

1 Section 1. Paragraph (a) of subsection (16) of section
2 1001.42, Florida Statutes, is amended, subsection (22) is
3 renumbered as subsection (23), and a new subsection (22) is
4 added to that section, to read:

5 1001.42 Powers and duties of district school
6 board.--The district school board, acting as a board, shall
7 exercise all powers and perform all duties listed below:

8 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
9 ACCOUNTABILITY.--Maintain a system of school improvement and
10 education accountability as provided by statute and State
11 Board of Education rule. This system of school improvement and
12 education accountability shall be consistent with, and
13 implemented through, the district's continuing system of
14 planning and budgeting required by this section and ss.
15 1008.385, 1010.01, and 1011.01. This system of school
16 improvement and education accountability shall include, but is
17 not limited to, the following:

18 (a) School improvement plans.--Annually approve and
19 require implementation of a new, amended, or continuation
20 school improvement plan for each school in the district that
21 is designated as performance grade category "C" or below or
22 that is required to have a school improvement plan under
23 federal law, except that a district school board may establish
24 a district school improvement plan that includes all schools
25 in the district operating for the purpose of providing
26 educational services to youth in Department of Juvenile
27 Justice programs. The district school board may require a
28 school that is designated as performance grade category "A" or
29 "B" to complete a school improvement plan. A school
30 improvement ~~Such~~ plan shall be designed to achieve the state
31 education priorities pursuant to s. 1000.03(5) and student

1 performance standards. In addition, any school required to
2 implement a rigorous reading requirement pursuant to s.
3 1003.415 must include such component in its school improvement
4 plan. Each plan shall address student achievement goals and
5 strategies based on state and school district proficiency
6 standards. The plan may also address issues relative to other
7 academic-related matters ~~budget, training, instructional~~
8 ~~materials, technology, staffing, student support services,~~
9 ~~specific school safety and discipline strategies, student~~
10 ~~health and fitness, including physical fitness, parental~~
11 ~~information on student health and fitness, and indoor~~
12 ~~environmental air quality, and other matters of resource~~
13 ~~allocation~~, as determined by district school board policy, and
14 shall be based on an analysis of student achievement and other
15 school performance data.

16 (22) REDUCE PAPERWORK AND DATA COLLECTION AND
17 REPORTING REQUIREMENTS.--

18 (a) Paperwork and data collection.--Hold extensive
19 public hearings and provide detailed analysis of burden hours
20 needed to complete paperwork, hard copies, and electronic
21 copies required under a state mandate if the district school
22 board will exceed paperwork and data collection requirements
23 of the state mandate. "Burden hours" are defined as the amount
24 of time required to gather, compile, complete, transmit, and
25 report information.

26 (b) Task force.--Establish a task force to reduce the
27 paper and electronic reporting requirements that impact the
28 school district, which may include the duties specified in s.
29 1008.385(2)(b). A majority of the task force members must be
30 classroom teachers with additional members including, but not
31 limited to, one exceptional student education teacher, school

1 administrators, district-level personnel, and the district
2 school superintendent. The task force must seek to reduce the
3 burden hours required of school district staff by making
4 recommendations to the district school board on ways to
5 reduce, eliminate, revise, or consolidate requirements
6 relating to, but not limited to, student attendance, student
7 behavior, and teacher lesson plans. The task force must
8 annually report its actions and recommendations to the
9 Department of Education. The department shall review the
10 annual reports and progress of each school district task force
11 and, based on such information, provide its recommendations to
12 school districts for reduction, elimination, revision, or
13 consolidation of paper and electronic reporting requirements.

14 Section 2. Subsection (7) of section 1002.23, Florida
15 Statutes, is amended to read:

16 1002.23 Family and School Partnership for Student
17 Achievement Act.--

18 (7) Each school district shall develop and disseminate
19 a parent guide to successful student achievement, consistent
20 with the guidelines of the Department of Education, which
21 addresses what parents need to know about their child's
22 educational progress and how parents can help their child to
23 succeed in school. The guide must:

24 (a) Be understandable to students and parents;

25 (b) Be distributed to all parents, students, and
26 school personnel at the beginning of each school year;

27 (c) Be discussed at the beginning of each school year
28 in meetings of students, parents, and teachers; ~~and~~

29 (d) Include information concerning services,
30 opportunities, choices, academic standards, and student
31 assessment; and-

1 (e) Provide detailed information regarding the causes,
2 symptoms, and transmission of meningococcal disease and the
3 availability, effectiveness, known contraindications, and
4 appropriate age for the administration of any required or
5 recommended vaccine against meningococcal disease in
6 accordance with the recommendations of the Advisory Committee
7 on Immunization Practices of the United States Centers for
8 Disease Control and Prevention.

