled in specified



1 education programs; providing funding for  
2 supplemental educational programs; providing  
3 funding for supplemental educational services  
4 for certain students; conforming  
5 cross-references and provisions relating to the  
6 designation of school grades; establishing a  
7 research-based reading instruction allocation  
8 to provide funds for a comprehensive reading  
9 instruction system; requiring school district  
10 plans for use of the allocation and approval  
11 thereof; including the allocation in the total  
12 amount allocated to each school district for  
13 current operation; amending s. 1011.64, F.S.;  
14 conforming terminology and a cross-reference;  
15 amending s. 1011.685, F.S.; conforming  
16 provisions relating to the 2005 repeal of the  
17 BEST Florida Teaching salary career ladder  
18 program and implementation of a  
19 differentiated-pay policy; amending s. 1011.71,  
20 F.S.; correcting a cross-reference; amending s.  
21 1012.21, F.S.; requiring the department to  
22 annually post online school district collective  
23 bargaining contracts and the salary and  
24 benefits of certain personnel; amending s.  
25 1012.22, F.S.; requiring that each school  
26 district adopt a differentiated-pay policy  
27 meeting specified criteria; requiring each  
28 district school board to annually provide to  
29 the department its negotiated collective  
30 bargaining contract and the salary and benefits  
31 of certain personnel; creating s. 1012.2315,

1 F.S.; providing school district requirements  
2 for the assignment of teachers and authorizing  
3 incentives; providing procedures for  
4 noncompliance; providing requirements relating  
5 to collective bargaining; requiring reporting  
6 by certain schools; amending s. 1012.27, F.S.;  
7 conforming provisions relating to the 2005  
8 repeal of the BEST Florida Teaching salary  
9 career ladder program and implementation of a  
10 differentiated-pay policy; amending s. 1012.28,  
11 F.S.; conforming a cross-reference; amending s.  
12 1012.34, F.S.; conforming provisions relating  
13 to deletion of a rigorous reading requirement;  
14 amending s. 1012.56, F.S., relating to middle  
15 grades certification; encouraging school  
16 districts to provide for additional  
17 certification for teachers; amending s.  
18 1012.98, F.S., relating to the School Community  
19 Professional Development Act; revising the  
20 purpose of the professional development system;  
21 providing for additional activities; requiring  
22 instructional strategies and methods that  
23 support rigorous, relevant, and challenging  
24 curriculum; providing requirements for followup  
25 support and the master plan for inservice  
26 activities; providing requirements for the  
27 individual professional development plan for  
28 instructional employees; requiring the  
29 department to disseminate best-practice methods  
30 and model professional development programs;  
31 creating s. 1012.986, F.S.; providing for a

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

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

11  
12           Section 1. The effectiveness-compensation plan known  
13 as E-COMP or any comparable performance pay plan or policy, or  
14 rule implementing such a plan or policy, adopted by the State  
15 Board of Education on July 1, 2005, or thereafter may not  
16 require school districts to implement such a plan, policy, or  
17 rule before the beginning of the 2007-2008 school year.  
18 However, a school district, in its sole discretion, may  
19 voluntarily implement such a plan, policy, or rule before the  
20 beginning of the 2007-2008 school year. This section shall  
21 expire June 30, 2008.

22           Section 2. (1) The purpose of this section is to  
23 implement the Ready to Work Initiative. The initiative is to  
24 use assessments to identify specific skills that indicate a  
25 competence level to enter a specific occupation and to provide  
26 targeted instruction in the specific skills in which a student  
27 has not demonstrated mastery. Upon the successful completion  
28 of the assessments and instruction, the student is to be  
29 provided a credential to inform prospective employers that he  
30 or she has demonstrated the skills required for employment in  
31 that occupation. Instruction must be Internet-based and must

1 be designed to address specific skill deficiencies identified  
2 in the assessment. Instructors must be able to revise the  
3 instruction for additional content or employer-identified  
4 needs.

5 (2) The Ready to Work Initiative shall be conducted in  
6 public schools, community colleges, area technical centers,  
7 one-stop career centers, vocational rehabilitation centers,  
8 and Department of Juvenile Justice programs and may be made  
9 available to other entities that provide job training. The  
10 Department of Education shall establish institutional  
11 readiness criteria for program implementation and shall  
12 coordinate with the Agency for Workforce Innovation to  
13 implement the initiative, with full implementation in fiscal  
14 year 2008-2009.

15 Section 3. Paragraph (f) is added to subsection (3) of  
16 section 20.15, Florida Statutes, to read:

17 20.15 Department of Education.--There is created a  
18 Department of Education.

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

21 (f) Division of Accountability, Research, and  
22 Measurement.

23 Section 4. Section 446.609, Florida Statutes, is  
24 repealed.

25 Section 5. Subsection (4) of section 1000.03, Florida  
26 Statutes, is amended to read:

27 1000.03 Function, mission, and goals of the Florida  
28 K-20 education system.--

29 (4) The mission of Florida's K-20 education system is  
30 to allow its students to increase their proficiency by  
31 allowing them the opportunity to expand their knowledge and

1 skills through rigorous and relevant ~~adequate~~ learning  
2 opportunities, in accordance with the mission statement and  
3 accountability requirements of s. 1008.31.

4 Section 6. Section 1000.041, Florida Statutes, is  
5 repealed.

6 Section 7. Subsections (1) and (14) of section  
7 1001.03, Florida Statutes, are amended to read:

8 1001.03 Specific powers of State Board of Education.--

9 (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The  
10 State Board of Education shall approve the student performance  
11 standards known as the Sunshine State Standards in key  
12 academic subject areas and grade levels. The state board shall  
13 establish a schedule to facilitate the periodic review of the  
14 standards to ensure adequate rigor, relevance, logical student  
15 progression, and integration of reading, writing, and  
16 mathematics across all subject areas. The standards review by  
17 subject area must include participation of curriculum leaders  
18 in other content areas, including the arts, to ensure valid  
19 content area integration and to address the instructional  
20 requirements of different learning styles. The process for  
21 review and proposed revisions must include leadership and  
22 input from the state's classroom teachers, school  
23 administrators, and community colleges and universities, and  
24 from representatives from business and industry who are  
25 identified by local education foundations. A report including  
26 proposed revisions must be submitted to the Governor, the  
27 President of the Senate, and the Speaker of the House of  
28 Representatives annually to coincide with the established  
29 review schedule.

30 (14) UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT  
31 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.--The State Board of

1 Education shall maintain ~~recommend to the Legislature by~~  
2 ~~February 1, 2003,~~ a uniform classification system for school  
3 district administrative and management personnel that will  
4 facilitate the uniform coding of administrative and management  
5 personnel to total district employees.

6 Section 8. Section 1001.215, Florida Statutes, is  
7 created to read:

8 1001.215 Just Read, Florida! Office.--There is created  
9 in the Department of Education the Just Read, Florida! office.  
10 The office shall be fully accountable to the Commissioner of  
11 Education and shall:

12 (1) Train highly effective reading coaches.

13 (2) Create multiple designations of effective reading  
14 instruction, with accompanying credentials, which encourage  
15 all teachers to integrate reading instruction into their  
16 content areas.

17 (3) Train K-12 teachers, school principals, and  
18 parents on research-based reading instructional strategies and  
19 secondary teachers on effective instructional strategies for  
20 teaching reading in the content areas with an emphasis on  
21 technical text.

22 (4) Provide technical assistance to school districts  
23 in the development and implementation of district plans for  
24 use of the research-based reading instruction allocation  
25 provided in s. 1011.62(8) and annually review and approve such  
26 plans.

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

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

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

6           (8) Periodically review teacher certification  
7 examinations, including alternative certification exams, to  
8 ascertain whether the examinations measure the skills needed  
9 for research-based reading instruction and instructional  
10 strategies for teaching reading in the content areas.

11           (9) Work with teacher preparation programs approved  
12 pursuant to s. 1004.04 to integrate research-based reading  
13 instructional strategies and reading in the content area  
14 instructional strategies into teacher preparation programs.

15           (10) Administer grants and perform other functions as  
16 necessary to meet the goal that all students read at grade  
17 level.

18           Section 9. Section 1001.33, Florida Statutes, is  
19 amended to read:

20           1001.33 Schools under control of district school board  
21 and district school superintendent.--

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

26           ~~(2) Each district school board, each district school~~  
27 ~~superintendent, and each district and school based~~  
28 ~~administrator shall cooperate to apply the following guiding~~  
29 ~~principles of Better Educated Students and Teachers (BEST)~~  
30 ~~Florida Teaching:~~

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

1           ~~(b) Teachers maintain orderly, disciplined classrooms~~  
2 ~~conducive to student learning.~~

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

5           ~~(d) Teachers are well rewarded for their students'~~  
6 ~~high performance.~~

7           ~~(e) Teachers are most effective when served by~~  
8 ~~exemplary school administrators.~~

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

11           1001.41 General powers of district school board.--The  
12 district school board, after considering recommendations  
13 submitted by the district school superintendent, shall  
14 exercise the following general powers:

15           (3) Prescribe and adopt standards and policies to  
16 provide each student the opportunity to receive a complete  
17 education program, including language arts, mathematics,  
18 science, social studies, health, physical education, foreign  
19 languages, and the arts, as defined by the Sunshine State  
20 Standards. The standards and policies must emphasize  
21 integration and reinforcement of reading, writing, and  
22 mathematics skills across all subjects, including career  
23 awareness, career exploration, and career and technical  
24 education ~~as are considered desirable by it for improving the~~  
25 ~~district school system.~~

26           Section 11. Paragraph (c) of subsection (5) of section  
27 1001.42, Florida Statutes, is repealed and paragraph (f) of  
28 subsection (4) and subsection (16) of that section are  
29 amended, to read:

30  
31



1           1001.42 Powers and duties of district school  
2 board.--The district school board, acting as a board, shall  
3 exercise all powers and perform all duties listed below:  
4           (4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF  
5 SCHOOLS.--Adopt and provide for the execution of plans for the  
6 establishment, organization, and operation of the schools of  
7 the district, including, but not limited to, the following:  
8           (f) Opening and closing of schools; fixing uniform  
9 date.--Adopt policies for the opening and closing of schools  
10 and fix uniform dates; however, the date for opening the  
11 school year for schools in the district may not be earlier  
12 than 14 days before Labor Day each year.  
13           (5) PERSONNEL.--  
14           ~~(c) Fully support and cooperate in the application of~~  
15 ~~the guiding principles of Better Educated Students and~~  
16 ~~Teachers (BEST) Florida Teaching, pursuant to s. 1000.041.~~  
17           (16) IMPLEMENT SCHOOL IMPROVEMENT AND  
18 ACCOUNTABILITY.--Maintain a system of school improvement and  
19 education accountability as provided by statute and State  
20 Board of Education rule. This system of school improvement and  
21 education accountability shall be consistent with, and  
22 implemented through, the district's continuing system of  
23 planning and budgeting required by this section and ss.  
24 1008.385, 1010.01, and 1011.01. This system of school  
25 improvement and education accountability shall include, but is  
26 not limited to, the following:  
27           (a) School improvement plans.--Annually approve and  
28 require implementation of a new, amended, or continuation  
29 school improvement plan for each school in the district.  
30 ~~except that~~ A district school board may establish a district  
31 school improvement plan that includes all schools in the

1 district operating for the purpose of providing educational  
2 services to youth in Department of Juvenile Justice programs.  
3 Such plan shall be designed to achieve the state education  
4 priorities pursuant to s. 1000.03(5) and student performance  
5 standards. Each plan must emphasize budget allocations and  
6 professional development based on an analysis of student  
7 achievement and other school performance data and must  
8 include:  
9       1. Professional development that supports enhanced and  
10 differentiated instructional strategies to improve teaching  
11 and learning.  
12       2. Continuous use of disaggregated student achievement  
13 data to determine effectiveness of instructional strategies.  
14       3. Ongoing informal and formal assessments to monitor  
15 individual student progress, including progress toward mastery  
16 of the Sunshine State Standards, and to redesign instruction  
17 if needed.  
18       4. Alternative instructional delivery methods to  
19 support remediation, acceleration, and enrichment strategies.  
20  
21 District school boards shall require schools to address other  
22 matters of resource allocation as appropriate, such as  
23 instructional materials and technologies that enhance teaching  
24 and learning, staffing, student support services, school  
25 safety and discipline strategies, student health and fitness,  
26 and parental involvement. ~~In addition, any school required to~~  
27 ~~implement a rigorous reading requirement pursuant to s.~~  
28 ~~1003.415 must include such component in its school improvement~~  
29 ~~plan. Each plan shall also address issues relative to budget,~~  
30 ~~training, instructional materials, technology, staffing,~~  
31 ~~student support services, specific school safety and~~

1 ~~discipline strategies, student health and fitness, including~~  
2 ~~physical fitness, parental information on student health and~~  
3 ~~fitness, and indoor environmental air quality, and other~~  
4 ~~matters of resource allocation, as determined by district~~  
5 ~~school board policy, and shall be based on an analysis of~~  
6 ~~student achievement and other school performance data.~~

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

13 (c) Assistance and intervention.--

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

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

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

1 designated with a ~~as~~ performance grade of category "D" or "F"  
2 or to an alternative school that serves disruptive or violent  
3 youths, the district school board shall make every practical  
4 effort to grant the request.

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

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

20 (e) Public disclosure.--Provide information regarding  
21 performance of students and educational programs as required  
22 pursuant to ss. 1008.22 and 1008.385 and implement a system of  
23 school reports as required by statute and State Board of  
24 Education rule that shall include schools operating for the  
25 purpose of providing educational services to youth in  
26 Department of Juvenile Justice programs, and for those  
27 schools, report on the elements specified in s. 1003.52(19).  
28 Annual public disclosure reports shall be in an easy-to-read  
29 report card format and shall include the school's ~~student and~~  
30 ~~school performance grade, high school graduation rate~~  
31 calculated without GED tests, disaggregated by student

1 ~~ethnicity, category designation~~ and performance data as  
2 specified in state board rule.

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

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

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

12 1001.54 Duties of school principals.--

13 (1)

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

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

24 (2) Each school principal shall provide instructional  
25 leadership in the development, ~~or~~ revision, and implementation  
26 of a school improvement plan, pursuant to s. 1001.42(16).

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

30 1003.01 Definitions.--As used in this chapter, the  
31 term:

1 (3)

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

15 (4) "Career education" means education that provides  
16 instruction for the following purposes:

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

28 (b) At the secondary school level, job-preparatory  
29 instruction in the competencies that prepare students for  
30 effective entry into an occupation, including diversified  
31

1 cooperative education, work experience, and job-entry programs  
2 that coordinate directed study and on-the-job training.

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

6 Section 15. Paragraph (b) of subsection (2) of section  
7 1003.03, Florida Statutes, is amended, and subsection (5) is  
8 added to that section, to read:

9 1003.03 Maximum class size.--

10 (2) IMPLEMENTATION.--

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

13 1. For fiscal years 2003-2004 through 2005-2006, the  
14 calculation for compliance for each of the 3 grade groupings  
15 shall be the average at the district level.

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

19 3. For fiscal years 2008-2009, 2009-2010, and  
20 thereafter, the calculation for compliance shall be at the  
21 individual classroom level.

22 4. For fiscal years 2006-2007 through 2009-2010 and  
23 thereafter, each teacher assigned to any classroom shall be  
24 included in the calculation for compliance.

25 (5) TEAM-TEACHING STRATEGIES.--

26 (a) School districts may use teaching strategies that  
27 include the assignment of more than one teacher to a classroom  
28 of students and that were implemented before July 1, 2005.  
29 Effective July 1, 2005, school districts may implement  
30 additional teaching strategies that include the assignment of  
31

1 more than one teacher to a classroom of students for the  
2 following purposes only:  
3       1. Pairing teachers for the purpose of staff  
4 development.  
5       2. Pairing new teachers with veteran teachers.  
6       3. Reducing turnover among new teachers.  
7       4. Pairing teachers who are teaching out-of-field with  
8 teachers who are in-field.  
9       5. Providing for more flexibility and innovation in  
10 the classroom.  
11       6. Improving learning opportunities for students,  
12 including students who have disabilities.  
13       (b) Teaching strategies implemented on or after July  
14 1, 2005, pursuant to paragraph (a) may be implemented subject  
15 to the following restrictions:  
16           1. Reasonable limits shall be placed on the number of  
17 students in a classroom so that classrooms are not  
18 overcrowded. Teacher-to-student ratios within a curriculum  
19 area or grade level must not exceed constitutional limits.  
20           2. At least one member of the team must have at least  
21 3 years of teaching experience.  
22           3. At least one member of the team must be teaching  
23 in-field.  
24           4. The teachers must be trained in team-teaching  
25 methods within 1 year after assignment.  
26  
27 The use of strategies implemented as outlined in this  
28 subsection meets the letter and intent of the Florida  
29 Constitution and the Florida Statutes which relate to  
30 implementing class-size reduction and this subsection applies  
31 retroactively. A school district may not be penalized



1 financially or otherwise as a result of the use of any legal  
2 strategy, including, but not limited to, those set forth in  
3 subsection (3) and this subsection.

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

6 1003.05 Assistance to transitioning students from  
7 military families.--

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

24 Section 17. Paragraph (c) of subsection (1) of section  
25 1003.21, Florida Statutes, is amended to read:

26 1003.21 School attendance.--

27 (1)

28 (c) A student who attains the age of 16 years during  
29 the school year is not subject to compulsory school attendance  
30 beyond the date upon which he or she attains that age if the  
31 student files a formal declaration of intent to terminate

1 school enrollment with the district school board. The  
2 declaration must acknowledge that terminating school  
3 enrollment is likely to reduce the student's earning potential  
4 and must be signed by the student and the student's parent.  
5 The school district must notify the student's parent of  
6 receipt of the student's declaration of intent to terminate  
7 school enrollment. The student's guidance counselor or other  
8 school personnel must conduct an exit interview with the  
9 student to determine the reasons for the student's decision to  
10 terminate school enrollment and actions that could be taken to  
11 keep the student in school. The student must be informed of  
12 opportunities to continue his or her education in a different  
13 environment, including, but not limited to, adult education  
14 and GED test preparation. Additionally, the student must  
15 complete a survey in a format prescribed by the Department of  
16 Education to provide data on student reasons for terminating  
17 enrollment and actions taken by schools to keep students  
18 enrolled.

