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CHAMBER ACTION

Senate

House

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2	.	05/04/2006 18:28:55
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11 Senator Lynn moved the following amendment:

12

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

14 Delete everything after the enacting clause

15

16 and insert:

17 Section 1. Paragraph (f) is added to subsection (3) of
18 section 20.15, Florida Statutes, to A NAME="Page1Line19">19
20.15 Department of Education.--There is created a

20 Department of Education.

21 (3) DIVISIONS.--The following
divisions of the

22 Department of Education are established:

23 (f) Division of Accountability,
Research, and

24 Measurement.

25 Section 2. Paragraph (b) of
subsection (3) of section

26 411.227, Florida Statutes, is amended to
read:

27 411.227 Components of the Learning
Gateway.--The

28 Learning Gateway system consists of the
following components:

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

30 (b) Demonstration projects shall

develop strategies to

31 increase the use of appropriate intervention practices with

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

18 Section 3. Section 446.609, Florida Statutes, is
 19 repealed.

20 Section 4. Subsection (4) of section 1000.03, Florida
 21 Statutes, is amended to read:

22 1000.03 Function, mission, and goals of the Florida
 23 K-20 education system.--

24 (4) The mission of Florida's K-20 education system is
 25 to allow its students to increase their proficiency by
 26 allowing them the opportunity to expand their knowledge and
 27 skills through rigorous and relevant ~~adequate~~ learning
 28 opportunities, in accordance with the mission statement and
 29 accountability requirements of s. 1008.31.

30 Section 5. Section 1000.041, Florida Statutes, is
 31 repealed.

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1 Section 6. Subsections (1), (3), and (14) of section
2 1001.03, Florida Statutes, are amended to read:

3 1001.03 Specific powers of State Board of Education.--

4 (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The
5 State Board of Education shall approve the student performance
6 standards known as the Sunshine State Standards in key
7 academic subject areas and grade levels. The state board shall
8 establish a schedule to facilitate the periodic review of the
9 standards to ensure adequate rigor, relevance, logical student
10 progression, and integration of reading, writing, and
11 mathematics across all subject areas. The standards review by
12 subject area must include participation of curriculum leaders
13 in other content areas, including the arts, to ensure valid
14 content area integration and to address the instructional
15 requirements of different learning styles. The process for
16 review and proposed revisions must include leadership and
17 input from the state's classroom teachers, school
18 administrators, and community colleges and universities, and
19 from representatives from business and industry who are
20 identified by local education foundations. A report including
21 proposed revisions must be submitted to the Governor, the
22 President of the Senate, and the Speaker of the House of
23 Representatives annually to coincide with the established
24 review schedule. The review schedule and an annual status
25 report must be submitted to the Governor, the President of the
26 Senate, and the Speaker of the House of Representatives
27 annually not later than January 1.

28 (3) PROFESSIONAL CERTIFICATES.--The State Board of
29 Education shall classify school services, designate the
30 certification subject areas, establish competencies, including
31 the use of technology to enhance student learning, and

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1 certification requirements for all school-based personnel, and
 2 prescribe rules in accordance with which the professional,
 3 temporary, and part-time certificates shall be issued by the
 4 Department of Education to applicants who meet the standards
 5 prescribed by such rules for their class of service, as
 6 described in chapter 1012. The state board shall adopt rules
 7 that give part-time and full-time nondegreed teachers of
 8 career programs, pursuant to s. 1012.39(1)(c), the opportunity
 9 to earn a reading credential equivalent to a
 10 content-area-specific reading endorsement.