9
10 The parent guide may be included as a part of the code of
11 student conduct that is required in s. 1006.07(2).

12 Section 3. Subsection (6) of section 1002.42, Florida
13 Statutes, is amended to read:

14 1002.42 Private schools.--

15 (6) IMMUNIZATIONS.--The governing authority of each
16 private school shall:

17 (a) Require students to present a certification of
18 immunization in accordance with ~~the provisions of~~ s.
19 1003.22(3)-(11).

20 (b) Provide detailed information to each student's
21 parent regarding the causes, symptoms, and transmission of
22 meningococcal disease and the availability, effectiveness,
23 known contraindications, and appropriate age for the
24 administration of any required or recommended vaccine against
25 meningococcal disease in accordance with the recommendations
26 of the Advisory Committee on Immunization Practices of the
27 United States Centers for Disease Control and Prevention.

28 Section 4. Subsection (8) of section 1003.415, Florida
29 Statutes, is renumbered as subsection (7) and present
30 subsection (7) of that section is amended to read:

31 1003.415 The Middle Grades Reform Act.--

1 ~~(7) PERSONALIZED MIDDLE SCHOOL SUCCESS PLAN.~~
2 ~~(a) Beginning with the 2004-2005 school year, each~~
3 ~~principal of a school with a middle grade shall designate~~
4 ~~certified staff members at the school to develop and~~
5 ~~administer a personalized middle school success plan for each~~
6 ~~entering sixth grade student who scored below Level 3 in~~
7 ~~reading on the most recently administered FCAT. The purpose of~~
8 ~~the success plan is to assist the student in meeting state and~~
9 ~~school district expectations in academic proficiency and to~~
10 ~~prepare the student for a rigorous high school curriculum. The~~
11 ~~success plan shall be developed in collaboration with the~~
12 ~~student and his or her parent and must be implemented until~~
13 ~~the student completes the eighth grade or achieves a score at~~
14 ~~Level 3 or above in reading on the FCAT, whichever occurs~~
15 ~~first. The success plan must minimize paperwork and may be~~
16 ~~incorporated into a parent/teacher conference, included as~~
17 ~~part of a progress report or report card, included as part of~~
18 ~~a general orientation at the beginning of the school year, or~~
19 ~~provided by electronic mail or other written correspondence.~~
20 ~~(b) The personalized middle school success plan must:~~
21 ~~1. Identify educational goals and intermediate~~
22 ~~benchmarks for the student in the core curriculum areas which~~
23 ~~will prepare the student for high school.~~
24 ~~2. Be based upon academic performance data and an~~
25 ~~identification of the student's strengths and weaknesses.~~
26 ~~3. Include academic intervention strategies with~~
27 ~~frequent progress monitoring.~~
28 ~~4. Provide innovative methods to promote the student's~~
29 ~~advancement which may include, but not be limited to, flexible~~
30 ~~scheduling, tutoring, focus on core curricula, online~~
31 ~~instruction, an alternative learning environment, or other~~

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

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

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

17 Section 5. Subsection (4), paragraphs (b) and (c) of
18 subsection (6), and paragraph (b) of subsection (7) of section
19 1008.25, Florida Statutes, are amended to read:

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

22 (4) ASSESSMENT AND REMEDIATION.--

23 (a) Each student must participate in the statewide
24 assessment tests required by s. 1008.22. Each student who does
25 not meet specific levels of performance as determined by the
26 district school board in reading, writing, science, and
27 mathematics for each grade level, or who does not meet
28 specific levels of performance as determined by the
29 commissioner on statewide assessments at selected grade
30 levels, must be provided with additional diagnostic
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1 assessments to determine the nature of the student's
2 difficulty and areas of academic need.

3 (b) The school in which the student is enrolled must
4 develop, in consultation with the student's parent, and must
5 implement a progress-monitoring plan. A progress-monitoring
6 plan is intended to provide the school district and the school
7 flexibility in meeting the academic needs of the student and
8 to reduce paperwork. A student who is not meeting the school
9 district or state requirements for proficiency shall be
10 covered by one of the following plans to target instruction
11 and identify ways to improve his or her academic achievement:

12 1. A federally required student plan such as an
13 individual education plan;

14 2. A schoolwide system of progress monitoring for all
15 students; or

16 3. An individualized progress-monitoring plan.