19 Section 18. Section 1003.415, Florida Statutes, is  
20 amended to read:

21 1003.415 The Florida Secondary Schools Redesign Middle  
22 ~~Grades Reform Act.~~--

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

26 (2) PURPOSE AND INTENT.--The purpose of this section  
27 is to provide added academic focus, and rigor, relevance, and  
28 opportunity for relationships to academics in the secondary  
29 ~~middle~~ grades. Using integrated reading instruction as the  
30 foundation, all secondary middle grade students shall ~~should~~  
31 receive rigorous academic instruction through challenging and

1 relevant curricula delivered by highly qualified teachers in  
2 schools that have ~~with~~ outstanding principal leadership and  
3 ~~which schools~~ are supported by engaged and informed parents  
4 and business partners. It is the intent of the Legislature  
5 that students entering 9th ~~promoted from the eighth~~ grade will  
6 be prepared ~~ready~~ for success in high school and that students  
7 graduating from high school will be prepared for postsecondary  
8 education and the workforce.

9 (3) DEFINITION.--As used in this section, the term  
10 "secondary schools ~~middle grades~~" means grades 6 through 12,  
11 ~~7, and 8~~.

12 (4) REDESIGN COMPONENT.--Beginning with the 2006-2007  
13 school year, each district school board shall adopt policies  
14 to provide support for all secondary schools to develop a  
15 redesign component of the school improvement plan pursuant to  
16 s. 1001.42(16). The primary goal of the redesign component is  
17 to increase student engagement and achievement through  
18 enhanced instructional opportunities that stress rigor,  
19 relevance, and relationships; to encourage students to remain  
20 in school and graduate on time; and to prepare students for  
21 postsecondary education and the world of work. Each secondary  
22 school's redesign component of the school improvement plan  
23 must include a timeline, a comprehensive professional  
24 development plan, and designation of the responsibilities of  
25 teachers, administrators, parents, students, the business  
26 community, and district staff. The secondary school redesign  
27 component must be aligned to district professional development  
28 plans pursuant to s. 1012.98(4)(b).

29 (a) The middle school redesign component must be based  
30 on a sound and strategic preparation for high school success  
31 and include the following:

1           1. Instructional strategies to increase rigor and  
2 relevance throughout the curriculum to prepare middle school  
3 students for rigorous high school courses, postsecondary  
4 studies, and the world of work;

5           2. Instructional strategies to increase annually the  
6 percentage of students enrolled in and successfully completing  
7 algebra. Middle schools must provide at least one high school  
8 course with priority given to algebra;

9           3. Integration of reading strategies in all content  
10 areas, including the use of technical and informational text;

11           4. Comprehensive career exploration, which results in  
12 the development of individual 4- to 5-year academic plans for  
13 every student by the end of grade 8 pursuant to s. 1006.02.  
14 The redesign component must include strategies for all  
15 students to complete comprehensive career exploration  
16 frameworks either through a stand-alone course or integrated  
17 into other courses;

18           5. Organizational strategies as specified in s.  
19 1003.02(4) which include small-group advisement, small  
20 learning communities, or similar models to ensure enhanced  
21 adult relationships for every student to support and sustain  
22 rigorous and relevant academics;

23           6. Intensive remediation strategies to close skill  
24 gaps, including summer academies;

25           7. Organizational strategies to encourage common  
26 planning time and professional learning communities for  
27 instructional and administrative staff;

28           8. Strategies to increase continuous monitoring of  
29 student achievement using data and data analysis; and

30           9. Strategies to communicate redesign plans with  
31 feeder pattern high schools in order to obtain input and

1 feedback and ensure continuous improvement of academic  
2 achievement for all students.

3 (b) The high school redesign component must be based  
4 on a sound and strategic preparation for postsecondary  
5 education and the workforce and include the following:

6 1. Instructional strategies to increase rigor and  
7 relevance throughout the curriculum to prepare high school  
8 students for rigorous postsecondary studies and the demands of  
9 the workplace;

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

13 3. Integration of reading strategies in all content  
14 areas, including the use of technical and informational text;

15 4. Use and refinement of individual student 4- to  
16 5-year academic and career plans as the basis for course  
17 selection and enrollment pursuant to s. 1006.02;

18 5. Organizational strategies as specified in s.  
19 1003.02(4) which include small group advisement, small  
20 learning communities, or similar models to ensure enhanced  
21 adult relationships with every student to support and sustain  
22 rigorous and relevant academics;

23 6. Intensive remediation strategies to close skill  
24 gaps, including summer academies;

25 7. Organizational strategies to encourage common  
26 planning time and professional learning communities for  
27 instructional and administrative staff;

28 8. Strategies to develop and refine 9th grade  
29 academies to ensure successful transition to high school,  
30 student engagement in rigorous coursework, and preparation for  
31

1 postsecondary education and the workforce pursuant to s.  
2 1006.02;

3 9. Strategies to share redesign plans with feeder  
4 pattern middle schools in order to obtain input and feedback  
5 and ensure continuous improvement of academic achievement for  
6 all students;

7 10. Strategies to transform the senior year to enhance  
8 student transition to postsecondary school and the workforce;  
9 and

10 11. Strategies for developing or enhancing existing  
11 career academies, pursuant to s. 1003.493.

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

13 (a) Beginning with the 2006-2007 school year, each  
14 middle school shall begin development of personalized academic  
15 and career plans based on a comprehensive career exploration  
16 course. Beginning with the 2007-2008 school year, personalized  
17 academic and career plans shall be developed by the end of  
18 grade 8 as a collaborative effort between the student and the  
19 student's teachers, teacher advisors, guidance counselors, and  
20 parents. The purpose of the plan is to provide each student  
21 with a 4- to 5-year plan prior to 9th grade based on  
22 individual aspirations and goals for postsecondary education  
23 and possible careers. The plan shall be developed and refined  
24 yearly in collaboration with the student and his or her  
25 parent, teachers, teacher advisors, and guidance staff, and  
26 shall be focused on rigorous coursework that is aligned to the  
27 student's plans for postsecondary education or the workforce,  
28 or both.

29 (b) For secondary students who score below Level 3 in  
30 reading or math on the most recently administered FCAT, the  
31 personalized academic and career plan must also include a

1 provision for instructional assistance which includes  
2 identification of the student's strengths and weaknesses,  
3 intervention strategies, and continuous monitoring of the  
4 student's progress in academic performance.

5 (c) The personalized academic and career plan must be  
6 seamlessly incorporated into individual student plans required  
7 by federal or state law.

8 (d) The Department of Education, with input from  
9 school-based instructional leaders, shall post on the  
10 department's website by December 1, 2006, a model 4- to 5-year  
11 personalized academic and career plan consistent with and  
12 transitional to the electronic Personal Education Planner.

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

31 ~~(5) RIGOROUS READING REQUIREMENT.—~~

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

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



1 ~~research based reading activities that have been shown to be~~  
2 ~~successful in teaching reading to low performing students.~~

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

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

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

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

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

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

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

31

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

1 ~~the State Board of Education recommendations to increase the~~  
2 ~~academic performance of middle grade students and schools.~~

3 ~~(7) PERSONALIZED MIDDLE SCHOOL SUCCESS PLAN.~~

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

22 ~~(b) The personalized middle school success plan must:~~

23 ~~1. Identify educational goals and intermediate~~  
24 ~~benchmarks for the student in the core curriculum areas which~~  
25 ~~will prepare the student for high school.~~

26 ~~2. Be based upon academic performance data and an~~  
27 ~~identification of the student's strengths and weaknesses.~~

28 ~~3. Include academic intervention strategies with~~  
29 ~~frequent progress monitoring.~~

30 ~~4. Provide innovative methods to promote the student's~~  
31 ~~advancement which may include, but not be limited to, flexible~~

1 ~~scheduling, tutoring, focus on core curricula, online~~  
2 ~~instruction, an alternative learning environment, or other~~  
3 ~~interventions that have been shown to accelerate the learning~~  
4 ~~process.~~

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

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

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

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

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

26 Section 19. Section 1003.4156, Florida Statutes, is  
27 created to read:

28 1003.4156 General requirements for middle school  
29 promotion.--

1           (1) Beginning with students entering grade 6 in the  
2 2006-2007 school year, promotion from a middle school with  
3 grades 6 through 8 requires that:

4           (a) A student must successfully complete academic  
5 courses as follows:

6           1. Three middle school or higher courses in  
7 English/language arts. These courses shall emphasize  
8 literature, composition, and technical and informational text.

9           2. Three middle school or higher courses in  
10 mathematics. School districts must offer at least one high  
11 school level mathematics course for which students may earn  
12 high school credit.

13           3. Three middle school or higher courses in social  
14 studies, one semester of which includes the study of state and  
15 federal government and civics education.

16           4. Three middle school or higher courses in science.

17           5. One course in career and education planning to be  
18 completed in 7th or 8th grade. The course may be taught by any  
19 member of the instructional staff; must include career  
20 exploration using CHOICES for the 21st Century or a comparable  
21 cost-effective program; must include educational planning  
22 using the online student advising system known as Florida  
23 Academic Counseling and Tracking for Students at the Internet  
24 website FACTS.org; and shall result in the completion of a  
25 personalized academic and career plan. Each student's plan  
26 must be signed by the student, the student's guidance  
27 counselor or academic advisor, and the student's parent. By  
28 January 1, 2007, the Department of Education shall develop  
29 course frameworks and professional development materials for  
30 the career and education planning course to be implemented as  
31

1 a stand-alone course or integrated into another course or  
2 courses.

3 (b) For each year in which a student scores at Level 1  
4 on FCAT reading, the student must be enrolled in and complete  
5 an intensive reading course the following year. Placement of  
6 Level 2 readers in either an intensive reading course or a  
7 content area course in which reading strategies are delivered  
8 shall be determined by diagnosis of appropriate strategies for  
9 targeting the varying instructional needs of students who are  
10 reading below grade level. Reading courses must be designed  
11 and offered pursuant to the reading instruction plan required  
12 by s. 1001.62(8).

13 (c) For each year in which a student scores at Level 1  
14 on FCAT mathematics, the student must complete an intensive  
15 mathematics course the following year, which may be integrated  
16 into the student's required mathematics course. These courses  
17 are subject to approval by the department for inclusion in the  
18 Course Code Directory.

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

26 (2) District school boards shall establish policies to  
27 implement the requirements of this section. The policies must  
28 include procedures for placing and promoting students who  
29 enter a Florida public school at the sixth, seventh, or eighth  
30 grade from out of state or from a foreign country. The  
31 policies may allow alternative methods for students to

1 demonstrate competency in the courses required by this  
2 section. School districts shall emphasize alternative methods  
3 for students scoring at Level 1 on FCAT Reading who have been  
4 retained in elementary school. The alternatives shall include,  
5 but are not limited to, opportunities for students to:

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

7 (b) Be placed in programs that emphasize applied  
8 integrated curricula, small learning communities, career  
9 exploration, support services, alternative discipline, or  
10 other strategies documented to improve student achievement.

11  
12 Within 30 days after adoption, the school district's policies  
13 shall be submitted to the State Board of Education for  
14 approval. The school district's policies shall be  
15 automatically approved unless specifically rejected by the  
16 State Board of Education within 60 days after receipt.

17 (3) Students in the sixth, seventh, or eighth grade  
18 who are not enrolled in schools having a middle grades  
19 configuration are subject to the promotion requirements of  
20 this section.

21 Section 20. Section 1003.42, Florida Statutes, is  
22 amended to read:

23 1003.42 Required instruction.--

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

31

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

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

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

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

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

24           (d) Flag education, including proper flag display and  
25 flag salute.

26           (e) The elements of civil government, including the  
27 primary functions of and interrelationships between the  
28 Federal Government, the state, and its counties,  
29 municipalities, school districts, and special districts.

30           (f) The history of the United States, including the  
31 period of discovery, early colonies, the War for Independence,



1 the Civil War, the expansion of the United States to its  
2 present boundaries, the world wars, and the civil rights  
3 movement to the present. American history shall be viewed as  
4 factual, not as constructed, shall be viewed as knowable,  
5 teachable, and testable, and shall be defined as the creation  
6 of a new nation based largely on the universal principles  
7 stated in the Declaration of Independence.

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

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

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

24       ~~(j)(i)~~ The true effects of all alcoholic and  
25 intoxicating liquors and beverages and narcotics upon the  
26 human body and mind.

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

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

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

30       ~~(n)(m)~~ Comprehensive health education that addresses  
31 concepts of community health; consumer health; environmental

1 health; family life, including an awareness of the benefits of  
2 sexual abstinence as the expected standard and the  
3 consequences of teenage pregnancy; mental and emotional  
4 health; injury prevention and safety; nutrition; personal  
5 health; prevention and control of disease; and substance use  
6 and abuse.

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

11 ~~(p)(e)~~ The study of Hispanic contributions to the  
12 United States.

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

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

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

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

31

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

7  
8 The State Board of Education is encouraged to adopt standards  
9 and pursue assessment of the requirements of this subsection.

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

18           Section 21. Section 1003.428, Florida Statutes, is  
19 created to read:

20           1003.428 General requirements for high school  
21 graduation; revised.--

22           (1) Except as otherwise authorized pursuant to s.  
23 1003.429, beginning with students entering their first year of  
24 high school in the 2007-2008 school year, graduation requires  
25 the successful completion of a minimum of 24 credits or an  
26 Advanced International Certificate of Education Curriculum or  
27 an International Baccalaureate curriculum.

28           (2) The 24 credits may be earned through applied,  
29 integrated, and combined courses approved by the Department of  
30 Education and shall be distributed as follows:

31           (a) Sixteen core curriculum credits:

1           1. Four credits in English, with major concentration  
2 in composition, technical reading, and literature.

3           2. Four credits in mathematics, one of which must be  
4 Algebra I, a series of courses equivalent to Algebra I, or a  
5 higher-level mathematics course.

6           3. Three credits in science, two of which must have a  
7 laboratory component.

8           4. Three credits in social studies as follows: one  
9 credit in American history; one credit in world history;  
10 one-half credit in economics; and one-half credit in American  
11 government.

12           5. One credit in fine arts.

13           6. One credit in physical education.

14           (b) Eight credits in majors, minors, or electives:

15           1. Four credits in a major area of study selected by  
16 the student as part of the career and education plan required  
17 by s. 1003.4156. The State Board of Education shall approve  
18 major areas of study. School districts may submit proposals  
19 for new majors to the State Board of Education which, upon  
20 approval, shall be available for use by all school districts.

21           2. Four credits in elective courses selected by the  
22 student as part of the career and education plan required by  
23 s. 1003.4156. These credits may be combined to allow for a  
24 second major area of study pursuant to subparagraph 1.; a  
25 minor area of study, or elective courses, intensive reading,  
26 or mathematics intervention courses; or credit-recovery  
27 courses as described in this subparagraph.

28           a. Minor areas of study are composed of three credits  
29 and approved by the State Board of Education. School districts  
30 may submit proposals for new minor areas of study to the State  
31

1 Board of Education which, upon approval, shall be available  
2 for use by all school districts.

3 b. Elective courses are selected by the student in  
4 order to pursue a complete education program as described in  
5 s. 1001.41(3).

6 c. Intensive reading or mathematics intervention  
7 courses are based on student performance on the FCAT. These  
8 courses should be competency based and offered through  
9 innovative delivery systems, including computer-assisted  
10 instruction. School districts should use learning gains, other  
11 appropriate data, and incentives to identify and reward  
12 high-performing teachers in reading and mathematics who teach  
13 intensive-intervention courses.

14 (I) For each year in which a student scores at Level 1  
15 on FCAT reading, the student must be enrolled in and complete  
16 an intensive reading course the following year. Placement of  
17 Level 2 readers in either an intensive reading course or a  
18 content area course in which reading strategies are delivered  
19 shall be determined by diagnosis of reading needs. The  
20 Department of Education shall provide guidance on appropriate  
21 strategies for targeting the varying instructional needs of  
22 students who are reading below grade level. Reading courses  
23 must be designed and offered pursuant to the reading  
24 instruction plan required by s. 1001.62(8).

25 (II) For each year in which a student scores at Level  
26 1 on FCAT mathematics, the student must complete an intensive  
27 mathematics course the following year. These courses are  
28 subject to approval by the Department of Education for  
29 inclusion in the Course Code Directory.

30 d. Credit-recovery courses are provided so that  
31 students can simultaneously earn an elective credit and the

1 recovered credit. These courses should be competency based and  
2 offered through innovative delivery systems, including  
3 computer-assisted instruction.

4 (3) District school boards shall establish policies to  
5 implement the requirements of secondary school reform pursuant  
6 to s. 1003.415. The policies must address each of the  
7 following:

8 (a) Applied, integrated, and combined courses that  
9 provide flexibility for students to enroll in creative majors  
10 and minors, elective courses, and credit-recovery courses.

11 (b) Procedures for placing and promoting students who  
12 enter high school from out of state or from a foreign country.  
13 The policies may allow alternative methods for students to  
14 demonstrate competency in the courses required by this  
15 section.

16 (c) Grade forgiveness.