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

18 Section 7. Section 1001.10, Florida Statutes, is
 19 amended to read:

20 1001.10 Commissioner of Education; general powers and
 21 duties.--The Commissioner of Education is the chief
 22 educational officer of the state and the sole custodian of the
 23 K-20 data warehouse, and is responsible for giving full
 24 assistance to the State Board of Education in enforcing
 25 compliance with the mission and goals of the seamless K-20
 26 education system. To facilitate innovative practices and to
 27 allow local selection of educational methods, the State Board
 28 of Education may authorize the commissioner to waive, upon the
 29 request of a district school board, State Board of Education
 30 rules that relate to district school instruction and school
 31 operations, except those rules pertaining to civil rights, and

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1 student health, safety, and welfare. The Commissioner of
 2 Education is not authorized to grant waivers for any
 3 provisions in rule pertaining to the allocation and
 4 appropriation of state and local funds for public education;
 5 the election, compensation, and organization of school board
 6 members and superintendents; graduation and state
 7 accountability standards; financial reporting requirements;
 8 reporting of out-of-field teaching assignments under s.
 9 1012.42; public meetings; public records; or due process
 10 hearings governed by chapter 120. No later than January 1 of
 11 each year, the commissioner shall report to the Legislature
 12 and the State Board of Education all approved waiver requests
 13 in the preceding year. Additionally, the commissioner has the
 14 following general powers and duties:

15 (1) To appoint staff necessary to carry out his or her
 16 powers and duties.

17 (2) To advise and counsel with the State Board of
 18 Education on all matters pertaining to education; to recommend
 19 to the State Board of Education actions and policies as, in
 20 the commissioner's opinion, should be acted upon or adopted;
 21 and to execute or provide for the execution of all acts and
 22 policies as are approved.

23 (3) To keep such records as are necessary to set forth
 24 clearly all acts and proceedings of the State Board of
 25 Education.

26 (4) To have a seal for his or her office with which,
 27 in connection with his or her own signature, the commissioner
 28 shall authenticate true copies of decisions, acts, or
 29 documents.

30 (5) To recommend to the State Board of Education
 31 policies and steps designed to protect and preserve the

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1 principal of the State School Fund; to provide an assured and
2 stable income from the fund; to execute such policies and
3 actions as are approved; and to administer the State School
4 Fund.

5 (6) To take action on the release of mineral rights
6 based upon the recommendations of the Board of Trustees of the
7 Internal Improvement Trust Fund.

8 (7) To submit to the State Board of Education, on or
9 before August 1 of each year, recommendations for a
10 coordinated K-20 education budget that estimates the
11 expenditures for the State Board of Education, including the
12 Department of Education, the Commissioner of Education, and
13 all of the boards, institutions, agencies, and services under
14 the general supervision of the State Board of Education for
15 the ensuing fiscal year. Any program recommended to the State
16 Board of Education that will require increases in state
17 funding for more than 1 year must be presented in a multiyear
18 budget plan.

19 (8) To develop and implement a plan for cooperating
20 with the Federal Government in carrying out any or all phases
21 of the educational program and to recommend policies for
22 administering funds that are appropriated by Congress and
23 apportioned to the state for any or all educational purposes.
24 The Commissioner of Education shall submit to the Legislature
25 the proposed state plan for the reauthorization of the No
26 Child Left Behind Act before the proposed plan is submitted to
27 federal agencies. The President of the Senate and the Speaker
28 of the House of Representatives shall appoint members of the
29 appropriate education and appropriations committees to serve
30 as a select committee to review the proposed plan.

31 (9) To develop and implement policies for cooperating

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1 | with other public agencies in carrying out those phases of the
 2 | program in which such cooperation is required by law or is
 3 | deemed by the commissioner to be desirable and to cooperate
 4 | with public and nonpublic agencies in planning and bringing
 5 | about improvements in the educational program.

6 | (10) To prepare forms and procedures as are necessary
 7 | to be used by district school boards and all other educational
 8 | agencies to assure uniformity, accuracy, and efficiency in the
 9 | keeping of records, the execution of contracts, the
 10 | preparation of budgets, or the submission of reports; and to
 11 | furnish at state expense, when deemed advisable by the
 12 | commissioner, those forms that can more economically and
 13 | efficiently be provided.