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18 ~~The plan chosen must be an academic improvement plan~~ designed
19 to assist the student or the school in meeting state and
20 district expectations for proficiency. ~~For a student for whom~~
21 ~~a personalized middle school success plan is required pursuant~~
22 ~~to s. 1003.415, the middle school success plan must be~~
23 ~~incorporated in the student's academic improvement plan.~~
24 ~~Beginning with the 2002-2003 school year, if the student has~~
25 ~~been identified as having a deficiency in reading, the~~
26 ~~academic improvement plan shall identify the student's~~
27 ~~specific areas of deficiency in phonemic awareness, phonics,~~
28 ~~fluency, comprehension, and vocabulary; the desired levels of~~
29 ~~performance in these areas; and the instructional and support~~
30 ~~services to be provided to meet the desired levels of~~
31 ~~performance. Schools shall also provide for the frequent~~

1 ~~monitoring of the student's progress in meeting the desired~~
2 ~~levels of performance. District school boards shall assist~~
3 ~~schools and teachers to implement research based reading~~
4 ~~activities that have been shown to be successful in teaching~~
5 ~~reading to low performing students. Remedial instruction~~
6 ~~provided during high school may not be in lieu of English and~~
7 ~~mathematics credits required for graduation.~~

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

18 (6) ELIMINATION OF SOCIAL PROMOTION.--

19 (b) The district school board may only exempt students
20 from mandatory retention, as provided in paragraph (5)(b), for
21 good cause. Good cause exemptions shall be limited to the
22 following:

23 1. Limited English proficient students who have had
24 less than 2 years of instruction in an English for Speakers of
25 Other Languages program.

26 2. Students with disabilities whose individual
27 education plan indicates that participation in the statewide
28 assessment program is not appropriate, consistent with the
29 requirements of State Board of Education rule.

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1 3. Students who demonstrate an acceptable level of
2 performance on an alternative standardized reading assessment
3 approved by the State Board of Education.

4 4. Students who demonstrate, through a student
5 portfolio, that the student is reading on grade level as
6 evidenced by demonstration of mastery of the Sunshine State
7 Standards in reading equal to at least a Level 2 performance
8 on the FCAT.

9 5. Students with disabilities who participate in the
10 FCAT and who have an individual education plan or a Section
11 504 plan that reflects that the student has received ~~the~~
12 intensive remediation in reading, ~~as required by paragraph~~
13 ~~(4)(b)~~, for more than 2 years but still demonstrates a
14 deficiency in reading and was previously retained in
15 kindergarten, grade 1, grade 2, or grade 3.

16 6. Students who have received ~~the~~ intensive
17 remediation in reading ~~as required by paragraph (4)(b)~~ for 2
18 or more years but still demonstrate a deficiency in reading
19 and who were previously retained in kindergarten, grade 1,
20 grade 2, or grade 3 for a total of 2 years. Intensive reading
21 instruction for students so promoted must include an altered
22 instructional day ~~based upon an academic improvement plan~~ that
23 includes specialized diagnostic information and specific
24 reading strategies for each student. The district school board
25 shall assist schools and teachers to implement reading
26 strategies that research has shown to be successful in
27 improving reading among low-performing readers.

28 (c) Requests for good cause exemptions for students
29 from the mandatory retention requirement as described in
30 subparagraphs (b)3. and 4. shall be made consistent with the
31 following:

1 1. Documentation shall be submitted from the student's
2 teacher to the school principal that indicates that the
3 promotion of the student is appropriate and is based upon the
4 student's academic record. In order to minimize paperwork
5 requirements, such documentation shall consist only of the
6 existing ~~academic improvement plan~~, individual educational
7 plan, if applicable, report card, or student portfolio.

8 2. The school principal shall review and discuss such
9 recommendation with the teacher and make the determination as
10 to whether the student should be promoted or retained. If the
11 school principal determines that the student should be
12 promoted, the school principal shall make such recommendation
13 in writing to the district school superintendent. The district
14 school superintendent shall accept or reject the school
15 principal's recommendation in writing.

16 (7) SUCCESSFUL PROGRESSION FOR RETAINED READERS.--

17 (b) Beginning with the 2004-2005 school year, each
18 school district shall:

19 1. Conduct a review of student academic ~~improvement~~
20 plans for all students who did not score above Level 1 on the
21 reading portion of the FCAT and did not meet the criteria for
22 one of the good cause exemptions in paragraph (6)(b). The
23 review shall address additional supports and services, as
24 described in this subsection, needed to remediate the
25 identified areas of reading deficiency. The school district
26 shall require a student portfolio to be completed for each
27 such student.