17 (d) Summer academies for students to receive intensive  
18 intervention courses in reading and mathematics or competency  
19 based credit-recovery courses. A student's participation in an  
20 instructional or remediation program prior to or immediately  
21 following entering grade 9 for the first time shall not affect  
22 that student's classification as a first-time 9th grader for  
23 reporting purposes, including calculation of graduation and  
24 dropout rates.

25 (e) Strategies to support teachers' pursuit of the  
26 reading endorsement and emphasize reading instruction  
27 professional development for content area teachers.

28 (f) Creative and flexible alternative scheduling  
29 designed to meet student needs.

30 (g) Career and education planning for students who do  
31 not have a 4- to 5-year academic and career plan. Each

1 student's plan must be signed by the student, the student's  
2 guidance counselor or academic advisor and the student's  
3 parent.

4 (h) Tools for parents to regularly monitor student  
5 progress and communicate with teachers.

6 (i) Additional course requirements for graduation  
7 which may be determined by each school district in the student  
8 progression plan.

9 (4) The Department of Education shall increase the  
10 number of approved applied, integrated, and combined courses  
11 available to school districts and shall coordinate policies  
12 and assistance across the department in order to support the  
13 successful implementation of this section by school districts.  
14 Courses submitted for approval by school districts, including  
15 those that combine technical skills and academic content, must  
16 be received by the Department of Education no later than 5  
17 months before the beginning of the school term in which such  
18 courses are planned to be offered. The State Board of  
19 Education must approve or disapprove courses no later than 3  
20 months before the school term in which such courses are  
21 planned to be offered. The Department of Education shall  
22 present newly proposed courses to the board for approval a  
23 minimum of three times annually.

24 (5) The provisions of this section shall supersede any  
25 conflicting provisions of s. 1003.43.

26 Section 22. Section 1003.429, Florida Statutes, is  
27 amended to read:

28 1003.429 Accelerated high school graduation options.--

29 (1) Students who enter grade 9 in the 2006-2007  
30 ~~2004-2005~~ school year and thereafter may select, upon receipt  
31

1 of each consent required by this section, one of the following  
2 three high school graduation options:

3 (a) Completion of the general requirements for high  
4 school graduation pursuant to s. 1003.43;

5 (b) Completion of a 3-year standard college  
6 preparatory program requiring successful completion of a  
7 minimum of 18 academic credits in grades 9 through 12. At  
8 least 6 of the 18 credits required for completion of this  
9 program must be received in classes that are offered pursuant  
10 to the International Baccalaureate Program, the Advanced  
11 Placement Program ~~honors~~, dual enrollment, ~~advanced placement,~~  
12 ~~International Baccalaureate,~~ Advanced International  
13 Certificate of Education, or specifically listed or identified  
14 by the Department of Education as rigorous pursuant to s.  
15 1009.531(3), ~~or weighted by the district school board for~~  
16 ~~class ranking purposes~~. The 18 credits required for completion  
17 of this program shall be primary requirements and shall be  
18 distributed as follows:

19 1. Four credits in English, with major concentration  
20 in composition and literature;

21 2. Three credits in mathematics at the Algebra I level  
22 or higher from the list of courses that qualify for state  
23 university admission;

24 3. Three credits in natural science, two of which must  
25 have a laboratory component;

26 4. Three credits in social sciences, which must  
27 include one credit in American history, one credit in world  
28 history, one-half credit in American government, and one-half  
29 credit in economics;

30 5. Two credits in the same second language unless the  
31 student is a native speaker of or can otherwise demonstrate



1 competency in a language other than English. If the student  
2 demonstrates competency in another language, the student may  
3 replace the language requirement with two credits in other  
4 academic courses; and

5 6. Three credits in electives; or

6 (c) Completion of a 3-year career preparatory program  
7 requiring successful completion of a minimum of 18 academic  
8 credits in grades 9 through 12. The 18 credits shall be  
9 primary requirements and shall be distributed as follows:

10 1. Four credits in English, with major concentration  
11 in composition and literature;

12 2. Three credits in mathematics, one of which must be  
13 Algebra I;

14 3. Three credits in natural science, two of which must  
15 have a laboratory component;

16 4. Three credits in social sciences, which must  
17 include one credit in American history, one credit in world  
18 history, one-half credit in American government, and one-half  
19 credit in economics;

20 5. Three credits in a single vocational or career  
21 education program, three credits in career and technical  
22 certificate dual enrollment courses, or five credits in  
23 vocational or career education courses; and

24 6. Two credits in electives unless five credits are  
25 earned pursuant to subparagraph 5.

26  
27 Any student who selected an accelerated graduation program  
28 before July 1, 2004, may continue that program, and all  
29 statutory program requirements that were applicable when the  
30 student made the program choice shall remain applicable to the  
31 student as long as the student continues that program.

1           (2) Prior to selecting a program described in  
2 paragraph (1)(b) or paragraph (1)(c), a student and the  
3 student's parent must meet with designated school personnel to  
4 receive an explanation of the relative requirements,  
5 advantages, and disadvantages of each program option, and the  
6 student must also receive the written consent of the student's  
7 high school principal, high school guidance counselor, and  
8 parent. ~~the following requirements must be met:~~

9           ~~(a) Designated school personnel shall meet with the~~  
10 ~~student and student's parent to give an explanation of the~~  
11 ~~relative requirements, advantages, and disadvantages of each~~  
12 ~~graduation option.~~

13           ~~(b) The student shall submit to the high school~~  
14 ~~principal and guidance counselor a signed parental consent to~~  
15 ~~enter the 3 year accelerated graduation program.~~

16           ~~(c) The student shall have achieved at least an FCAT~~  
17 ~~reading achievement level of 3, an FCAT mathematics~~  
18 ~~achievement level of 3, and an FCAT Writing score of 3 on the~~  
19 ~~most recent assessments taken by the student.~~

20           (3) Beginning with the 2006-2007 ~~2004-2005~~ school  
21 year, each district school board shall provide each student in  
22 grades 6 through 9 and their parents with information  
23 concerning the 3-year and 4-year high school graduation  
24 options listed in subsection (1), including the respective  
25 curriculum requirements for those options, so that the  
26 students and their parents may select the program  
27 ~~postsecondary education or career plan~~ that best fits their  
28 needs. The information must ~~shall~~ include a timeframe for  
29 achieving each graduation option.

30           (4) Selection of one of the graduation options listed  
31 in subsection (1) must be completed by the student prior to

1 | the end of grade 9 and is exclusively up to the student and  
2 | parent, subject to the requirements in subsection (2). Each  
3 | district school board shall establish policies for extending  
4 | this deadline to the end of a student's first semester of  
5 | grade 10 for a student who entered a Florida public school  
6 | after grade 9 upon transfer from a private school or another  
7 | state or who was prevented from choosing a graduation option  
8 | due to illness during grade 9. If the student and parent fail  
9 | to select a graduation option, the student shall be considered  
10 | to have selected the general requirements for high school  
11 | graduation pursuant to paragraph (1)(a).

12 |         (5) District school boards ~~may shall~~ not establish  
13 | requirements for accelerated 3-year high school graduation  
14 | options in excess of the requirements in paragraphs (1)(b) and  
15 | (c).

16 |         (6) Students pursuing accelerated 3-year high school  
17 | graduation options pursuant to paragraph (1)(b) or paragraph  
18 | (1)(c) are required to:

19 |             (a) Earn passing scores on the FCAT as defined in s.  
20 | 1008.22(3)(c) or scores on a standardized test that are  
21 | concordant with passing scores on the FCAT as defined in s.  
22 | 1008.22(9).

23 |             (b)1. Achieve a cumulative ~~weighted~~ grade point  
24 | average of 3.5 ~~3.0~~ on a 4.0 scale, or its equivalent, in the  
25 | courses required for the ~~college preparatory~~ accelerated  
26 | 3-year high school graduation options ~~option~~ pursuant to  
27 | paragraphs ~~paragraph~~ (1)(b) and (c); and ~~or~~

28 |             2. Receive a grade no lower than a "B" or its  
29 | equivalent, representing at least 3.0 points on a 4.0 scale,  
30 | in any course taken in connection with an accelerated 3-year  
31 | program under paragraphs (1)(b) and (c). If any student

1 participating in an accelerated 3-year program does not meet  
2 this requirement, the student shall be required to complete  
3 the general requirements for high school graduation pursuant  
4 to s. 1003.43.

5 (7) A student who selects an accelerated 3-year  
6 graduation program may change at any time to the 4-year  
7 program set forth in s. 1003.43.

8 Section 23. Section 1003.437, Florida Statutes, is  
9 amended to read:

10 1003.437 Middle and high school grading system.--The  
11 grading system and interpretation of letter grades used for  
12 students in public ~~high~~ schools in grades 6-12 shall be as  
13 follows:

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

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

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

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

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

29 (6) Grade "I" equals zero percent, has a grade point  
30 average value of zero, and is defined as "incomplete."  
31

1 For the purposes of class ranking, district school boards may  
2 exercise a weighted grading system pursuant to s. 1007.271.

3 Section 24. Section 1003.491, Florida Statutes, is  
4 amended to read:

5 1003.491 Career education.--

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

9 (a) Student exposure to a variety of careers and  
10 provision of instruction to explore specific careers in  
11 greater depth.

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

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

16 (d) Integration of academic and career skills in the  
17 secondary curriculum.

18 (e) Student preparation to enter the workforce and  
19 enroll in postsecondary education without being required to  
20 complete college preparatory or career preparatory  
21 instruction.

22 (f) Student retention in school through high school  
23 graduation.

24 (g) Career education curriculum articulation with  
25 corresponding postsecondary programs in the career center or  
26 community college, or both.

27 (2) ~~A No~~ school board or public school ~~may not shall~~  
28 require a student to participate in any school-to-work or job  
29 training program. A district school board or school ~~may shall~~  
30 not require a student to meet occupational standards for grade  
31

1 level promotion or graduation unless the student is  
2 voluntarily enrolled in a job training program.

3 (3) Each district school board and superintendent  
4 shall implement all components required to obtain the career  
5 education certification on the high school diploma if the  
6 school district chooses to offer the certification.

7 Section 25. Section 1003.493, Florida Statutes, is  
8 created to read:

9 1003.493 Career and professional academies.--

10 (1) A "career and professional academy" is a  
11 research-based program as described in subsection (3) which  
12 offers a rigorous and relevant academic curriculum with an  
13 industry and business relevant career theme offered by a  
14 public school or school district.

15 (2) The goals of career and professional academies are  
16 to:

17 (a) Increase student achievement.

18 (b) Focus on careers and postsecondary education.

19 (c) Raise student aspiration and commitment to  
20 academic achievement.

21 (3) A career and professional academy may be offered  
22 as one of the following small learning communities:

23 (a) A Career High-Skill Occupational Initiative for  
24 Career Education (CHOICE) academy, pursuant to s. 1003.494,  
25 with one career theme and created as part of an existing high  
26 school or as a school-within-a-school program. Students in the  
27 school are not required to be students in the academy.

28 (b) A comprehensive career academy, pursuant to s.  
29 1003.495, which is structured around one or more career themes  
30 and consists of one or more career academy programs.

31 (4) Each career and professional academy must:

1       (a) Provide a rigorous and relevant standards-based  
2 academic curriculum through a career-based theme with  
3 instruction relevant to the career. The curriculum must take  
4 into consideration multiple styles of student learning;  
5 promote learning by doing through application and adaptation;  
6 maximize relevance of the subject matter; enhance each  
7 student's capacity to excel; and include an emphasis on work  
8 habits and work ethics.

9       (b) Include one or more partnerships with businesses,  
10 industry, employers, economic development organizations, or  
11 other appropriate partners from the local community. Such  
12 partnerships must include opportunities for:

13           1. Highly skilled professionals to provide instruction  
14 in their areas of expertise.

15           2. Use of state-of-the-art equipment in the  
16 instructional program of the academy.

17           3. Internships, externships, and on-the-job training.

18       (c) Include one or more partnerships with public or  
19 private postsecondary institutions accredited by a regional or  
20 national accrediting agency recognized by the United States  
21 Department of Education. The educational partner must:

22           1. Agree to articulate coursework to maximize  
23 transferability of credit.

24           2. Offer a postsecondary degree, diploma, or  
25 certificate in the career theme of the academy.

26       (d) Provide creative and tailored student advisement,  
27 including opportunities and encouragement for parent  
28 participation in career education planning, and coordination  
29 with middle schools in the school district to provide career  
30 counseling. The coordination with middle schools must include  
31 promotion in middle school of secondary and postsecondary

1 career education programs and opportunities to participate in  
2 an academy. Such promotion may take place through middle  
3 school exploratory courses.

4 (e) Provide a career education certification on the  
5 high school diploma pursuant to s. 1003.431.

6 (f) Provide instruction, certification, or credentials  
7 in work-readiness skills, including, but not limited to,  
8 communication skills, interpersonal skills, decisionmaking  
9 skills, the importance of attendance and timeliness in the  
10 work environment, and work ethics.

11 (g) Establish student eligibility criteria. While  
12 recognizing that rigorous academic performance will be  
13 expected of all students participating in an academy, initial  
14 eligibility criteria must permit opportunities for students  
15 who may not yet meet the academic requirements but demonstrate  
16 characteristics that may lead to success in an academy. The  
17 aim of an academy should be to serve not only students who are  
18 already succeeding but also students who would succeed if the  
19 proper instructional and motivational opportunities were  
20 provided.

21 (5) If a career and professional academy is designated  
22 as a CHOICE academy under s. 1003.494 or a comprehensive  
23 career academy under s. 1003.495, the career education courses  
24 offered in the academy which emphasize reading, writing,  
25 mathematics, and science may be considered core curricula  
26 courses upon approval of the Commissioner of Education.

27 Section 26. Section 1003.494, Florida Statutes, is  
28 created to read:

29 1003.494 Career High-Skill Occupational Initiative for  
30 Career Education (CHOICE) academies.--

31



1           (1) The Department of Education shall establish a  
2 Career High-Skill Occupational Initiative for Career Education  
3 (CHOICE) project. The project shall consist of a competitive  
4 process for selecting and designating school districts as  
5 participants in the project and designating CHOICE academies  
6 in schools within participating school districts.

7           (2) A CHOICE academy is a career and professional  
8 academy that meets the goals and requirements specified in s.  
9 1003.493 and offers a rigorous and relevant academic  
10 curriculum leading to industry-recognized certification,  
11 college credit, and credit toward a high school diploma.  
12 Existing career education courses may serve as a foundation  
13 for the creation of a CHOICE academy.

14           (3) The purpose of a CHOICE academy shall be to:

15           (a) Draw upon ongoing partnerships between education  
16 and workforce development or economic development  
17 organizations to enhance the quality and opportunities for  
18 career education for high school students by exposure to  
19 in-demand career education as identified by such organizations  
20 in the local community.

21           (b) Build upon the state system of school improvement  
22 and education accountability by providing students with a  
23 solid academic foundation, opportunities to obtain  
24 industry-recognized certification or credentials, and  
25 preparation for postsecondary educational experiences in  
26 related fields.

27           (c) Focus students on completing high school  
28 graduation requirements, including, but not limited to,  
29 receiving passing scores on the grade 10 FCAT.

30  
31

1           (d) Prepare graduating high school students to make  
2 appropriate choices relative to employment and future  
3 educational experiences.

4           (4) The Department of Education shall establish  
5 application guidelines for an annual competitive process and  
6 eligibility criteria for school district participation. A  
7 school district may apply to the department for designation as  
8 a CHOICE project participating district, and the department,  
9 in consultation with Workforce Florida, Inc., and Enterprise  
10 Florida, Inc., may designate as many school districts as it  
11 deems advisable each year. Eligibility criteria for  
12 designation of a school district as a CHOICE project  
13 participant shall include, but need not be limited to:

14           (a) The willingness and ability of associated  
15 businesses or industries to form partnerships with and support  
16 CHOICE academies.

17           (b) The dedication of school district resources to  
18 CHOICE academies.

19           (5) The Department of Education, in consultation with  
20 Workforce Florida, Inc., shall establish standards for  
21 designating specific CHOICE academies in each participating  
22 school district. The Okaloosa County School District may serve  
23 in an advisory role in the establishment of such standards. A  
24 participating school district may apply to the department for  
25 designation of a CHOICE academy within a school in the  
26 district. Eligibility criteria for such designation must  
27 include, but need not be limited to, the following:

28           (a) The existence of partnerships with an associated  
29 business or industry and a regional workforce board or the  
30 primary local economic development organization in the county  
31 as recognized by Enterprise Florida, Inc. The partnership of

1 the business or industry with the CHOICE academy must be based  
2 on the connection of the business or industry with the  
3 academy's career theme and must involve future plans for  
4 improving the local economy. The business or industry partner  
5 must be consulted during the planning stages of a CHOICE  
6 academy and provide business or industry support and resources  
7 devoted to the CHOICE academy.

8 (b) The existence of at least one established  
9 partnership and an articulation agreement for credit with a  
10 postsecondary institution.

11 (c) The existence of participation opportunities for  
12 students, including students in home education programs,  
13 students with disabilities, and nontraditional students.

14 (d) The existence of a plan for sustaining the CHOICE  
15 academy.

16  
17 The Okaloosa County School District and other school districts  
18 that have received funding from Workforce Florida, Inc., for  
19 the establishment of CHOICE academies prior to July 1, 2006,  
20 shall receive an expedited review for CHOICE academy  
21 designation by the department.

22 (6) A participating school district shall:

23 (a) Identify an appropriate location for classes.

24 (b) Ensure that a CHOICE academy is flexible enough to  
25 respond both to the needs and abilities of students and to the  
26 needs of associated businesses or industries.

27 (c) Redirect appropriated funding from ongoing  
28 activities to a CHOICE academy.

29 (d) Plan for sustaining a CHOICE academy as an ongoing  
30 program without additional funding.