14 | (11) To implement a program of school improvement and
 15 | education accountability designed to provide all students the
 16 | opportunity to make adequate learning gains in each year of
 17 | school as provided by statute and State Board of Education
 18 | rule based upon the achievement of the state education goals,
 19 | recognizing the following:

20 | (a) The State Board of Education is the body corporate
 21 | responsible for the supervision of the system of public
 22 | education.

23 | (b) The district school board is responsible for
 24 | school and student performance.

25 | (c) The individual school is the unit for education
 26 | accountability.

27 | (d) The community college board of trustees is
 28 | responsible for community college performance and student
 29 | performance.

30 | (e) The university board of trustees is responsible
 31 | for university performance and student performance.

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1 (12) To establish a Citizen Information Center
 2 responsible for the preparation, publication, and distribution
 3 of materials relating to the state system of seamless K-20
 4 public education.

5 (13) To prepare and publish annually reports giving
 6 statistics and other useful information pertaining to the
 7 Opportunity Scholarship Program.

8 (14) To have printed or electronic copies of school
 9 laws, forms, instruments, instructions, and rules of the State
 10 Board of Education and provide for their distribution.

11 (15) To develop criteria for use by state
 12 instructional materials committees in evaluating materials
 13 submitted for adoption consideration. The criteria shall, as
 14 appropriate, be based on instructional expectations reflected
 15 in curriculum frameworks and student performance standards.
 16 The criteria for each subject or course shall be made
 17 available to publishers of instructional materials pursuant to
 18 the requirements of chapter 1006.

19 (16) To prescribe procedures for evaluating
 20 instructional materials submitted by publishers and
 21 manufacturers in each adoption.

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

28 Section 8. Section 1001.215, Florida Statutes, is
 29 created to read:

30 1001.215 Just Read, Florida! Office.--There is created
 31 in the Department of Education the Just Read, Florida! office.

1 The office shall be fully accountable to the Commissioner of
2 Education and shall:

3 (1) Train highly effective reading coaches.

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

8 (3) Train K-12 teachers and school principals on
9 effective content-area-specific reading strategies. For
10 secondary teachers, emphasis shall be on technical text. These
11 strategies must be developed for all content areas in the K-12
12 curriculum.

13 (4) Provide parents with information and strategies
14 for assisting their children in reading in the content area.

15 (5) Provide technical assistance to school districts
16 in the development and implementation of district plans for
17 use of the research-based reading instruction allocation
18 provided in s. 1011.62(8) and annually review and approve such
19 plans.

20 (6) Review, evaluate, and provide technical assistance
21 to school districts' implementation of the K-12 comprehensive
22 reading plan required in s. 1011.62(8).

23 (7) Work with the Florida Center for Reading Research
24 to provide information on research-based reading programs and
25 effective reading in the content area strategies.

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

28 (9) Periodically review teacher certification
29 examinations, including alternative certification exams, to
30 ascertain whether the examinations measure the skills needed
31 for research-based reading instruction and instructional

1 strategies for teaching reading in the content areas.

2 (10) Work with teacher preparation programs approved
3 pursuant to s. 1004.04 to integrate research-based reading
4 instructional strategies and reading in the content area
5 instructional strategies into teacher preparation programs.

6 (11) Administer grants and perform other functions as
7 necessary to meet the goal that all students read at grade
8 level.

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

11 1001.33 Schools under control of district school board
12 and district school superintendent.--

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

17 ~~(2) Each district school board, each district school~~
18 ~~superintendent, and each district and school-based~~
19 ~~administrator shall cooperate to apply the following guiding~~
20 ~~principles of Better Educated Students and Teachers (BEST)~~
21 ~~Florida Teaching:~~

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

23 ~~(b) Teachers maintain orderly, disciplined classrooms~~
24 ~~conducive to student learning.~~

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

27 ~~(d) Teachers are well rewarded for their students'~~
28 ~~high performance.~~

29 ~~(e) Teachers are most effective when served by~~
30 ~~exemplary school administrators.~~