28 2. Provide students who are retained under the
29 provisions of paragraph (5)(b) with intensive instructional
30 services and supports to remediate the identified areas of
31 reading deficiency, including a minimum of 90 minutes of

1 daily, uninterrupted, scientifically research-based reading
2 instruction and other strategies prescribed by the school
3 district, which may include, but are not limited to:

- 4 a. Small group instruction.
- 5 b. Reduced teacher-student ratios.
- 6 c. More frequent progress monitoring.
- 7 d. Tutoring or mentoring.
- 8 e. Transition classes containing 3rd and 4th grade
9 students.
- 10 f. Extended school day, week, or year.
- 11 g. Summer reading camps.

12 3. Provide written notification to the parent of any
13 student who is retained under the provisions of paragraph
14 (5)(b) that his or her child has not met the proficiency level
15 required for promotion and the reasons the child is not
16 eligible for a good cause exemption as provided in paragraph
17 (6)(b). The notification must comply with the provisions of s.
18 1002.20(14) and must include a description of proposed
19 interventions and supports that will be provided to the child
20 to remediate the identified areas of reading deficiency.

21 4. Implement a policy for the midyear promotion of any
22 student retained under the provisions of paragraph (5)(b) who
23 can demonstrate that he or she is a successful and independent
24 reader, reading at or above grade level, and ready to be
25 promoted to grade 4. Tools that school districts may use in
26 reevaluating any student retained may include subsequent
27 assessments, alternative assessments, and portfolio reviews,
28 in accordance with rules of the State Board of Education.
29 Students promoted during the school year after November 1 must
30 demonstrate proficiency above that required to score at Level
31 2 on the grade 3 FCAT, as determined by the State Board of

1 Education. The State Board of Education shall adopt standards
2 that provide a reasonable expectation that the student's
3 progress is sufficient to master appropriate 4th grade level
4 reading skills.

5 5. Provide students who are retained under the
6 provisions of paragraph (5)(b) with a high-performing teacher
7 as determined by student performance data and
8 above-satisfactory performance appraisals.

9 6. In addition to required reading enhancement and
10 acceleration strategies, provide parents of students to be
11 retained with at least one of the following instructional
12 options:

13 a. Supplemental tutoring in scientifically
14 research-based reading services in addition to the regular
15 reading block, including tutoring before and/or after school.

16 b. A "Read at Home" plan outlined in a parental
17 contract, including participation in "Families Building Better
18 Readers Workshops" and regular parent-guided home reading.

19 c. A mentor or tutor with specialized reading
20 training.

21 7. Establish a Reading Enhancement and Acceleration
22 Development (READ) Initiative. The focus of the READ
23 Initiative shall be to prevent the retention of grade 3
24 students and to offer intensive accelerated reading
25 instruction to grade 3 students who failed to meet standards
26 for promotion to grade 4 and to each K-3 student who is
27 assessed as exhibiting a reading deficiency. The READ
28 Initiative shall:

29 a. Be provided to all K-3 students at risk of
30 retention as identified by the statewide assessment system
31 used in Reading First schools. The assessment must measure

1 phonemic awareness, phonics, fluency, vocabulary, and
2 comprehension.

3 b. Be provided during regular school hours in addition
4 to the regular reading instruction.

5 c. Provide a state-identified reading curriculum that
6 has been reviewed by the Florida Center for Reading Research
7 at Florida State University and meets, at a minimum, the
8 following specifications:

9 (I) Assists students assessed as exhibiting a reading
10 deficiency in developing the ability to read at grade level.

11 (II) Provides skill development in phonemic awareness,
12 phonics, fluency, vocabulary, and comprehension.

13 (III) Provides scientifically based and reliable
14 assessment.

15 (IV) Provides initial and ongoing analysis of each
16 student's reading progress.

17 (V) Is implemented during regular school hours.

18 (VI) Provides a curriculum in core academic subjects
19 to assist the student in maintaining or meeting proficiency
20 levels for the appropriate grade in all academic subjects.

21 8. Establish at each school, where applicable, an
22 Intensive Acceleration Class for retained grade 3 students who
23 subsequently score at Level 1 on the reading portion of the
24 FCAT. The focus of the Intensive Acceleration Class shall be
25 to increase a child's reading level at least two grade levels
26 in 1 school year. The Intensive Acceleration Class shall:

27 a. Be provided to any student in grade 3 who scores at
28 Level 1 on the reading portion of the FCAT and who was
29 retained in grade 3 the prior year because of scoring at Level
30 1 on the reading portion of the FCAT.

31 b. Have a reduced teacher-student ratio.

1 c. Provide uninterrupted reading instruction for the
2 majority of student contact time each day and incorporate
3 opportunities to master the grade 4 Sunshine State Standards
4 in other core subject areas.