31

1           (e) Assist in program technical support for students  
2 in private schools, charter schools, or home education  
3 programs.

4           (f) Allow students in private schools, charter  
5 schools, or home education programs to participate in a CHOICE  
6 academy.

7           (7) The Department of Education shall:

8           (a) With assistance from Workforce Florida, Inc.,  
9 provide technical assistance to participating school districts  
10 in submitting applications for designation of specific CHOICE  
11 academies located in specific schools in the school district,  
12 reorganizing career education opportunities, developing CHOICE  
13 academies with career themes in areas deemed appropriate by  
14 Workforce Florida, Inc., or local economic development  
15 organizations, and developing funding plans.

16           (b) Approve or disapprove within 30 days a request by  
17 a participating school district on behalf of a designated  
18 CHOICE academy for the substitution of appropriate rigorous  
19 and relevant coursework deemed critical for student success by  
20 an industry for coursework required for high school  
21 graduation. If the school district does not receive a response  
22 to the request within 30 days, the district school board shall  
23 allow the substitution according to its student progression  
24 plan pursuant to s. 1003.43(1).

25           (c) Make appropriate policy decisions relative to  
26 CHOICE academies when such decisions are not specifically  
27 directed by law.

28           (d) Jointly with Workforce Florida, Inc., and in  
29 consultation with the school districts, develop evaluation  
30 criteria for CHOICE academies. Such criteria shall include  
31

1 increased academic performance of students and schools using  
2 school-level accountability data.

3 (e) Report to the State Board of Education, the  
4 Governor, the President of the Senate, and the Speaker of the  
5 House of Representatives by July 1 of each year on school  
6 district participation in the CHOICE project, designated  
7 CHOICE academies with enrollment and completion data for such  
8 academies, and appropriate outcomes for students who have  
9 completed a CHOICE academy program. Such outcomes may include  
10 continuing educational experiences of CHOICE academy  
11 graduates, business or industry satisfaction with the CHOICE  
12 academies, placement of CHOICE academy graduates in  
13 employment, and earnings of such graduates.

14 (f) Have the authority to promote CHOICE academies and  
15 to provide planning and startup resources.

16 (8) Pursuant to appropriation in the General  
17 Appropriations Act, the Department of Education shall award  
18 one-time startup funds to five of the school districts  
19 designated as participants in the CHOICE project for the  
20 development of CHOICE academies. All school districts  
21 designated by the department are authorized to establish one  
22 or more CHOICE academies without incentive funds.

23 Section 27. Section 1003.495, Florida Statutes, is  
24 created to read:

25 1003.495 Comprehensive career academies.--

26 (1) The Department of Education shall establish a  
27 comprehensive career academy project to provide for the  
28 designation of comprehensive career academies in the school  
29 districts.

30 (2) A comprehensive career academy is a career and  
31 professional academy that meets the goals and requirements

1 specified in s. 1003.493 and offers a rigorous and relevant  
2 academic curriculum that prepares students for college,  
3 careers, and productive citizenship.

4 (3) The Department of Education, in consultation with  
5 the school districts, shall adopt criteria for evaluation of  
6 comprehensive career academies and an assessment tool based on  
7 national standards of practice. The assessment tool must be  
8 designed so that a comprehensive career academy may use it as  
9 a self-assessment tool.

10 (4) Each comprehensive career academy shall perform a  
11 self-assessment using the adopted assessment tool at the end  
12 of the first year of operation and periodically thereafter as  
13 determined by the Department of Education.

14 (5) A school district may request the Department of  
15 Education to conduct an assessment of a comprehensive career  
16 academy for purposes of designation by the department as a  
17 comprehensive career academy. If the department determines  
18 that an academy meets national standards of practice, the  
19 department shall designate the academy as a comprehensive  
20 career academy.

21 (6) The Department of Education shall approve or  
22 disapprove within 30 days a request by a school district on  
23 behalf of a designated comprehensive career academy for the  
24 substitution of appropriate rigorous and relevant coursework  
25 deemed critical for student success by an industry for  
26 coursework required for high school graduation. If the school  
27 district does not receive a response to the request within 30  
28 days, the district school board shall allow the substitution  
29 according to its student progression plan pursuant to s.  
30 1003.43(1).

31

1           Section 28. Subsection (1) of section 1003.43, Florida  
2 Statutes, is amended to read:

3           1003.43 General requirements for high school  
4 graduation.--

5           (1) Graduation requires successful completion of  
6 either a minimum of 24 academic credits in grades 9 through 12  
7 or an International Baccalaureate curriculum. The 24 credits  
8 shall be distributed as follows:

9           (a) Four credits in English, with major concentration  
10 in composition and literature.

11           (b) Three credits in mathematics. Effective for  
12 students entering the 9th grade in the 1997-1998 school year  
13 and thereafter, one of these credits must be Algebra I, a  
14 series of courses equivalent to Algebra I, or a higher-level  
15 mathematics course.

16           (c) Three credits in science, two of which must have a  
17 laboratory component. Agriscience Foundations I, the core  
18 course in secondary Agriscience and Natural Resources  
19 programs, counts as one of the science credits.

20           (d) One credit in American history.

21           (e) One credit in world history, including a  
22 comparative study of the history, doctrines, and objectives of  
23 all major political systems.

24           (f) One-half credit in economics, including a  
25 comparative study of the history, doctrines, and objectives of  
26 all major economic systems. The Florida Council on Economic  
27 Education shall provide technical assistance to the department  
28 and district school boards in developing curriculum materials  
29 for the study of economics.

30           (g) One-half credit in American government, including  
31 study of the Constitution of the United States. For students

1 entering the 9th grade in the 1997-1998 school year and  
2 thereafter, the study of Florida government, including study  
3 of the State Constitution, the three branches of state  
4 government, and municipal and county government, shall be  
5 included as part of the required study of American government.

6 (h)1. One credit in practical arts career education or  
7 exploratory career education. Any career education course as  
8 defined in s. 1003.01 may be taken to satisfy the high school  
9 graduation requirement for one credit in practical arts or  
10 exploratory career education provided in this subparagraph;

11 2. One credit in performing fine arts to be selected  
12 from music, dance, drama, painting, or sculpture. A course in  
13 any art form, in addition to painting or sculpture, that  
14 requires manual dexterity, or a course in speech and debate,  
15 may be taken to satisfy the high school graduation requirement  
16 for one credit in performing arts pursuant to this  
17 subparagraph; or

18 3. One-half credit each in practical arts career  
19 education or exploratory career education and performing fine  
20 arts, as defined in this paragraph.

21  
22 Such credit for practical arts career education or exploratory  
23 career education or for performing fine arts shall be made  
24 available in the 9th grade, and students shall be scheduled  
25 into a 9th grade course as a priority.

26 (i) One-half credit in life management skills to  
27 include consumer education, positive emotional development,  
28 marriage and relationship skill-based education, nutrition,  
29 parenting skills, prevention of human immunodeficiency virus  
30 infection and acquired immune deficiency syndrome and other  
31 sexually transmissible diseases, benefits of sexual abstinence



1 and consequences of teenage pregnancy, information and  
2 instruction on breast cancer detection and breast  
3 self-examination, cardiopulmonary resuscitation, drug  
4 education, and the hazards of smoking.

5 (j) One credit in physical education to include  
6 assessment, improvement, and maintenance of personal fitness.  
7 Participation in an interscholastic sport at the junior  
8 varsity or varsity level, for two full seasons, shall satisfy  
9 the one-credit requirement in physical education if the  
10 student passes a competency test on personal fitness with a  
11 score of "C" or better. The competency test on personal  
12 fitness must be developed by the Department of Education. A  
13 district school board may not require that the one credit in  
14 physical education be taken during the 9th grade year.  
15 Completion of one semester with a grade of "C" or better in a  
16 marching band class, in a physical activity class that  
17 requires participation in marching band activities as an  
18 extracurricular activity, or in a Reserve Officer Training  
19 Corps (R.O.T.C.) class a significant component of which is  
20 drills shall satisfy a one-half credit requirement in physical  
21 education. This one-half credit may not be used to satisfy the  
22 personal fitness requirement or the requirement for adaptive  
23 physical education under an individual educational plan (IEP)  
24 or 504 plan.

25 (k) Eight and one-half elective credits.

26  
27 District school boards may award a maximum of one-half credit  
28 in social studies and one-half elective credit for student  
29 completion of nonpaid voluntary community or school service  
30 work. Students choosing this option must complete a minimum of  
31 75 hours of service in order to earn the one-half credit in

1 either category of instruction. Credit may not be earned for  
2 service provided as a result of court action. District school  
3 boards that approve the award of credit for student volunteer  
4 service shall develop guidelines regarding the award of the  
5 credit, and school principals are responsible for approving  
6 specific volunteer activities. A course designated in the  
7 Course Code Directory as grade 9 through grade 12 that is  
8 taken below the 9th grade may be used to satisfy high school  
9 graduation requirements or Florida Academic Scholars award  
10 requirements as specified in a district school board's student  
11 progression plan. A student shall be granted credit toward  
12 meeting the requirements of this subsection for equivalent  
13 courses, as identified pursuant to s. 1007.271(6), taken  
14 through dual enrollment. Each district school board's student  
15 progression plan must provide for the substitution of a course  
16 identified in the Course Code Directory and offered in a  
17 designated CHOICE academy under s. 1003.494 or in a designated  
18 comprehensive career academy under s. 1003.495 for a credit  
19 requirement for graduation under this subsection. A student  
20 may make such substitution for a maximum of two of the  
21 academic credit requirements.

22 Section 29. Subsection (7) is added to section  
23 288.9015, Florida Statutes, to read:

24 288.9015 Enterprise Florida, Inc.; purpose; duties.--  
25 (7) Enterprise Florida, Inc., shall work with the  
26 Department of Education and Workforce Florida, Inc., in the  
27 designation of school districts as participants in the CHOICE  
28 project pursuant to s. 1003.494.

29 Section 30. Paragraph (i) is added to subsection (5)  
30 of section 445.004, Florida Statutes, to read:

31

1           445.004 Workforce Florida, Inc.; creation; purpose;  
2 membership; duties and powers.--

3           (5) Workforce Florida, Inc., shall have all the powers  
4 and authority, not explicitly prohibited by statute, necessary  
5 or convenient to carry out and effectuate the purposes as  
6 determined by statute, Pub. L. No. 105-220, and the Governor,  
7 as well as its functions, duties, and responsibilities,  
8 including, but not limited to, the following:

9           (i) Working with the Department of Education and  
10 Enterprise Florida, Inc., in the implementation of the CHOICE  
11 project pursuant to s. 1003.494.

12           Section 31. Paragraph (g) of subsection (2) of section  
13 1003.51, Florida Statutes, is amended to read:

14           1003.51 Other public educational services.--

15           (2) The State Board of Education shall adopt and  
16 maintain an administrative rule articulating expectations for  
17 effective education programs for youth in Department of  
18 Juvenile Justice programs, including, but not limited to,  
19 education programs in juvenile justice commitment and  
20 detention facilities. The rule shall articulate policies and  
21 standards for education programs for youth in Department of  
22 Juvenile Justice programs and shall include the following:

23           (g) Funding requirements, which shall include the  
24 requirement that at least 90 percent of the FEFP funds  
25 generated by students in Department of Juvenile Justice  
26 programs or in an education program for juveniles under s.  
27 985.233 be spent on instructional costs for those students.  
28 One hundred percent of the formula-based categorical funds  
29 generated by students in Department of Juvenile Justice  
30 programs must be spent on appropriate categoricals such as  
31

1 | instructional materials and public school technology for those  
2 | students.

3 |         Section 32. Section 1003.57, Florida Statutes, is  
4 | amended to read:

5 |         1003.57 Exceptional students instruction.--

6 |         (1) Each district school board shall provide for an  
7 | appropriate program of special instruction, facilities, and  
8 | services for exceptional students as prescribed by the State  
9 | Board of Education as acceptable, including provisions that:

10 |         ~~(a)(1)~~ The district school board provide the necessary  
11 | professional services for diagnosis and evaluation of  
12 | exceptional students.

13 |         ~~(b)(2)~~ The district school board provide the special  
14 | instruction, classes, and services, either within the district  
15 | school system, in cooperation with other district school  
16 | systems, or through contractual arrangements with approved  
17 | private schools or community facilities that meet standards  
18 | established by the commissioner.

19 |         ~~(c)(3)~~ The district school board annually provide  
20 | information describing the Florida School for the Deaf and the  
21 | Blind and all other programs and methods of instruction  
22 | available to the parent of a sensory-impaired student.

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

27 |         ~~(e)(5)~~ A ~~No~~ student may not be given special  
28 | instruction or services as an exceptional student until after  
29 | he or she has been properly evaluated, classified, and placed  
30 | in the manner prescribed by rules of the State Board of  
31 | Education. The parent of an exceptional student evaluated and

1 placed or denied placement in a program of special education  
2 shall be notified of each such evaluation and placement or  
3 denial. Such notice shall contain a statement informing the  
4 parent that he or she is entitled to a due process hearing on  
5 the identification, evaluation, and placement, or lack  
6 thereof. Such hearings shall be exempt from the provisions of  
7 ss. 120.569, 120.57, and 286.011, except to the extent that  
8 the State Board of Education adopts rules establishing other  
9 procedures and any records created as a result of such  
10 hearings shall be confidential and exempt from the provisions  
11 of s. 119.07(1). The hearing must be conducted by an  
12 administrative law judge from the Division of Administrative  
13 Hearings of the Department of Management Services. The  
14 decision of the administrative law judge shall be final,  
15 except that any party aggrieved by the finding and decision  
16 rendered by the administrative law judge shall have the right  
17 to bring a civil action in the circuit court. In such an  
18 action, the court shall receive the records of the  
19 administrative hearing and shall hear additional evidence at  
20 the request of either party. In the alternative, any party  
21 aggrieved by the finding and decision rendered by the  
22 administrative law judge shall have the right to request an  
23 impartial review of the administrative law judge's order by  
24 the district court of appeal as provided by s. 120.68.  
25 Notwithstanding any law to the contrary, during the pendency  
26 of any proceeding conducted pursuant to this section, unless  
27 the district school board and the parents otherwise agree, the  
28 student shall remain in his or her then-current educational  
29 assignment or, if applying for initial admission to a public  
30 school, shall be assigned, with the consent of the parents, in  
31

1 the public school program until all such proceedings have been  
2 completed.

3 ~~(f)(6)~~ In providing for the education of exceptional  
4 students, the district school superintendent, principals, and  
5 teachers shall utilize the regular school facilities and adapt  
6 them to the needs of exceptional students to the maximum  
7 extent appropriate. Segregation of exceptional students shall  
8 occur only if the nature or severity of the exceptionality is  
9 such that education in regular classes with the use of  
10 supplementary aids and services cannot be achieved  
11 satisfactorily.

12 ~~(g)(7)~~ In addition to the services agreed to in a  
13 student's individual education plan, the district school  
14 superintendent shall fully inform the parent of a student  
15 having a physical or developmental disability of all available  
16 services that are appropriate for the student's disability.  
17 The superintendent shall provide the student's parent with a  
18 summary of the student's rights.

19 (2)(a) An exceptional student with a disability who  
20 resides in a residential facility and receives special  
21 instruction or services is considered a resident of the state  
22 in which the student's parent is a resident. The cost of such  
23 instruction, facilities, and services for a nonresident  
24 student with a disability shall be provided by the placing  
25 authority in the student's state of residence, such as a  
26 public school entity, other placing authority, or parent. A  
27 nonresident student with a disability may not be reported by  
28 any school district for FTE funding in the Florida Education  
29 Finance Program.

30 (b) The Department of Education shall provide to each  
31 school district a statement of the specific limitations of the

1 district's financial obligation for exceptional students with  
2 disabilities under federal and state law. The department shall  
3 also provide to each school district technical assistance as  
4 necessary for developing a local plan to impose on a student's  
5 home state the fiscal responsibility for educating a  
6 nonresident exceptional student with a disability.

7 (c) The Department of Education shall develop a  
8 process by which a school district must, before providing  
9 services to an exceptional student with a disability who  
10 resides in a residential facility in this state, review the  
11 residency of the student. The residential facility, not the  
12 district, is responsible for billing and collecting from a  
13 nonresidential student's home state payment for the student's  
14 educational and related services.

15 (d) This subsection applies to any nonresident student  
16 with a disability who resides in a residential facility and  
17 who receives instruction as an exceptional student with a  
18 disability in any type of residential facility in this state,  
19 including, but not limited to, a public school, a private  
20 school, a group home facility as defined in s. 393.063, an  
21 intensive residential treatment program for children and  
22 adolescents as defined in s. 395.002, a facility as defined in  
23 s. 394.455, an intermediate care facility for the  
24 developmentally disabled or ICF/DD as defined in s. 393.063 or  
25 s. 400.960, or a community residential home as defined in s.  
26 419.001.

27 Section 33. Section 1003.576, Florida Statutes, is  
28 created to read:

29 1003.576 Individual education plans for exceptional  
30 students.--The Department of Education shall develop an  
31 individual education plan (IEP) form for use in developing and

1 implementing individual education plans for exceptional  
2 students. The IEP form must have a streamlined format and, to  
3 provide for the use of an existing IEP form when a student  
4 transfers from one school district to another, the IEP form  
5 developed by the department must be used in each school  
6 district in the state.

7           Section 34. Subsection (3) of section 1003.58, Florida  
8 Statutes, is amended to read:

9           1003.58 Students in residential care facilities.--Each  
10 district school board shall provide educational programs  
11 according to rules of the State Board of Education to students  
12 who reside in residential care facilities operated by the  
13 Department of Children and Family Services.