31 Section 10. Subsection (3) of section 1001.41, Florida

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1 Statutes, is amended to read:

2 1001.41 General powers of district school board.--The
3 district school board, after considering recommendations
4 submitted by the district school superintendent, shall
5 exercise the following general powers:

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

17 Section 11. Paragraph (c) of subsection (5) of section
18 1001.42, Florida Statutes, is repealed, paragraph (f) of
19 subsection (4), subsection (16), paragraph (d) of subsection
20 (17), and subsection (18) of that section are amended, present
21 subsection (22) is redesignated as subsection (23), and a new
22 subsection (22) is added to that section, to read:

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

26 (4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF
27 SCHOOLS.--Adopt and provide for the execution of plans for the
28 establishment, organization, and operation of the schools of
29 the district, including, but not limited to, the following:

30 (f) Opening and closing of schools; fixing uniform
31 date.--Adopt policies for the opening and closing of schools

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1 and fix uniform dates; however, beginning with the 2007-2008
2 school year, the opening date for schools in the district may
3 not be earlier than 14 days before Labor Day each year.

4 (5) PERSONNEL.--

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

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.7

21 ~~except that~~ A district school board may establish a district
22 school improvement plan that includes all schools in the
23 district operating for the purpose of providing educational
24 services to youth in Department of Juvenile Justice programs.
25 The school improvement ~~Such~~ plan shall be designed to achieve
26 the state education priorities pursuant to s. 1000.03(5) and
27 student proficiency on the Sunshine State Standards pursuant
28 to s. 1003.41 ~~performance standards. In addition, any school~~
29 ~~required to implement a rigorous reading requirement pursuant~~
30 ~~to s. 1003.415 must include such component in its school~~
31 ~~improvement plan. Each plan shall~~ address student achievement

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1 goals and strategies based on state and school district
 2 proficiency standards. The plan may also address issues
 3 relative to ~~other academic-related matters~~ ~~budget, training,~~
 4 ~~instructional materials, technology, staffing, student support~~
 5 ~~services, specific school safety and discipline strategies,~~
 6 ~~student health and fitness, including physical fitness,~~
 7 ~~parental information on student health and fitness, and indoor~~
 8 ~~environmental air quality, and other matters of resource~~
 9 ~~allocation, as determined by district school board policy, and~~
 10 shall include ~~be based on~~ an accurate, data-based analysis of
 11 student achievement and other school performance data.

12 Beginning with plans approved for implementation in the
 13 2007-2008 school year, each secondary school plan must include
 14 a redesign component based on the principles established in s.
 15 1003.413. For each school in the district that earns a school
 16 grade of "C" or below, or is required to have a school
 17 improvement plan under federal law, the school improvement
 18 plan shall, at a minimum, also include:

19 1. Professional development that supports enhanced and
 20 differentiated instructional strategies to improve teaching
 21 and learning.

22 2. Continuous use of disaggregated student achievement
 23 data to determine effectiveness of instructional strategies.

24 3. Ongoing informal and formal assessments to monitor
 25 individual student progress, including progress toward mastery
 26 of the Sunshine State Standards, and to redesign instruction
 27 if needed.

28 4. Alternative instructional delivery methods to
 29 support remediation, acceleration, and enrichment strategies.

30 (b) Approval process.--Develop a process for approval
 31 of a school improvement plan presented by an individual school

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

5 (c) Assistance and intervention.--

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

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

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

28 4. Prioritize, to the extent possible, the
 29 expenditures of funds received from the supplemental academic
 30 instruction categorical fund under s. 1011.62(1)(f) to improve
 31 student performance in schools that receive a ~~performance~~

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1 grade ~~category designation~~ of "D" or "F."

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

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

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

30 (17) LOCAL-LEVEL DECISIONMAKING.--

31 (d) Adopt policies that assist in giving greater

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1 | autonomy, including authority over the allocation of the
 2 | school's budget, to schools designated with a ~~as performance~~
 3 | grade of ~~category~~ "A," making excellent progress, and schools
 4 | rated as having improved at least two grades ~~performance grade~~
 5 | ~~categories~~.