5 d. Use a reading program that is scientifically
6 research-based and has proven results in accelerating student
7 reading achievement within the same school year.

8 e. Provide intensive language and vocabulary
9 instruction using a scientifically research-based program,
10 including use of a speech-language therapist.

11 f. Include weekly progress monitoring measures to
12 ensure progress is being made.

13 g. Report to the Department of Education, in the
14 manner described by the department, the progress of students
15 in the class at the end of the first semester.

16 9. Report to the State Board of Education, as
17 requested, on the specific intensive reading interventions and
18 supports implemented at the school district level. The
19 Commissioner of Education shall annually prescribe the
20 required components of requested reports.

21 10. Provide a student who has been retained in grade 3
22 and has received intensive instructional services but is still
23 not ready for grade promotion, as determined by the school
24 district, the option of being placed in a transitional
25 instructional setting. Such setting shall specifically be
26 designed to produce learning gains sufficient to meet grade 4
27 performance standards while continuing to remediate the areas
28 of reading deficiency.

29 Section 6. Paragraph (b) of subsection (3) of section
30 411.227, Florida Statutes, is amended to read:

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1 411.227 Components of the Learning Gateway.--The
2 Learning Gateway system consists of the following components:

3 (3) EARLY EDUCATION, SERVICES AND SUPPORTS.--

4 (b) Demonstration projects shall develop strategies to
5 increase the use of appropriate intervention practices with
6 children who have learning problems and learning disabilities
7 within public and private early care and education programs
8 and K-3 public and private school settings. Strategies may
9 include training and technical assistance teams. Intervention
10 must be coordinated and must focus on providing effective
11 supports to children and their families within their regular
12 education and community environment. These strategies must
13 incorporate, as appropriate, school and district activities
14 related to the student's academic ~~improvement~~ plan and must
15 provide parents with greater access to community-based
16 services that should be available beyond the traditional
17 school day. Academic expectations for public school students
18 in grades K-3 must be based upon the local school board's
19 adopted proficiency levels. When appropriate, school personnel
20 shall consult with the local Learning Gateway to identify
21 other community resources for supporting the child and the
22 family.

23 Section 7. Subsection (11) of section 1002.20, Florida
24 Statutes, is amended to read:

25 1002.20 K-12 student and parent rights.--Parents of
26 public school students must receive accurate and timely
27 information regarding their child's academic progress and must
28 be informed of ways they can help their child to succeed in
29 school. K-12 students and their parents are afforded numerous
30 statutory rights including, but not limited to, the following:
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1 (11) STUDENTS WITH READING DEFICIENCIES.--Each
2 elementary school shall regularly assess the reading ability
3 of each K-3 student. The parent of any K-3 student who
4 exhibits a reading deficiency shall be immediately notified of
5 the student's deficiency with a description and explanation,
6 in terms understandable to the parent, of the exact nature of
7 the student's difficulty in learning and lack of achievement
8 in reading; shall be consulted in the development of a
9 progress-monitoring ~~detailed academic improvement~~ plan, as
10 described in s. 1008.25(4)(b); and shall be informed that the
11 student will be given intensive reading instruction until the
12 deficiency is corrected. This subsection operates in addition
13 to the remediation and notification provisions contained in s.
14 1008.25 and in no way reduces the rights of a parent or the
15 responsibilities of a school district under that section.

16 Section 8. Paragraph (n) of subsection (2) of section
17 1003.51, Florida Statutes, is amended to read:

18 1003.51 Other public educational services.--

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

27 (n) Performance expectations for providers and
28 district school boards, including the provision of a
29 progress-monitoring ~~an academic improvement~~ plan as required
30 in s. 1008.25.
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1 Section 9. Subsection (7) of section 1003.52, Florida
2 Statutes, is amended to read:

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

5 (7) A progress-monitoring ~~An academic improvement~~ plan
6 shall be developed for students who score below the level
7 specified in district school board policy in reading, writing,
8 and mathematics or below the level specified by the
9 Commissioner of Education on statewide assessments as required
10 by s. 1008.25. These plans shall address academic, literacy,
11 and life skills and shall include provisions for intensive
12 remedial instruction in the areas of weakness.

13 Section 10. This act shall take effect July 1, 2006.

14
15 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
16 COMMITTEE SUBSTITUTE FOR
17 Senate Bill 2688

18 The committee substitute requires a school district to include
19 detailed information on meningococcal disease in a parent
20 guide. In addition, the governing authority of a private
21 school is required to provide the same information to the
22 parents of students.
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