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

19  
20 Notwithstanding the provisions herein, the educational program  
21 at the Marianna Sunland Center in Jackson County shall be  
22 operated by the Department of Education, either directly or  
23 through grants or contractual agreements with other public or  
24 duly accredited educational agencies approved by the  
25 Department of Education.

26           Section 35. Paragraph (a) of subsection (1) and  
27 paragraph (a) of subsection (2) of section 1003.62, Florida  
28 Statutes, are amended to read:

29           1003.62 Academic performance-based charter school  
30 districts.--The State Board of Education may enter into a  
31 performance contract with district school boards as authorized



1 | in this section for the purpose of establishing them as  
2 | academic performance-based charter school districts. The  
3 | purpose of this section is to examine a new relationship  
4 | between the State Board of Education and district school  
5 | boards that will produce significant improvements in student  
6 | achievement, while complying with constitutional and statutory  
7 | requirements assigned to each entity.

8 |           (1) ACADEMIC PERFORMANCE-BASED CHARTER SCHOOL  
9 | DISTRICT.--

10 |           (a) A school district shall be eligible for  
11 | designation as an academic performance-based charter school  
12 | district if it is a high-performing school district in which a  
13 | minimum of 50 percent of the schools earn a ~~performance~~ grade  
14 | of category "A" or "B" and in which no school earns a  
15 | ~~performance~~ grade of category "D" or "F" for 2 consecutive  
16 | years pursuant to s. 1008.34. Schools that receive a  
17 | ~~performance~~ grade of category "I" or "N" shall not be included  
18 | in this calculation. The performance contract for a school  
19 | district that earns a charter based on school ~~performance~~  
20 | grades shall be predicated on maintenance of at least 50  
21 | percent of the schools in the school district earning a  
22 | ~~performance~~ grade of category "A" or "B" with no school in the  
23 | school district earning a ~~performance~~ grade of category "D" or  
24 | "F" for 2 consecutive years. A school district in which the  
25 | number of schools that earn a ~~performance~~ grade of "A" or "B"  
26 | is less than 50 percent may have its charter renewed for 1  
27 | year; however, if the percentage of "A" or "B" schools is less  
28 | than 50 percent for 2 consecutive years, the charter shall not  
29 | be renewed.

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

31 |

1 (a) An academic performance-based charter school  
2 district shall operate in accordance with its charter and  
3 shall be exempt from certain State Board of Education rules  
4 and statutes if the State Board of Education determines such  
5 an exemption will assist the district in maintaining or  
6 improving its high-performing status pursuant to paragraph  
7 (1)(a). However, the State Board of Education may not exempt  
8 an academic performance-based charter school district from any  
9 of the following statutes:

10 1. Those statutes pertaining to the provision of  
11 services to students with disabilities.

12 2. Those statutes pertaining to civil rights,  
13 including s. 1000.05, relating to discrimination.

14 3. Those statutes pertaining to student health,  
15 safety, and welfare.

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

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

20 6. Those statutes pertaining to financial matters,  
21 including chapter 1010.

22 7. Those statutes pertaining to planning and  
23 budgeting, including chapter 1011, except that ss. 1011.64 and  
24 1011.69 shall be eligible for exemption.

25 8. Sections 1012.22(1)(c) and 1012.27(2), relating to  
26 differentiated pay and performance-pay policies for school  
27 administrators and instructional personnel. Professional  
28 service contracts shall be subject to the provisions of ss.  
29 1012.33 and 1012.34.

30 9. Those statutes pertaining to educational  
31 facilities, including chapter 1013, except as specified under

1 | contract with the State Board of Education. However, no  
2 | contractual provision that could have the effect of requiring  
3 | the appropriation of additional capital outlay funds to the  
4 | academic performance-based charter school district shall be  
5 | valid.

6 |         Section 36. Section 1004.64, Florida Statutes, is  
7 | created to read:

8 |         1004.64 Florida Center for Reading Research.--There is  
9 | created at the Florida State University, the Florida Center  
10 | for Reading Research (FCRR). The center shall include two  
11 | outreach centers, one at a central Florida community college  
12 | and one at a south Florida state university. The center and  
13 | the outreach centers, under the center's leadership, shall:

14 |             (1) Provide technical assistance and support to all  
15 | school districts and schools in this state in the  
16 | implementation of evidence-based literacy instruction,  
17 | assessments, programs, and professional development.

18 |             (2) Conduct applied research that will have an  
19 | immediate impact on policy and practices related to literacy  
20 | instruction and assessment in this state with an emphasis on  
21 | struggling readers and reading in the content area strategies  
22 | and methods for secondary teachers.

23 |             (3) Conduct basic research on reading, reading growth,  
24 | reading assessment, and reading instruction which will  
25 | contribute to scientific knowledge about reading.

26 |             (4) Collaborate with the Just Read! Florida Office and  
27 | school districts in the development of frameworks for  
28 | comprehensive reading intervention courses for possible use in  
29 | middle schools and secondary schools.

30 |             (5) Collaborate with the Just Read! Florida Office and  
31 | school districts in the development of frameworks for

1 professional development activities, using multiple delivery  
2 methods for teaching reading in the content area.

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

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

14 Section 37. Subsection (4) of section 1006.09, Florida  
15 Statutes, is amended to read:

16 1006.09 Duties of school principal relating to student  
17 discipline and school safety.--

18 (4) When a student has been the victim of a violent  
19 crime perpetrated by another student who attends the same  
20 school, the school principal shall make full and effective use  
21 of the provisions of subsection (2) and s. 1006.13(5). A  
22 school principal who fails to comply with this subsection  
23 shall be ineligible for any portion of the performance pay  
24 policy incentive or the differentiated pay under s. 1012.22 ~~s.~~  
25 ~~1012.22(1)(c)~~. However, if any party responsible for  
26 notification fails to properly notify the school, the school  
27 principal shall be eligible for the incentive or  
28 differentiated pay.

29 Section 38. Section 1007.21, Florida Statutes, is  
30 amended to read:

31

1           1007.21 Readiness for postsecondary education and the  
2 workplace.--

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

18           (2)(a) Students entering the 9th grade and their  
19 parents shall have developed during the middle grades a 4- to  
20 5-year academic and career plan based on postsecondary and  
21 career ~~be active participants in choosing an~~  
22 ~~end of high school student destination based upon both student~~  
23 ~~and parent~~ goals. Alternate career and academic ~~Four or more~~  
24 destinations should be considered ~~available~~ with bridges  
25 between destinations to enable students to shift academic and  
26 career priorities if destinations ~~should~~ they choose to change  
27 goals. The destinations shall accommodate the needs of  
28 students served in exceptional education programs to the  
29 extent appropriate for individual students. Exceptional  
30 education students may continue to follow the courses outlined  
31 in the district school board student progression plan.

1 ~~Participating~~ Students and their parents shall choose among  
2 destinations, which must include:  
3       1. Four-year college or university, community college  
4 plus university, or military academy degree.  
5       2. Two-year postsecondary degree.  
6       3. Postsecondary career certificate.  
7       4. Immediate employment or entry-level military.  
8       5. A combination of the above.  
9       (b) The student progression model toward a chosen  
10 destination shall include:  
11       1. A "path" of core courses leading to each of the  
12 destinations provided in paragraph (a).  
13       2. A recommended group of electives which shall help  
14 define each path.  
15       3. Provisions for a teacher, school administrator,  
16 other school staff member, or community volunteer to be  
17 assigned to a student as an "academic advocate" if parental  
18 involvement is lacking.  
19       (c) The common placement test authorized in ss.  
20 1001.03(10) and 1008.30 or a similar test may be administered  
21 to all high school second semester sophomores who have chosen  
22 one of the four destinations. The results of the placement  
23 test shall be used to target additional instructional needs in  
24 reading, writing, and mathematics prior to graduation.  
25       (d) Ample opportunity shall be provided for students  
26 to move from one destination to another, and some latitude  
27 shall exist within each destination, to meet the individual  
28 needs of students.  
29       (e) Destinations specified in subparagraphs (a)1., 2.,  
30 and 3. shall support the goals of the Tech Prep program.  
31 Students participating in Tech Prep shall be enrolled in

1 articulated, sequential programs of study that include a  
2 technical component and at least a minimum of a postsecondary  
3 certificate or 2-year degree.

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

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

9 (h) High school equivalency diploma preparation  
10 programs shall not be a choice for high school students  
11 leading to any of the four destinations provided in paragraph  
12 (a) since the appropriate coursework, counseling component,  
13 and career preparation cannot be ensured.

14 (i) Schools shall ensure that students and parents are  
15 made aware of the destinations available and provide the  
16 necessary coursework to assist the student in reaching the  
17 chosen destination. Students and parents shall be made aware  
18 of the student's progress toward the chosen destination.

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

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

26 (b) The school principal shall:

27 1. Designate a member of the existing instructional or  
28 administrative staff to serve as a specialist to help  
29 coordinate the use of student achievement strategies to help  
30 students succeed in their coursework. The specialist shall  
31 also assist teachers in integrating the academic and career

1 | curricula, utilizing technology, providing feedback regarding  
2 | student achievement, and implementing the Blueprint for Career  
3 | Preparation and Tech Prep programs.

4 |         2. Institute strategies to eliminate reading, writing,  
5 | and mathematics deficiencies of secondary students.

6 |         Section 39. Paragraph (c) of subsection (3) of section  
7 | 1007.2615, Florida Statutes, is amended to read:

8 |             1007.2615 American Sign Language; findings;  
9 | foreign-language credits authorized; teacher licensing.--

10 |             (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE  
11 | BOARD OF EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE  
12 | TEACHERS; PLAN FOR POSTSECONDARY EDUCATION PROVIDERS.--

13 |             (c) An ASL teacher must be certified by the Department  
14 | of Education by July 1, 2009 ~~January 1, 2008, and must obtain~~  
15 | ~~current certification through the Florida American Sign~~  
16 | ~~Language Teachers' Association (FASLTA) by January 1, 2006.~~  
17 | ~~New FASLTA certification may be used by current ASL teachers~~  
18 | ~~as an alternative certification track.~~

19 |         Section 40. Subsections (5) and (16) of section  
20 | 1007.271, Florida Statutes, are amended to read:

21 |             1007.271 Dual enrollment programs.--

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



1 whenever possible. Alternative grade calculation, weighting  
2 systems, or information regarding student education options  
3 which discriminates against dual enrollment courses are  
4 prohibited.

5 (16) Beginning with students entering grade 9 in the  
6 2006-2007 school year, school districts and community colleges  
7 must weigh ~~college-level~~ dual enrollment courses the same as  
8 ~~honors courses and~~ advanced placement, International  
9 Baccalaureate, and Advanced International Certificate of  
10 Education courses when grade point averages are calculated.  
11 Alternative grade calculation or weighting systems that  
12 discriminate against dual enrollment courses are prohibited.

13 Section 41. Paragraphs (c) and (f) of subsection (1),  
14 paragraphs (c) and (e) of subsection (3), and subsection (9)  
15 of section 1008.22, Florida Statutes, are amended, paragraph  
16 (f) is added to subsection (3) of that section, present  
17 subsection (10) of that section is redesignated as subsection  
18 (11), and a new subsection (10) is added to that section, to  
19 read:

20 1008.22 Student assessment program for public  
21 schools.--

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

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

1 (f) Provide information on the performance of Florida  
2 students compared with that of other students ~~others~~ across  
3 the United States.

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

20 (c) Develop and implement a student achievement  
21 testing program known as the Florida Comprehensive Assessment  
22 Test (FCAT) as part of the statewide assessment program, ~~to be~~  
23 ~~administered annually in grades 3 through 10~~ to measure  
24 reading, writing, science, and mathematics. Other content  
25 areas may be included as directed by the commissioner. The  
26 assessment of reading and mathematics shall be administered  
27 annually in grades 3 through 10. The assessment of writing and  
28 science shall be administered at least once at the elementary,  
29 middle, and high school levels. The commissioner must document  
30 the procedures used to ensure that the versions of the FCAT  
31 which are taken by students retaking the grade 10 FCAT are

1 equally as challenging and difficult as the tests taken by  
2 students in grade 10 which contain performance tasks. The  
3 testing program must be designed so that:

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

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

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

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

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

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

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

1 nonparticipation. ~~If modifications are made in the student's~~  
2 ~~instruction to provide accommodations that would not be~~  
3 ~~permitted on the statewide assessment tests, the district must~~  
4 ~~notify the student's parent of the implications of such~~  
5 ~~instructional modifications.~~ A parent must provide signed  
6 consent for a student to receive accommodations in the  
7 classroom ~~instructional modifications~~ that would not be  
8 permitted on the statewide assessments and must acknowledge in  
9 writing that he or she understands the implications of such  
10 accommodations. The State Board of Education shall adopt  
11 rules, based upon recommendations of the commissioner, for the  
12 provision of test accommodations ~~and modifications of~~  
13 ~~procedures as necessary~~ for students in exceptional education  
14 programs and for students who have limited English  
15 proficiency. Accommodations that negate the validity of a  
16 statewide assessment are not allowable in the administration  
17 of the FCAT but are allowable in the classroom if included in  
18 a student's individual education plan. Students using an FCAT  
19 nonallowable accommodation in the classroom may have the FCAT  
20 requirement waived pursuant to s. 1003.43(11)(b).

21 7. A student seeking an adult high school diploma must  
22 meet the same testing requirements that a regular high school  
23 student must meet.

24 8. District school boards must provide instruction to  
25 prepare students to demonstrate proficiency in the skills and  
26 competencies necessary for successful grade-to-grade  
27 progression and high school graduation. If a student is  
28 provided with accommodations ~~or modifications~~ that are not  
29 allowable in the statewide assessment program, as described in  
30 the test manuals, the district must inform the parent in  
31 writing and must provide the parent with information regarding

1 | the impact on the student's ability to meet expected  
2 | proficiency levels in reading, writing, and math. The  
3 | commissioner shall conduct studies as necessary to verify that  
4 | the required skills and competencies are part of the district  
5 | instructional programs.

6 | 9. District school boards must provide opportunities  
7 | for students to retake the FCAT following enrollment in summer  
8 | academies.

9 | ~~10.9.~~ The Department of Education must develop, or  
10 | select, and implement a common battery of assessment tools  
11 | that will be used in all juvenile justice programs in the  
12 | state. These tools must accurately measure the skills and  
13 | competencies established in the ~~Florida~~ Sunshine State  
14 | Standards.

15 | 11. For students seeking a special diploma pursuant to  
16 | s. 1003.438, the Department of Education must develop, or  
17 | select and implement, a common battery of assessment tools  
18 | that accurately measure the skills and competencies  
19 | established in the Sunshine State Standards under s. 1003.438  
20 | for students with significant cognitive disabilities.

21 |  
22 | The commissioner may, based on collaboration and input from  
23 | school districts, design and implement student testing  
24 | programs, for any grade level and subject area, necessary to  
25 | effectively measure educational achievement of the Sunshine  
26 | State Standards for students with significant cognitive  
27 | disabilities ~~monitor educational achievement in the state.~~  
28 | Development and refinement shall include universal design  
29 | principles and accessibility standards or web-based  
30 | assessments that will prevent any unintended obstacles for  
31 | students with disabilities while ensuring the validity and

1 reliability of the test. The field testing process and  
2 psychometric analyses for the statewide assessment program  
3 formats must include an appropriate percentage of students  
4 with disabilities and an evaluation or determination of the  
5 effect of test items on such students.

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

11 (f) Research the cost and student achievement impact  
12 of developing and establishing secondary school end-of-course  
13 assessments based on identified course competencies and  
14 including web-based and performance formats. Reports must be  
15 made to the Legislature prior to implementation.

16 (9) EQUIVALENCIES FOR STANDARDIZED TESTS.--

17 (a) The State Board of Education shall conduct  
18 concordance studies, as necessary, in order to determine  
19 scores on the SAT and the ACT which are equivalent to those  
20 required on the FCAT for high school graduation pursuant to s.  
21 1003.429(6)(a) or s. 1003.43(5)(a).

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

31

1           ~~(c)(b)~~ A student shall be required to take each  
2 subject area of the grade 10 FCAT a total of three times  
3 without earning a passing score in order to use the  
4 corresponding subject area scores on an alternative assessment  
5 pursuant to paragraph~~(b)(a)~~. This requirement shall not  
6 apply to a new student who enters ~~is a new student to~~ the  
7 public school system in grade 12, who may take the FCAT or use  
8 approved score equivalencies for the purpose of fulfilling the  
9 graduation requirement.

10           (d) The State Board of Education may define by rule  
11 the allowable uses, other than to satisfy the high school  
12 graduation requirement, of concordant scores as described in  
13 this subsection. Such uses may include, but need not be  
14 limited to, achieving appropriate standardized test scores  
15 required for the awarding of Florida Bright Futures  
16 Scholarships and for college placement.

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

21           (a) Longitudinal performance of students in  
22 mathematics and reading.

23           (b) Longitudinal performance of students by grade  
24 level in mathematics and reading.

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

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

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



1 available, and numbers of students who after 8th grade enroll  
2 in adult education rather than secondary education.

3 Section 42. Subsection (4) of section 1008.25, Florida  
4 Statutes, is amended to read:

5 1008.25 Public school student progression; remedial  
6 instruction; reporting requirements.--

7 (4) ASSESSMENT AND REMEDIATION.--

8 (a) Each student must participate in the statewide  
9 assessment tests required by s. 1008.22. Each student who does  
10 not meet specific levels of performance as determined by the  
11 district school board in reading, writing, science, and  
12 mathematics for each grade level, or who scores below Level 3  
13 in reading or math does not meet specific levels of  
14 performance as determined by the commissioner on statewide  
15 assessments at selected grade levels, must be provided with  
16 additional diagnostic assessments to determine the nature of  
17 the student's difficulty, the and areas of academic need, and  
18 strategies for appropriate intervention and instruction.