6 | (18) OPPORTUNITY SCHOLARSHIPS.--Adopt policies
 7 | allowing students attending schools that have been designated
 8 | with a ~~as performance~~ grade of ~~category~~ "F," failing to make
 9 | adequate progress, for 2 school years in a 4-year period to
 10 | attend a higher performing school in the district or an
 11 | adjoining district or be granted a state opportunity
 12 | scholarship to a private school, in conformance with s.
 13 | 1002.38 and State Board of Education rule.

14 | (22) REDUCE PAPERWORK AND DATA COLLECTION AND
 15 | REPORTING REQUIREMENTS.--Beginning with the 2006-2007 school
 16 | year:

17 | (a) Each district school board shall designate a
 18 | classroom teacher to serve as the teacher representative to
 19 | speak on behalf of the district's teachers regarding paperwork
 20 | and data collection reduction.

21 | (b) Each district school board must provide the school
 22 | community with an efficient method for the school community to
 23 | communicate with the classroom teacher designee regarding
 24 | possible paperwork and data collection burdens and potential
 25 | solutions.

26 | (c) The teacher designee shall annually report his or
 27 | her findings and potential solutions to the school board.

28 | (d) Each district school board must submit its
 29 | findings and potential solutions to the State Board of
 30 | Education by September 1 of each year.

31 | (e) The State Board of Education shall prepare a

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1 report of the statewide paperwork and data collection findings
 2 and potential solutions and submit the report to the Governor,
 3 the President of the Senate, and the Speaker of the House of
 4 Representatives by October 1 of each year.

5 Section 12. Subsection (24) of section 1001.51,
 6 Florida Statutes, is repealed.

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

10 1001.54 Duties of school principals.--

11 (1)

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

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

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

25 Section 14. Subsection (11) of section 1002.20,
 26 Florida Statutes, is amended to read:

27 1002.20 K-12 student and parent rights.--Parents of
 28 public school students must receive accurate and timely
 29 information regarding their child's academic progress and must
 30 be informed of ways they can help their child to succeed in
 31 school. K-12 students and their parents are afforded numerous

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1 statutory rights including, but not limited to, the following:

2 (11) STUDENTS WITH READING DEFICIENCIES.--Each
3 elementary school shall regularly assess the reading ability
4 of each K-3 student. The parent of any K-3 student who
5 exhibits a reading deficiency shall be immediately notified of
6 the student's deficiency with a description and explanation,
7 in terms understandable to the parent, of the exact nature of
8 the student's difficulty in learning and lack of achievement
9 in reading; shall be consulted in the development of a
10 progress monitoring ~~detailed academic improvement~~ plan, as
11 described in s. 1008.25(4)(b); and shall be informed that the
12 student will be given intensive reading instruction until the
13 deficiency is corrected. This subsection operates in addition
14 to the remediation and notification provisions contained in s.
15 1008.25 and in no way reduces the rights of a parent or the
16 responsibilities of a school district under that section.

17 Section 15. Paragraph (b) of subsection (3) and
18 subsection (4) of section 1003.01, Florida Statutes, are
19 amended to read:

20 1003.01 Definitions.--As used in this chapter, the
21 term:

22 (3)
23 (b) "Special education services" means specially
24 designed instruction and such related services as are
25 necessary for an exceptional student to benefit from
26 education. Such services may include: transportation;
27 diagnostic and evaluation services; social services; physical
28 and occupational therapy; speech and language pathology
29 services; job placement; orientation and mobility training;
30 braillists, typists, and readers for the blind; interpreters
31 and auditory amplification; rehabilitation counseling;

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1 transition services; mental health services; guidance and
 2 career counseling; specified materials, assistive technology
 3 devices, and other specialized equipment; and other such
 4 services as approved by rules of the state board.

5 (4) "Career education" means education that provides
 6 instruction for the following purposes:

7 (a) At the elementary, middle, and high ~~secondary~~
 8 school levels, exploratory courses designed to give students
 9 initial exposure to a broad range of occupations to assist
 10 them in preparing their academic and occupational plans, and
 11 practical arts courses that provide generic skills that may
 12 apply to many occupations but are not designed to prepare
 13 students for entry into a specific occupation. Career
 14 education provided before high school completion must be
 15 designed to strengthen ~~enhance~~ both occupational awareness and
 16 academic skills integrated throughout all ~~through integration~~
 17 ~~with~~ academic instruction.

18 (b) At the secondary school level, job-preparatory
 19 instruction in the competencies that prepare students for
 20 effective entry into an occupation, including diversified
 21 cooperative education, work experience, and job-entry programs
 22 that coordinate directed study and on-the-job training.

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

26 Section 16. Paragraph (b) of subsection (2) of section
 27 1003.03, Florida Statutes, is amended, and subsection (5) is
 28 added to that section, to read:

29 1003.03 Maximum class size.--

30 (2) IMPLEMENTATION.--

31 (b) Determination of the number of students per

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1 classroom in paragraph (a) shall be calculated as follows:

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

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

8 3. For fiscal years 2008-2009, 2009-2010, and
9 thereafter, the calculation for compliance shall be at the
10 individual classroom level.

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

14 (5) TEAM-TEACHING STRATEGIES.--

15 (a) School districts may use teaching strategies that
16 include the assignment of more than one teacher to a classroom
17 of students and that were implemented before July 1, 2005.
18 Effective July 1, 2005, school districts may implement
19 additional teaching strategies that include the assignment of
20 more than one teacher to a classroom of students for the
21 following purposes only:

22 1. Pairing teachers for the purpose of staff
23 development.

24 2. Pairing new teachers with veteran teachers.

25 3. Reducing turnover among new teachers.

26 4. Pairing teachers who are teaching out-of-field with
27 teachers who are in-field.

28 5. Providing for more flexibility and innovation in
29 the classroom.

30 6. Improving learning opportunities for students,
31 including students who have disabilities.

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1 (b) Teaching strategies implemented on or after July
2 1, 2005, pursuant to paragraph (a) may be implemented subject
3 to the following restrictions:

4 1. Reasonable limits shall be placed on the number of
5 students in a classroom so that classrooms are not
6 overcrowded. Teacher-to-student ratios within a curriculum
7 area or grade level must not exceed constitutional limits.

8 2. At least one member of the team must have at least
9 3 years of teaching experience.

10 3. At least one member of the team must be teaching
11 in-field.

12 4. The teachers must be trained in team-teaching
13 methods within 1 year after assignment.

14
15 The use of strategies implemented as outlined in this
16 subsection meets the letter and intent of the Florida
17 Constitution and the Florida Statutes which relate to
18 implementing class-size reduction and this subsection applies
19 retroactively. A school district may not be penalized
20 financially or otherwise as a result of the use of any legal
21 strategy, including, but not limited to, those set forth in
22 subsection (3) and this subsection.

23 Section 17. Subsection (3) of section 1003.05, Florida
24 Statutes, is amended to read:

25 1003.05 Assistance to transitioning students from
26 military families.--

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

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

12 Section 18. Paragraph (c) of subsection (1) of section
 13 1003.21, Florida Statutes, is amended to read:

14 1003.21 School attendance.--

15 (1)

16 (c) A student who attains the age of 16 years during
 17 the school year is not subject to compulsory school attendance
 18 beyond the date upon which he or she attains that age if the
 19 student files a formal declaration of intent to terminate
 20 school enrollment with the district school board. The
 21 declaration must acknowledge that terminating school
 22 enrollment is likely to reduce the student's earning potential
 23 and must be signed by the student and the student's parent.
 24 The school district must notify the student's parent of
 25 receipt of the student's declaration of intent to terminate
 26 school enrollment. The student's guidance counselor or other
 27 school personnel must conduct an exit interview with the
 28 student to determine the reasons for the student's decision to
 29 terminate school enrollment and actions that could be taken to
 30 keep the student in school. The student must be informed of
 31 opportunities to continue his or her education in a different

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1 environment, including, but not limited to, adult education
 2 and GED test preparation. Additionally, the student must
 3 complete a survey in a format prescribed by the Department of
 4 Education to provide data on student reasons for terminating
 5 enrollment and actions taken by schools to keep students
 6 enrolled.