19 (b) The school in which the student is enrolled must  
20 develop, in consultation with the student's parent, and must  
21 implement a progress monitoring an academic improvement plan  
22 designed to assist the student in meeting state and district  
23 expectations for proficiency. For secondary students who score  
24 below Level 3 in reading and math, these provisions shall be  
25 included within the academic and career plans pursuant to s.  
26 1003.415(5). ~~For a student for whom a personalized middle~~  
27 ~~school success plan is required pursuant to s. 1003.415, the~~  
28 ~~middle school success plan must be incorporated in the~~  
29 ~~student's academic improvement plan.~~ Beginning with the  
30 2006-2007 ~~2002-2003~~ school year, if the student has been  
31 identified as having a deficiency in reading or math, the

1 ~~progress monitoring academic improvement~~ plan shall identify  
2 the student's specific areas of deficiency or skills gaps in  
3 math and reading ~~phonemic awareness, phonics, fluency,~~  
4 ~~comprehension, and vocabulary~~; the desired levels of  
5 performance in these areas; and the instructional and support  
6 services to be provided to meet the desired levels of  
7 performance. ~~Schools shall also provide for the frequent~~  
8 ~~monitoring of the student's progress in meeting the desired~~  
9 ~~levels of performance.~~ District school boards shall assist  
10 schools and teachers to implement research-based reading and  
11 math activities and instructional strategies that have been  
12 shown to be successful with ~~in teaching reading to~~  
13 low-performing students. Intensive remedial instruction  
14 provided during middle and high school to students scoring at  
15 Level I on the most recently administered FCAT may not be in  
16 lieu of English and mathematics ~~credits required for~~  
17 ~~graduation.~~

18 (c) Upon subsequent evaluation, if the documented  
19 deficiency has not been remediated in accordance with the  
20 ~~progress monitoring academic improvement~~ plan, the student may  
21 be retained. Each student who does not meet the minimum  
22 performance expectations defined by the Commissioner of  
23 Education for the statewide assessment tests in reading,  
24 writing, science, and mathematics must continue to be provided  
25 with remedial or supplemental instruction until the  
26 expectations are met or the student graduates from high school  
27 or is not subject to compulsory school attendance.

28 Section 43. Section 1008.301, Florida Statutes, is  
29 repealed.

30 Section 44. Section 1008.31, Florida Statutes, is  
31 amended to read:

1           1008.31 Florida's K-20 education performance  
2 accountability system; legislative intent; ~~performance based~~  
3 ~~funding~~; mission, goals, and systemwide measures; public  
4 accountability and reporting.--

5           (1) LEGISLATIVE INTENT.--It is the intent of the  
6 Legislature that:

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

11           1. What is the public receiving in return for funds it  
12 invests in education?

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

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

17           4. How are individual schools and postsecondary  
18 education institutions performing their responsibility to  
19 educate their students, as measured by student performance,  
20 student ~~how students are performing and how much they are~~  
21 learning, and actual completion rates?

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

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

31

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

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

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

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

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

24 1. Focused on student success.

25 2. Addressable through policy and program changes.

26 3. Efficient and of high quality.

27 4. Measurable over time.

28 5. Simple to explain and display to the public.

29 6. Aligned with other measures and other sectors in  
30 order to support a coordinated K-20 education system.

31

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

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

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

28           3. Skilled workforce and economic development, as  
29 measured by evidence of employment and earnings; ~~the number~~  
30 ~~and percentage of graduates employed in their areas of~~  
31 ~~preparation; the percentage of Floridians with high school~~

1 ~~diplomas and postsecondary education credentials; the~~  
2 ~~percentage of business and community members who find that~~  
3 ~~Florida's graduates possess the skills they need; national~~  
4 ~~rankings; and other measures identified in law or rule.~~

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

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

13 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS  
14 SYSTEMWIDE DATA COLLECTION.--In order to provide the data  
15 required to implement education performance accountability  
16 measures in state and federal law, the Commissioner of  
17 Education shall initiate and maintain strategies to improve  
18 data quality and timeliness.

19 (a) School districts and public postsecondary  
20 educational institutions shall maintain information systems  
21 that will provide the State Board of Education, the Board of  
22 Governors of the State University System, and the Legislature  
23 with information and reports necessary to address the  
24 specifications of the accountability system. ~~The State Board~~  
25 ~~of Education shall determine the standards for the required~~  
26 ~~data.~~ The level of comprehensiveness and quality shall be no  
27 less than that which was available as of June 30, 2001.

28 (b) The Commissioner of Education shall determine the  
29 standards for the required data, monitor data quality, and  
30 measure improvements. The commissioner shall report annually  
31 to the State Board of Education, the Board of Governors of the

1 State University System, the President of the Senate, and the  
2 Speaker of the House of Representatives the data quality  
3 indicators, ratings for all school districts and public  
4 postsecondary educational institutions, and information on  
5 Florida's calculation of graduation rates and how this  
6 compares to calculation methods by other states.

7 (4) REPORTING OR DATA COLLECTION.--The department  
8 shall coordinate with school districts in developing any  
9 reporting or data-collection requirements to address the  
10 specifications of the accountability system. Before  
11 establishing any new reporting or data-collection  
12 requirements, the department shall use any existing data being  
13 collected to reduce duplication and minimize paperwork.

14 Section 45. Section 1008.33, Florida Statutes, is  
15 amended to read:

16 1008.33 Authority to enforce public school  
17 improvement.--It is the intent of the Legislature that all  
18 public schools be held accountable for students performing at  
19 acceptable levels. A system of school improvement and  
20 accountability that assesses student performance by school,  
21 identifies schools in which students are not making adequate  
22 progress toward state standards, institutes appropriate  
23 measures for enforcing improvement, and provides rewards and  
24 sanctions based on performance shall be the responsibility of  
25 the State Board of Education.

26 (1) Pursuant to Art. IX of the State Constitution  
27 prescribing the duty of the State Board of Education to  
28 supervise Florida's public school system and notwithstanding  
29 any other statutory provisions to the contrary, the State  
30 Board of Education shall intervene in the operation of a  
31 district school system when one or more schools in the school

1 district have failed to make adequate progress for 2 school  
2 years in a 4-year period. For purposes of determining when a  
3 school is eligible for state board action and opportunity  
4 scholarships for its students, the terms "2 years in any  
5 4-year period" and "2 years in a 4-year period" mean that in  
6 any year that a school has a grade of "F," the school is  
7 eligible for state board action and opportunity scholarships  
8 for its students if it also has had a grade of "F" in any of  
9 the previous 3 school years. The State Board of Education may  
10 determine that the school district or school has not taken  
11 steps sufficient for students in the school to be academically  
12 well served. Considering recommendations of the Commissioner  
13 of Education, the State Board of Education shall recommend  
14 action to a district school board intended to improve  
15 educational services to students in each school that is  
16 designated with a ~~as~~ performance grade of ~~category~~ "F."  
17 Recommendations for actions to be taken in the school district  
18 shall be made only after thorough consideration of the unique  
19 characteristics of a school, which shall include student  
20 mobility rates, the number and type of exceptional students  
21 enrolled in the school, and the availability of options for  
22 improved educational services. The state board shall adopt by  
23 rule steps to follow in this process. Such steps shall  
24 provide school districts sufficient time to improve student  
25 performance in schools and the opportunity to present evidence  
26 of assistance and interventions that the district school board  
27 has implemented.

28 (2) The State Board of Education may recommend one or  
29 more of the following actions to district school boards to  
30 enable students in schools designated with a ~~as~~ performance  
31



1 grade ~~of category~~ "F" to be academically well served by the  
2 public school system:

3 (a) Provide additional resources, change certain  
4 practices, and provide additional assistance if the state  
5 board determines the causes of inadequate progress to be  
6 related to school district policy or practice;

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

9 (c) Contract for the educational services of the  
10 school, or reorganize the school at the end of the school year  
11 under a new school principal who is authorized to hire new  
12 staff and implement a plan that addresses the causes of  
13 inadequate progress. A contract to administer an alternative  
14 school may not be entered into with a private entity which  
15 contract changes the character of the alternative school  
16 population as it existed when the alternative school was  
17 administered by the public school system. The term "character  
18 of the alternative school population" means the percentage of  
19 students having learning disabilities, physical disabilities,  
20 emotional disabilities, or developmental disabilities, as well  
21 as the percentage of students having discipline problems;

22 (d) Allow parents of students in the school to send  
23 their children to another district school of their choice; or

24 (e) Other action appropriate to improve the school's  
25 performance, including, if the school is a high school,  
26 requiring annual publication of the school's graduation rate  
27 calculated without GED tests for the past 3 years,  
28 disaggregated by student ethnicity.

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

1 Board of Education may adopt rules to further specify how it  
2 may respond in specific circumstances. No action taken by the  
3 State Board of Education shall relieve a school from state  
4 accountability requirements.

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 46. 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, including achievement  
16 scores for students seeking a special diploma ~~School~~  
17 ~~performance grade category designations shall be based on the~~  
18 ~~school's current year performance and the school's annual~~  
19 ~~learning gains.~~

20 2. ~~A school's performance grade category designation~~  
21 ~~shall be based on a combination of student achievement scores,~~  
22 Student learning gains as measured by annual FCAT assessments  
23 in grades 3 through 10; learning gains as measured by a common  
24 battery of assessment tools for students seeking a special  
25 diploma, no later than the 2008-2009 school year; and

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

30  
31

1 (b) Student assessment data.--Student assessment data  
2 used in determining school ~~grades~~ ~~performance grade categories~~  
3 shall include:

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

6 2. The aggregate scores of all eligible students  
7 enrolled in the school who have been assessed on the FCAT,  
8 including Florida Writes, and who have scored at or in the  
9 lowest 25th percentile of students in the school in reading,  
10 math, or writing, unless these students are exhibiting  
11 ~~performing above~~ satisfactory performance.

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

1 districts must require collaboration between the home school  
2 and the alternative school in order to promote student  
3 success.

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

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

25 (5) ~~SCHOOL REPORT CARD PERFORMANCE GRADE CATEGORY AND~~  
26 ~~IMPROVEMENT RATING REPORTS.~~--The Department of Education shall  
27 annually develop, in collaboration with the school districts,  
28 a school report card to be delivered to parents throughout  
29 each school district. The report card shall include the  
30 school's grade, information regarding school improvement, an  
31 explanation of school performance as evaluated by the federal

1 No Child Left Behind Act of 2001, and indicators of return on  
2 investment. School performance grade category designations and  
3 improvement ratings shall apply to each school's performance  
4 for the year in which performance is measured. Each school's  
5 report card designation and rating shall be published annually  
6 by the department on its website, of Education and the school  
7 district shall provide the school report card to each parent.  
8 ~~Parents shall be entitled to an easy to read report card about~~  
9 ~~the designation and rating of the school in which their child~~  
10 ~~is enrolled.~~

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

14 ~~(6)(7)~~ PERFORMANCE-BASED FUNDING.--The Legislature may  
15 factor in the performance of schools in calculating any  
16 performance-based funding policy that is provided for annually  
17 in the General Appropriations Act.

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

26 Section 47. Section 1008.341, Florida Statutes, is  
27 created to read:

28 1008.341 School-improvement rating for alternative  
29 schools.--

30 (1) ANNUAL REPORTS.--The Commissioner of Education  
31 shall prepare an annual report on the performance of each

1 school receiving a school-improvement rating pursuant to this  
2 section if the provisions of s. 1002.22 pertaining to student  
3 records apply.

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

11 (a) "Improving" means schools with students making  
12 more academic progress than when the students were served in  
13 their home schools.

14 (b) "Maintaining" means schools with students making  
15 progress equivalent to the progress made when the students  
16 were served in their home schools.

17 (c) "Declining" means schools with students making  
18 less academic progress than when the students were served in  
19 their home schools.

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

26 (3) DESIGNATION OF SCHOOL-IMPROVEMENT RATING.--Student  
27 data used in determining an alternative school's  
28 school-improvement rating shall include:

29 (a) The aggregate scores of all eligible students who  
30 were assigned to and enrolled in the school during the October  
31 or February FTE count, who have been assessed on the FCAT, and



1 who have FCAT or comparable scores for the preceding school  
2 year.

3 (b) The aggregate scores of all eligible students who  
4 were assigned to and enrolled in the school during the October  
5 or February FTE count, who have been assessed on the FCAT,  
6 including Florida Writes, and who have scored in the lowest  
7 25th percentile of students in the state on FCAT Reading.

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

16 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.--For  
17 each alternative school receiving a school-improvement rating,  
18 the Department of Education shall annually identify the  
19 percentage of students making learning gains as compared to  
20 the percentage of the same students making learning gains in  
21 their home schools in the year prior to being assigned to the  
22 alternative school.

23 (5) SCHOOL REPORT CARD.--The Department of Education  
24 shall annually develop, in collaboration with the school  
25 districts, a school report card for alternative schools to be  
26 delivered to parents throughout each school district. The  
27 report card shall include the school-improvement rating,  
28 identification of student learning gains, student attendance  
29 data, information regarding school improvement, an explanation  
30 of school performance as evaluated by the federal No Child  
31

1 Left Behind Act of 2001, and indicators of return on  
2 investment.

3 Section 48. Subsection (5), paragraphs (b) and (d) of  
4 subsection (6), and subsection (7) of section 1008.345,  
5 Florida Statutes, are amended to read:

6 1008.345 Implementation of state system of school  
7 improvement and education accountability.--

8 (5) The commissioner shall report to the Legislature  
9 and recommend changes in state policy necessary to foster  
10 school improvement and education accountability. Included in  
11 the report shall be a list of the schools, including schools  
12 operating for the purpose of providing educational services to  
13 youth in Department of Juvenile Justice programs, for which  
14 district school boards have developed assistance and  
15 intervention plans and an analysis of the various strategies  
16 used by the school boards. School reports shall be distributed  
17 pursuant to this subsection and s. 1001.42(16)(f) ~~s.~~  
18 ~~1001.42(16)(e)~~ and according to rules adopted by the State  
19 Board of Education.

20 (6)

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

1 ~~as performance grade of category~~ "D" or "F" and school  
2 districts in rural and sparsely populated areas of the state.

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

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

19 (b) Schools that have improved at least two grades  
20 ~~performance grade categories~~ and that meet the criteria of the  
21 Florida School Recognition Program pursuant to s. 1008.36 may  
22 be given deregulated status as specified in s. 1003.63(5),  
23 (7), (8), (9), and (10).

24 Section 49. Subsection (3) of section 1009.24, Florida  
25 Statutes, is amended to read:

26 1009.24 State university student fees.--

27 (3) Except as otherwise provided by law, undergraduate  
28 tuition shall be established annually in the General  
29 Appropriations Act. The Board of Governors, or the board's  
30 designee, may establish tuition for graduate and professional  
31 programs, and out-of-state fees for all programs. The sum of

1 tuition and out-of-state fees assessed to nonresident students  
2 must be sufficient to offset the full instructional cost of  
3 servicing such students. However, adjustments to out-of-state  
4 fees or tuition for graduate and professional programs  
5 pursuant to this section may not exceed 10 percent in any  
6 year. Within proviso in the General Appropriations Act and  
7 law, each board of trustees shall set university tuition and  
8 fees. The sum of the activity and service, health, and  
9 athletic fees a student is required to pay to register for a  
10 course shall not exceed 40 percent of the tuition established  
11 in law or in the General Appropriations Act. No university  
12 shall be required to lower any fee in effect on the effective  
13 date of this act in order to comply with this subsection.  
14 Within the 40 percent cap, universities may not increase the  
15 aggregate sum of activity and service, health, and athletic  
16 fees more than 5 percent per year unless specifically  
17 authorized in law or in the General Appropriations Act. A  
18 university may increase its athletic fee to defray the costs  
19 associated with changing National Collegiate Athletic  
20 Association divisions. Any such increase in the athletic fee  
21 may exceed both the 40 percent cap and the 5 percent cap  
22 imposed by this subsection. Any such increase must be approved  
23 by the athletic fee committee in the process outlined in  
24 subsection (11) and cannot exceed \$2 per credit hour.  
25 Notwithstanding the provisions of ss. 1009.534, 1009.535, and  
26 1009.536, that portion of any increase in an athletic fee  
27 pursuant to this subsection that causes the sum of the  
28 activity and service, health, and athletic fees to exceed the  
29 40 percent cap or the annual increase in such fees to exceed  
30 the 5 percent cap shall not be included in calculating the  
31 amount a student receives for a Florida Academic Scholars

1 award, a Florida Medallion Scholars award, or a Florida Gold  
2 Seal Vocational Scholars award. This subsection does not  
3 prohibit a university from increasing or assessing optional  
4 fees related to specific activities if payment of such fees is  
5 not required as a part of registration for courses.

6 Section 50. Paragraphs (f), (h), (l), (m), and (n) of  
7 subsection (1) and paragraphs (a) and (b) of subsection (4) of  
8 section 1011.62, Florida Statutes, are amended, present  
9 subsections (8) and (9) of that section are redesignated as  
10 subsections (9) and (10), respectively, and amended, and a new  
11 subsection (8) is added to that section, to read:

12 1011.62 Funds for operation of schools.--If the annual  
13 allocation from the Florida Education Finance Program to each  
14 district for operation of schools is not determined in the  
15 annual appropriations act or the substantive bill implementing  
16 the annual appropriations act, it shall be determined as  
17 follows:

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

22 (f) Supplemental academic instruction; categorical  
23 fund.--

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

28 2. Categorical funds for supplemental academic  
29 instruction shall be allocated annually to each school  
30 district in the amount provided in the General Appropriations  
31 Act. These funds shall be in addition to the funds

1 appropriated on the basis of FTE student membership in the  
2 Florida Education Finance Program and shall be included in the  
3 total potential funds of each district. These funds shall be  
4 used to provide supplemental academic instruction to students  
5 enrolled in the K-12 program. Supplemental instruction  
6 strategies may include, but are not limited to: modified  
7 curriculum, reading instruction, after-school instruction,  
8 tutoring, mentoring, class size reduction, extended school  
9 year, intensive skills development in summer school, and other  
10 methods for improving student achievement. Supplemental  
11 instruction may be provided to a student in any manner and at  
12 any time during or beyond the regular 180-day term identified  
13 by the school as being the most effective and efficient way to  
14 best help that student progress from grade to grade and to  
15 graduate.

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

27           4. The Florida State University School, as a lab  
28 school, is authorized to expend from its FEFP or Lottery  
29 Enhancement Trust Fund allocation the cost to the student of  
30 remediation in reading, writing, or mathematics for any  
31

1 graduate who requires remediation at a postsecondary  
2 educational institution.

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

7 (h) Small, isolated high schools.--Districts which  
8 levy the maximum nonvoted discretionary millage, exclusive of  
9 millage for capital outlay purposes levied pursuant to s.  
10 1011.71(2), may calculate full-time equivalent students for  
11 small, isolated high schools by multiplying the number of  
12 unweighted full-time equivalent students times 2.75; provided  
13 the school has attained a ~~state accountability performance~~  
14 grade ~~category~~ of "C" or better, pursuant to s. 1008.34, for  
15 the previous school year. For the purpose of this section, the  
16 term "small, isolated high school" means any high school which  
17 is located no less than 28 miles by the shortest route from  
18 another high school; which has been serving students primarily  
19 in basic studies provided by sub-subparagraphs (c)1.b. and c.  
20 and may include subparagraph (c)4.; and which has a membership  
21 of no more than 100 students, but no fewer than 28 students,  
22 in grades 9 through 12.

23 (l) Calculation of additional full-time equivalent  
24 membership based on international baccalaureate examination  
25 scores of students.--A value of 0.24 full-time equivalent  
26 student membership shall be calculated for each student  
27 enrolled in an international baccalaureate course who receives  
28 a score of 4 or higher on a subject examination. A value of  
29 0.3 full-time equivalent student membership shall be  
30 calculated for each student who receives an international  
31 baccalaureate diploma. Such value shall be added to the total

1 full-time equivalent student membership in basic programs for  
2 grades 9 through 12 in the subsequent fiscal year. The school  
3 district shall distribute to each classroom teacher who  
4 provided international baccalaureate instruction:

5         1. A bonus in the amount of \$50 for each student  
6 taught by the International Baccalaureate teacher in each  
7 international baccalaureate course who receives a score of 4  
8 or higher on the international baccalaureate examination.

9         2. An additional bonus of \$500 to each International  
10 Baccalaureate teacher in a school designated with a  
11 ~~performance~~ grade of category "D" or "F" who has at least one  
12 student scoring 4 or higher on the international baccalaureate  
13 examination, regardless of the number of classes taught or of  
14 the number of students scoring a 4 or higher on the  
15 international baccalaureate examination.

16  
17 Bonuses awarded to a teacher according to this paragraph shall  
18 not exceed \$2,000 in any given school year and shall be in  
19 addition to any regular wage or other bonus the teacher  
20 received or is scheduled to receive.

21         (m) Calculation of additional full-time equivalent  
22 membership based on Advanced International Certificate of  
23 Education examination scores of students.--A value of 0.24  
24 full-time equivalent student membership shall be calculated  
25 for each student enrolled in a full-credit Advanced  
26 International Certificate of Education course who receives a  
27 score of E or higher on a subject examination. A value of 0.12  
28 full-time equivalent student membership shall be calculated  
29 for each student enrolled in a half-credit Advanced  
30 International Certificate of Education course who receives a  
31 score of E or higher on a subject examination. A value of 0.3



1 full-time equivalent student membership shall be calculated  
2 for each student who receives an Advanced International  
3 Certificate of Education diploma. Such value shall be added to  
4 the total full-time equivalent student membership in basic  
5 programs for grades 9 through 12 in the subsequent fiscal  
6 year. The school district shall distribute to each classroom  
7 teacher who provided Advanced International Certificate of  
8 Education instruction:

9           1. A bonus in the amount of \$50 for each student  
10 taught by the Advanced International Certificate of Education  
11 teacher in each full-credit Advanced International Certificate  
12 of Education course who receives a score of E or higher on the  
13 Advanced International Certificate of Education examination. A  
14 bonus in the amount of \$25 for each student taught by the  
15 Advanced International Certificate of Education teacher in  
16 each half-credit Advanced International Certificate of  
17 Education course who receives a score of E or higher on the  
18 Advanced International Certificate of Education examination.

19           2. An additional bonus of \$500 to each Advanced  
20 International Certificate of Education teacher in a school  
21 designated with a performance grade of category "D" or "F" who  
22 has at least one student scoring E or higher on the  
23 full-credit Advanced International Certificate of Education  
24 examination, regardless of the number of classes taught or of  
25 the number of students scoring an E or higher on the  
26 full-credit Advanced International Certificate of Education  
27 examination.

28           3. Additional bonuses of \$250 each to teachers of  
29 half-credit Advanced International Certificate of Education  
30 classes in a school designated with a performance grade of  
31 ~~category~~ "D" or "F" which has at least one student scoring an

1 E or higher on the half-credit Advanced International  
2 Certificate of Education examination in that class. The  
3 maximum additional bonus for a teacher awarded in accordance  
4 with this subparagraph shall not exceed \$500 in any given  
5 school year. Teachers receiving an award under subparagraph 2.  
6 are not eligible for a bonus under this subparagraph.

7  
8 Bonuses awarded to a teacher according to this paragraph shall  
9 not exceed \$2,000 in any given school year and shall be in  
10 addition to any regular wage or other bonus the teacher  
11 received or is scheduled to receive.

12 (n) Calculation of additional full-time equivalent  
13 membership based on college board advanced placement scores of  
14 students.--A value of 0.24 full-time equivalent student  
15 membership shall be calculated for each student in each  
16 advanced placement course who receives a score of 3 or higher  
17 on the College Board Advanced Placement Examination for the  
18 prior year and added to the total full-time equivalent student  
19 membership in basic programs for grades 9 through 12 in the  
20 subsequent fiscal year. Each district must allocate at least  
21 80 percent of the funds provided to the district for advanced  
22 placement instruction, in accordance with this paragraph, to  
23 the high school that generates the funds. The school district  
24 shall distribute to each classroom teacher who provided  
25 advanced placement instruction:

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

30 2. An additional bonus of \$500 to each Advanced  
31 Placement teacher in a school designated with a performance

1 grade ~~of category~~ "D" or "F" who has at least one student  
2 scoring 3 or higher on the College Board Advanced Placement  
3 Examination, regardless of the number of classes taught or of  
4 the number of students scoring a 3 or higher on the College  
5 Board Advanced Placement Examination.

6  
7 Bonuses awarded to a teacher according to this paragraph shall  
8 not exceed \$2,000 in any given school year and shall be in  
9 addition to any regular wage or other bonus the teacher  
10 received or is scheduled to receive.

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

19 (a) Estimated taxable value calculations.--

20 1.a. Not later than 2 working days prior to July 19,  
21 the Department of Revenue shall certify to the Commissioner of  
22 Education its most recent estimate of the taxable value for  
23 school purposes in each school district and the total for all  
24 school districts in the state for the current calendar year  
25 based on the latest available data obtained from the local  
26 property appraisers. Not later than July 19, the Commissioner  
27 of Education shall compute a millage rate, rounded to the next  
28 highest one one-thousandth of a mill, which, when applied to  
29 95 percent of the estimated state total taxable value for  
30 school purposes, would generate the prescribed aggregate  
31 required local effort for that year for all districts. The

1 Commissioner of Education shall certify to each district  
2 school board the millage rate, computed as prescribed in this  
3 subparagraph, as the minimum millage rate necessary to provide  
4 the district required local effort for that year.

5         b. The General Appropriations Act shall direct the  
6 computation of the statewide adjusted aggregate amount for  
7 required local effort for all school districts collectively  
8 from ad valorem taxes to ensure that no school district's  
9 revenue from required local effort millage will produce more  
10 than 90 percent of the district's total Florida Education  
11 Finance Program calculation, and the adjustment of the  
12 required local effort millage rate of each district that  
13 produces more than 90 percent of its total Florida Education  
14 Finance Program entitlement to a level that will produce only  
15 90 percent of its total Florida Education Finance Program  
16 entitlement in the July calculation.

17         2. As revised data are received from property  
18 appraisers, the Department of Revenue shall amend the  
19 certification of the estimate of the taxable value for school  
20 purposes. The Commissioner of Education, in administering the  
21 provisions of subparagraph(10)(a)2.(9)(a)2-, shall use the  
22 most recent taxable value for the appropriate year.

23         (b) Final calculation.--

24         1. The Department of Revenue shall, upon receipt of  
25 the official final assessed value of property from each of the  
26 property appraisers, certify to the Commissioner of Education  
27 the taxable value total for school purposes in each school  
28 district, subject to the provisions of paragraph (d). The  
29 commissioner shall use the official final taxable value for  
30 school purposes for each school district in the final  
31

1 calculation of the annual Florida Education Finance Program  
2 allocations.

3           2. For the purposes of this paragraph, the official  
4 final taxable value for school purposes shall be the taxable  
5 value for school purposes on which the tax bills are computed  
6 and mailed to the taxpayers, adjusted to reflect final  
7 administrative actions of value adjustment boards and judicial  
8 decisions pursuant to part I of chapter 194. By September 1 of  
9 each year, the Department of Revenue shall certify to the  
10 commissioner the official prior year final taxable value for  
11 school purposes. For each county that has not submitted a  
12 revised tax roll reflecting final value adjustment board  
13 actions and final judicial decisions, the Department of  
14 Revenue shall certify the most recent revision of the official  
15 taxable value for school purposes. The certified value shall  
16 be the final taxable value for school purposes, and no further  
17 adjustments shall be made, except those made pursuant to  
18 subparagraph(10)(a)2.(9)(a)2-

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

20           (a) The research-based reading instruction allocation  
21 is created to provide comprehensive reading instruction to  
22 students in kindergarten through grade 12.

23           (b) Funds for comprehensive, research-based reading  
24 instruction shall be allocated annually to each school  
25 district in the amount provided in the General Appropriations  
26 Act. Each eligible school district shall receive the same  
27 minimum amount as specified in the General Appropriations Act,  
28 and any remaining funds shall be distributed to eligible  
29 school districts based on each school district's proportionate  
30 share of K-12 base funding.

31

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

5           1. The provision of highly qualified reading coaches.

6           2. Professional development for school district  
7 teachers in scientifically based reading instruction,  
8 including strategies to teach reading in content areas and  
9 with an emphasis on technical and informational text.

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

12          4. The provision of supplemental instructional  
13 materials that are grounded in scientifically based reading  
14 research.

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

17       (d) Annually, by a date determined by the Department  
18 of Education but before May 1, school districts shall submit a  
19 K-12 comprehensive reading plan for the specific use of the  
20 research-based reading instruction allocation in the format  
21 prescribed by the department for review and approval by the  
22 Just Read, Florida! Office created pursuant to s. 1001.215.  
23 The plan annually submitted by school districts shall be  
24 deemed approved unless the department rejects the plan on or  
25 before June 1. If a school district and the Just Read,  
26 Florida! Office cannot reach agreement on the contents of the  
27 plan, the school district may appeal to the State Board of  
28 Education for resolution. School districts shall be allowed  
29 reasonable flexibility in designing their plans and shall be  
30 encouraged to offer reading remediation through innovative  
31 methods, including career academies. The plan format shall be

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

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

1 unweighted FTE student. Should appropriated funds be less than  
2 the sum of this calculated amount for all districts, the  
3 commissioner shall prorate each district's allocation. This  
4 provision shall be implemented to the extent specifically  
5 funded.

6 ~~(10)(9)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH  
7 DISTRICT FOR CURRENT OPERATION.--The total annual state  
8 allocation to each district for current operation for the FEFP  
9 shall be distributed periodically in the manner prescribed in  
10 the General Appropriations Act.

11 (a) The basic amount for current operation for the  
12 FEFP as determined in subsection (1), multiplied by the  
13 district cost differential factor as determined in subsection  
14 (2), plus the amounts provided for categorical components  
15 within the FEFP, plus the amount for the sparsity supplement  
16 as determined in subsection (6), the decline in full-time  
17 equivalent students as determined in subsection (7), the  
18 research-based reading instruction allocation as determined in  
19 subsection (8), and the quality assurance guarantee as  
20 determined in subsection ~~(9)(8)~~, less the required local  
21 effort as determined in subsection (4). If the funds  
22 appropriated for the purpose of funding the total amount for  
23 current operation as provided in this paragraph are not  
24 sufficient to pay the state requirement in full, the  
25 department shall prorate the available state funds to each  
26 district in the following manner:

27 1. Determine the percentage of proration by dividing  
28 the sum of the total amount for current operation, as provided  
29 in this paragraph for all districts collectively, and the  
30 total district required local effort into the sum of the state  
31



1 funds available for current operation and the total district  
2 required local effort.

3           2. Multiply the percentage so determined by the sum of  
4 the total amount for current operation as provided in this  
5 paragraph and the required local effort for each individual  
6 district.

7           3. From the product of such multiplication, subtract  
8 the required local effort of each district; and the remainder  
9 shall be the amount of state funds allocated to the district  
10 for current operation.

11           (b) The amount thus obtained shall be the net annual  
12 allocation to each school district. However, if it is  
13 determined that any school district received an  
14 underallocation or overallocation for any prior year because  
15 of an arithmetical error, assessment roll change, full-time  
16 equivalent student membership error, or any allocation error  
17 revealed in an audit report, the allocation to that district  
18 shall be appropriately adjusted. Beginning with audits for the  
19 2001-2002 fiscal year, if the adjustment is the result of an  
20 audit finding in which group 2 FTE are reclassified to the  
21 basic program and the district weighted FTE are over the  
22 weighted enrollment ceiling for group 2 programs, the  
23 adjustment shall not result in a gain of state funds to the  
24 district. If the Department of Education audit adjustment  
25 recommendation is based upon controverted findings of fact,  
26 the Commissioner of Education is authorized to establish the  
27 amount of the adjustment based on the best interests of the  
28 state.

29           (c) The amount thus obtained shall represent the net  
30 annual state allocation to each district; however,  
31 notwithstanding any of the provisions herein, each district

1 shall be guaranteed a minimum level of funding in the amount  
2 and manner prescribed in the General Appropriations Act.

3 Section 51. Paragraph (a) of subsection (2) of section  
4 1011.64, Florida Statutes, is amended to read:

5 1011.64 School district minimum classroom expenditure  
6 requirements.--

7 (2) For the purpose of implementing the provisions of  
8 this section, the Legislature shall prescribe minimum academic  
9 performance standards and minimum classroom expenditure  
10 requirements for districts not meeting such minimum academic  
11 performance standards in the General Appropriations Act.

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

15 Section 52. Paragraph (b) of subsection (2) of section  
16 1011.685, Florida Statutes, is amended to read:

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

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

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

28 Section 53. Subsection (1) of section 1011.71, Florida  
29 Statutes, is amended to read:

30 1011.71 District school tax.--

31

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

22           Section 54. Subsection (6) is added to section  
23 1012.21, Florida Statutes, to read:

24           1012.21 Department of Education duties; K-12  
25 personnel.--

26           (6) REPORTING.--The Department of Education shall  
27 annually post online links to each school district's  
28 collective bargaining contracts and the salary and benefits of  
29 the personnel or officers of any educator association which  
30 were paid by the school district pursuant to s. 1012.22. The  
31

1 department shall prescribe the computer format for district  
2 school boards to use in providing the information.

3           Section 55. Paragraphs (c), (h), and (i) of subsection  
4 (1) of section 1012.22, Florida Statutes, are amended, and  
5 subsection (3) is added to that section, to read:

6           1012.22 Public school personnel; powers and duties of  
7 the district school board.--The district school board shall:

8           (1) Designate positions to be filled, prescribe  
9 qualifications for those positions, and provide for the  
10 appointment, compensation, promotion, suspension, and  
11 dismissal of employees as follows, subject to the requirements  
12 of this chapter:

13           (c) Compensation and salary schedules.--

14           1. The district school board shall adopt a salary  
15 schedule or salary schedules designed to furnish incentives  
16 for improvement in training and for continued efficient  
17 service to be used as a basis for paying all school employees  
18 and fix and authorize the compensation of school employees on  
19 the basis thereof.

20           2. A district school board, in determining the salary  
21 schedule for instructional personnel, must base a portion of  
22 each employee's compensation on performance demonstrated under  
23 s. 1012.34, must consider the prior teaching experience of a  
24 person who has been designated state teacher of the year by  
25 any state in the United States, and must consider prior  
26 professional experience in the field of education gained in  
27 positions in addition to district level instructional and  
28 administrative positions.

29           3. In developing the salary schedule, the district  
30 school board shall seek input from parents, teachers, and  
31 representatives of the business community.

1           4. Beginning with the 2002-2003 fiscal year, each  
2 district school board must adopt a performance-pay policy for  
3 school administrators and instructional personnel. The  
4 district's performance-pay policy is subject to negotiation as  
5 provided in chapter 447; however, the adopted salary schedule  
6 must allow school administrators and instructional personnel  
7 who demonstrate outstanding performance, as measured under s.  
8 1012.34, to earn a 5-percent supplement in addition to their  
9 individual, negotiated salary. The supplements shall be funded  
10 from the performance-pay reserve funds adopted in the salary  
11 schedule. ~~Beginning with the 2004-2005 academic year, the~~  
12 ~~district's 5 percent performance pay policy must provide for~~  
13 ~~the evaluation of classroom teachers within each level of the~~  
14 ~~salary career ladder provided in s. 1012.231.~~ The Commissioner  
15 of Education shall determine whether the district school  
16 board's adopted policy and salary schedule complies with the  
17 requirement for performance-based pay. If the district school  
18 board fails to comply with this section, the commissioner may  
19 ~~shall~~ withhold disbursements from the Educational Enhancement  
20 Trust Fund to the district and take any other measure provided  
21 by law necessary to ensure compliance until compliance is  
22 verified.

23           5. Beginning with the 2007-2008 academic year, each  
24 district school board shall adopt a salary schedule with  
25 differentiated pay for both instructional personnel and  
26 school-based administrators. The salary schedule is subject to  
27 negotiation as provided in chapter 447 and must allow  
28 differentiated pay based on district-determined factors,  
29 including, but not limited to, additional responsibilities,  
30 school demographics, critical shortage areas, and level of job  
31 performance difficulties.

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

8 (i) Comprehensive program of staff development.--The  
9 district school board shall establish a comprehensive program  
10 of staff development that incorporates school improvement  
11 plans pursuant to s. 1001.42 and is aligned with principal  
12 leadership training pursuant to s. 1012.985 as a part of the  
13 plan.

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

21 Section 56. Section 1012.2315, Florida Statutes, is  
22 created to read:

23 1012.2315 Assignment of teachers.--

24 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature  
25 finds disparities between teachers assigned to teach in a  
26 majority of "A" graded schools and teachers assigned to teach  
27 in a majority of "F" graded schools. The disparities can be  
28 found in the average years of experience, the median salary,  
29 and the performance of the teachers on teacher certification  
30 examinations. It is the intent of the Legislature that  
31 district school boards have flexibility through the collective

1 bargaining process to assign teachers more equitably across  
2 the schools in the district.

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

16 (3) SALARY INCENTIVES.--District school boards are  
17 authorized to provide salary incentives to meet the  
18 requirement of subsection (2). A district school board may not  
19 sign a collective bargaining agreement that precludes the  
20 school district from providing sufficient incentives to meet  
21 this requirement.

22 (4) COLLECTIVE BARGAINING.--Notwithstanding provisions  
23 of chapter 447 relating to district school board collective  
24 bargaining, collective bargaining provisions may not preclude  
25 a school district from providing incentives to high-quality  
26 teachers and assigning such teachers to low-performing  
27 schools.

28 (5) REPORT.--Schools graded "D" or "F" shall annually  
29 report their teacher-retention rate. Included in this report  
30 shall be reasons listed for leaving by each teacher who left  
31 the school for any reason.

1           Section 57. Subsection (2) of section 1012.27, Florida  
2 Statutes, is amended to read:

3           1012.27 Public school personnel; powers and duties of  
4 district school superintendent.--The district school  
5 superintendent is responsible for directing the work of the  
6 personnel, subject to the requirements of this chapter, and in  
7 addition the district school superintendent shall perform the  
8 following:

9           (2) COMPENSATION AND SALARY SCHEDULES.--Prepare and  
10 recommend to the district school board for adoption a salary  
11 schedule or salary schedules. The district school  
12 superintendent must recommend a salary schedule for  
13 instructional personnel which bases a portion of each  
14 employee's compensation on performance demonstrated under s.  
15 1012.34. In developing the recommended salary schedule, the  
16 district school superintendent shall include input from  
17 parents, teachers, and representatives of the business  
18 community. Beginning with the 2007-2008 ~~2004-2005~~ academic  
19 year, the recommended salary schedule for classroom teachers  
20 shall be consistent with the district's differentiated-pay  
21 policy ~~career ladder~~ based upon s. 1012.22 ~~s. 1012.231~~.

22           Section 58. Subsection (6) of section 1012.28, Florida  
23 Statutes, is amended to read:

24           1012.28 Public school personnel; duties of school  
25 principals.--

26           (6) A school principal who fails to comply with this  
27 section shall be ineligible for any portion of the performance  
28 pay policy incentive and differentiated pay under s. 1012.22  
29 ~~s. 1012.22(1)(c)~~.

30           Section 59. Paragraph (a) of subsection (3) of section  
31 1012.34, Florida Statutes, is amended to read:



1           1012.34 Assessment procedures and criteria.--  
2           (3) The assessment procedure for instructional  
3 personnel and school administrators must be primarily based on  
4 the performance of students assigned to their classrooms or  
5 schools, as appropriate. Pursuant to this section, a school  
6 district's performance assessment is not limited to basing  
7 unsatisfactory performance of instructional personnel and  
8 school administrators upon student performance, but may  
9 include other criteria approved to assess instructional  
10 personnel and school administrators' performance, or any  
11 combination of student performance and other approved  
12 criteria. The procedures must comply with, but are not limited  
13 to, the following requirements:

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

- 26           1. Performance of students.  
27           2. Ability to maintain appropriate discipline.  
28           3. Knowledge of subject matter. The district school  
29 board shall make special provisions for evaluating teachers  
30 who are assigned to teach out-of-field.  
31

1           4. Ability to plan and deliver instruction, ~~including~~  
2 ~~implementation of the rigorous reading requirement pursuant to~~  
3 ~~s. 1003.415, when applicable,~~ and the use of technology in the  
4 classroom.

5           5. Ability to evaluate instructional needs.

6           6. Ability to establish and maintain a positive  
7 collaborative relationship with students' families to increase  
8 student achievement.

9           7. Other professional competencies, responsibilities,  
10 and requirements as established by rules of the State Board of  
11 Education and policies of the district school board.

12           Section 60. Subsection (4) of section 1012.56, Florida  
13 Statutes, is amended to read:

14           1012.56 Educator certification requirements.--

15           (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable  
16 means of demonstrating mastery of subject area knowledge are:

17           (a) Achievement of passing scores on subject area  
18 examinations required by state board rule;

19           (b) Completion of the subject area specialization  
20 requirements specified in state board rule and verification of  
21 the attainment of the essential subject matter competencies by  
22 the district school superintendent of the employing school  
23 district or chief administrative officer of the employing  
24 state-supported or private school for a subject area for which  
25 a subject area examination has not been developed and required  
26 by state board rule;

27           (c) Completion of the subject area specialization  
28 requirements specified in state board rule for a subject  
29 coverage requiring a master's or higher degree and achievement  
30 of a passing score on the subject area examination specified  
31 in state board rule;

1 (d) A valid professional standard teaching certificate  
2 issued by another state; or

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

6  
7 School districts are encouraged to provide mechanisms for  
8 those middle school teachers holding only a K-6 teaching  
9 certificate to obtain a subject area coverage for middle  
10 grades through postsecondary coursework or district add-on  
11 certification.

12 Section 61. Section 1012.98, Florida Statutes, is  
13 amended to read:

14 1012.98 School Community Professional Development  
15 Act.--

16 (1) The Department of Education, public postsecondary  
17 educational institutions, public school districts, public  
18 schools, state education foundations, consortia, and  
19 professional organizations ~~and public schools~~ in this state  
20 shall work collaboratively ~~collaborate~~ to establish a  
21 coordinated system of professional development. The purpose of  
22 the professional development system is to increase student  
23 achievement, enhance classroom instructional strategies that  
24 promote rigor and relevance throughout the curriculum, and  
25 prepare students for continuing education and the workforce.  
26 The system of professional development must align to the  
27 standards adopted by the state and support the framework for  
28 standards adopted by the National Staff Development Council  
29 ~~enable the school community to meet state and local student~~  
30 ~~achievement standards and the state education goals and to~~  
31 ~~succeed in school improvement as described in s. 1000.03.~~

1           (2) The school community includes students and  
2 parents, administrative personnel, managers, instructional  
3 personnel, support personnel, members of district school  
4 boards, members of school advisory councils, business  
5 partners, and personnel that provide health and social  
6 services to students.

7           (3) The activities designed to implement this section  
8 must:

9           (a) Support and increase the success of educators  
10 through collaboratively developed school improvement plans  
11 that focus on:

12           1. Enhanced and differentiated instructional  
13 strategies to engage students in rigorous and relevant  
14 curriculum based on ~~in~~ guiding student learning and  
15 development so as to implement state and local educational  
16 standards, goals, and initiatives;~~-~~

17           2. Increased opportunities to provide meaningful  
18 relationships between teachers and all students; and

19           3. Increased opportunities for professional  
20 collaboration among and between teachers, guidance counselors,  
21 instructional leaders, postsecondary educators engaged in  
22 preservice training for new teachers, and the workforce  
23 community.

24           (b) Assist the school community in providing  
25 stimulating, scientific ~~scientifically~~ research-based  
26 educational activities that encourage and motivate students to  
27 achieve at the highest levels and to participate as ~~become~~  
28 active learners and that prepare students for success at  
29 subsequent educational levels and the workforce.

30           (c) Provide continuous support for all education  
31 professionals as well as temporary intervention for education

1 professionals who need improvement in knowledge, skills, and  
2 performance.

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

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

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

27 1. Be approved by the department. All substantial  
28 revisions to the system shall be submitted to the department  
29 for review for continued approval.

30 2. Be based on analyses ~~Require the use~~ of student  
31 achievement data and instructional strategies and methods that

1 support rigorous, relevant, and challenging curricula for all  
2 students. Schools and districts, in developing and refining  
3 the professional development system, shall also review and  
4 monitor; school discipline data; school environment surveys;  
5 assessments of parental satisfaction; performance appraisal  
6 data of teachers, managers, and administrative personnel; and  
7 other performance indicators to identify school and student  
8 needs that can be met by improved professional performance.

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

23         4. Include a master plan for inservice activities,  
24 pursuant to rules of the State Board of Education, for all  
25 district employees from all fund sources. The master plan  
26 shall be updated annually by September 1, must be based on  
27 input from teachers and district and school instructional  
28 leaders, and must use the latest available student achievement  
29 data and research to enhance rigor and relevance in the  
30 classroom. Each district inservice plan must be aligned to and  
31 support the school-based inservice plans and school

1 improvement plans pursuant to s. 1001.42(16). District plans  
2 ~~using criteria for continued approval as specified by rules of~~  
3 ~~the State Board of Education. Written verification that the~~  
4 ~~inservice plan meets all requirements of this section~~ must be  
5 approved by the district school board ~~submitted~~ annually in  
6 order to ensure compliance with subsection (1) and to allow  
7 for dissemination of research-based best practices to other  
8 districts to the commissioner by October 1.

9           5. Require each school principal to establish and  
10 maintain an individual professional development plan for each  
11 instructional employee assigned to the school as a seamless  
12 component to the school improvement plans developed pursuant  
13 to 1001.42(16). The individual professional development plan  
14 must:

15           a. Be related to specific performance data for the  
16 students to whom the teacher is assigned.

17           b. Define the inservice objectives and specific  
18 measurable improvements expected in student performance as a  
19 result of the inservice activity.

20           c. Include an evaluation component that determines the  
21 effectiveness of the professional development plan.

22           6. Include inservice activities for school  
23 administrative personnel that address updated skills necessary  
24 for ~~effective school management and~~ instructional leadership  
25 and effective school management pursuant to s. 1012.986.

26           7. Provide for systematic consultation with regional  
27 and state personnel designated to provide technical assistance  
28 and evaluation of local professional development programs.

29           8. Provide for delivery of professional development by  
30 distance learning and other technology-based delivery systems  
31 to reach more educators at lower costs.

1           9. Provide for the continuous evaluation of the  
2 quality and effectiveness of professional development programs  
3 in order to eliminate ineffective programs and strategies and  
4 to expand effective ones. Evaluations must consider the impact  
5 of such activities on the performance of participating  
6 educators and their students' achievement and behavior.

7           ~~(c) Each community college and state university shall~~  
8 ~~assist the department, school districts, and schools in the~~  
9 ~~design, delivery, and evaluation of professional development~~  
10 ~~activities. This assistance must include active participation~~  
11 ~~in state and local activities required by the professional~~  
12 ~~development system.~~

13           (c)(d) The Department of Education shall approve a  
14 public state university having an approved physical education  
15 teacher preparation program within its college of education to  
16 develop and implement an Internet-based clearinghouse for  
17 physical education professional development programs that may  
18 be accessed and used by all instructional personnel. The  
19 development of these programs shall be financed primarily by  
20 private funds and shall be available for use no later than  
21 August 1, 2005.

22           (5) Each district school board shall provide funding  
23 for the professional development system as required by s.  
24 1011.62 and the General Appropriations Act, and shall direct  
25 expenditures from other funding sources to continuously  
26 strengthen the system in order to increase student achievement  
27 and support instructional staff in enhancing rigor and  
28 relevance in the classroom ~~and make it uniform and coherent.~~ A  
29 school district may coordinate its professional development  
30 program with that of another district, with an educational  
31 consortium, or with a community college or university,



1 especially in preparing and educating personnel. Each district  
2 school board shall make available inservice activities to  
3 instructional personnel of nonpublic schools in the district  
4 and the state certified teachers who are not employed by the  
5 district school board on a fee basis not to exceed the cost of  
6 the activity per all participants.

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

17 (7) The Department of Education shall disseminate,  
18 using web-based technology, research-based best-practice  
19 design methods by which the state and district school boards  
20 may evaluate and improve the professional development system.  
21 The best practices evaluation must include ~~an annual~~  
22 ~~assessment of~~ data that indicate the progress ~~or lack of~~  
23 ~~progress~~ of all students. ~~If the review of the data indicates~~  
24 ~~progress, the department shall identify the best practices~~  
25 ~~that contributed to the progress. If the review of the data~~  
26 ~~indicates a lack of progress, the department shall investigate~~  
27 ~~the causes of the lack of progress, provide technical~~  
28 ~~assistance, and require the school district to employ a~~  
29 ~~different approach to professional development.~~ The department  
30 shall report annually to the State Board of Education and the  
31 Legislature any school district that, in the determination of

1 the department, has failed to provide an adequate professional  
2 development system. This report must include the results of  
3 the department's investigation and of any intervention  
4 provided.

5 (8) The State Board of Education may adopt rules  
6 pursuant to ss. 120.536(1) and 120.54 to administer this  
7 section.

8 (9) This section does not limit or discourage a  
9 district school board from contracting with independent  
10 entities for professional development services and inservice  
11 education if the district school board can demonstrate to the  
12 Commissioner of Education that, through such a contract, a  
13 better product can be acquired or its goals for education  
14 improvement can be better met.

15 (10) For teachers, managers, and administrative  
16 personnel who have been evaluated as less than satisfactory, a  
17 district school board shall require participation in specific  
18 professional development programs as part of the improvement  
19 prescription.

20 (11) The department shall disseminate to the school  
21 community proven model professional development programs that  
22 have demonstrated success in increasing rigorous and relevant  
23 content, increasing student achievement and engagement, and  
24 meeting identified student needs. The methods of dissemination  
25 must include a web-based statewide performance-support system  
26 including a database of exemplary professional development  
27 activities, a listing of available professional development  
28 resources, training programs, and available technical  
29 assistance.

30 Section 62. Section 1012.986, Florida Statutes, is  
31 created to read:

1           1012.986 Statewide system for professional development  
2 of school leaders.--

3           (1) The intent of this section is to establish a  
4 statewide system of professional development which provides  
5 high standards and sustained support for principals as  
6 instructional leaders. The system shall consist of a  
7 collaborative network of professional leadership organizations  
8 in order to respond to needs throughout the state. The network  
9 shall be established to support the human-resource-development  
10 needs of principals, principal leadership teams, and  
11 candidates for principal leadership positions using the  
12 framework of leadership standards adopted by the State Board  
13 of Education, the Southern Regional Education Board, and the  
14 National Staff Development Council. The goal of the network  
15 and the principal leadership training is to:

16           (a) Provide resources to support and enhance the  
17 principal's role as the instructional leader.

18           (b) Maintain a clearinghouse and disseminate  
19 data-supported information related to enhanced student  
20 achievement, based on educational research and best practices.

21           (c) Build the capacity to increase the quality of  
22 programs for preservice education for aspiring principals and  
23 inservice professional development for principals and  
24 principal leadership teams.

25           (d) Support best teaching and research-based  
26 instructional practices through dissemination and modeling at  
27 the preservice and inservice levels for both teachers and  
28 principals.

29           (2) The Department of Education shall coordinate  
30 through the network identified in subsection (1) to offer the  
31 program through multiple delivery systems, including:

- 1           (a) Approved school district training programs.  
2           (b) Interactive technology-based instruction.  
3           (c) State, regional, or local leadership academies.  
4           (3) The State Board of Education shall adopt rules  
5 pursuant to ss. 120.536(1) and 120.54 to administer this  
6 section.

7           Section 63. Section 1012.987, Florida Statutes, is  
8 repealed.

9           Section 64. This act shall take effect upon becoming a  
10 law.

11  
12                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
13   COMMITTEE SUBSTITUTE FOR  
14   CS for Senate Bill 2048

15 The committee substitute:

- 16 Authorizes school districts to include team teaching  
17 strategies in the calculation of class size;  
18 Provides flexibility to the Board of Governors or its designee  
19 in establishing tuition for graduate, professional, and  
20 out-of-state students;  
21 Provides that school districts may not begin the school year  
22 earlier than 14 days prior to Labor Day;  
23 Requires one semester of middle school social studies to  
24 include instruction in government and civics education;  
25 Prohibits a private contractor who administers a failing  
26 alternative school from altering the student demographic  
27 population;  
28 Removes prior Legislative approval of federal plans submitted  
29 by the Department of Education; and  
30 Provides that 90 percent of the FEFP funding for certain  
31 Department of Children and Families students in the  
incompetent to proceed program must be spent on instructional  
costs.