7 Section 19. Section 1003.413, Florida Statutes, is
 8 created to read:

9 1003.413 Florida Secondary School Redesign Act.--

10 (1) Secondary schools are schools that primarily serve
 11 students in grades 6 through 12. It is the intent of the
 12 Legislature to provide for secondary school redesign so that
 13 students promoted from the 8th grade have the necessary
 14 academic skills for success in high school and students
 15 graduating from high school have the necessary skills for
 16 success in the workplace and postsecondary education.

17 (2) The following guiding principles for secondary
 18 school redesign shall be used in the annual preparation of
 19 each secondary school's improvement plan required by s.
 20 1001.42(16):

21 (a) Struggling students, especially those in failing
 22 schools, need the highest quality teachers and dramatically
 23 different, innovative approaches to teaching and learning.

24 (b) Every teacher must contribute to every student's
 25 reading improvement.

26 (c) Quality professional development provides teachers
 27 and principals with the tools they need to better serve
 28 students.

29 (d) Small learning communities allow teachers to
 30 personalize instruction to better address student learning
 31 styles, strengths, and weaknesses.

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1 (e) Intensive intervention in reading and mathematics
2 must occur early and through innovative delivery systems.

3 (f) Parents need access to tools they can use to
4 monitor their child's progress in school, communicate with
5 teachers, and act early on behalf of their child.

6 (g) Applied and integrated courses help students see
7 the relationships between subjects and relevance to their
8 futures.

9 (h) School is more relevant when students choose
10 courses based on their goals, interests, and talents.

11 (i) Master schedules should not determine instruction
12 and must be designed based on student needs, not adult or
13 institutional needs.

14 (j) Academic and career planning engages students in
15 developing a personally meaningful course of study so they can
16 achieve goals they have set for themselves.

17 (3) Based on these guiding principles, district school
18 boards shall establish policies to implement the requirements
19 of ss. 1003.4156, 1003.428, and 1003.493. The policies must
20 address:

21 (a) Procedures for placing and promoting students who
22 enter a Florida public school at grade 6 through grade 12 from
23 out of state or from a foreign country, including a review of
24 the student's prior academic performance.

25 (b) Alternative methods for students to demonstrate
26 competency in required courses and credits, with special
27 support for students who have been retained.

28 (c) Applied, integrated, and combined courses that
29 provide flexibility for students to enroll in courses that are
30 creative and meet individual learning styles and student
31 needs.

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1 (d) Credit recovery courses and intensive reading and
 2 mathematics intervention courses based on student performance
 3 on the FCAT. These courses should be competency based and
 4 offered through innovative delivery systems, including
 5 computer-assisted instruction. School districts should use
 6 learning gains as well as other appropriate data and provide
 7 incentives to identify and reward high-performing teachers who
 8 teach credit recovery and intensive intervention courses.

9 (e) Grade forgiveness policies that replace a grade of
 10 "D" or "F" with a grade of "C" or higher earned subsequently
 11 in the same or a comparable course.

12 (f) Summer academies for students to receive intensive
 13 reading and mathematics intervention courses or
 14 competency-based credit recovery courses. A student's
 15 participation in an instructional or remediation program prior
 16 to or immediately following entering grade 9 for the first
 17 time shall not affect that student's classification as a
 18 first-time 9th grader for reporting purposes.

19 (g) Strategies to support teachers' pursuit of the
 20 reading endorsement and emphasize reading instruction
 21 professional development for content area teachers.

22 (h) Creative and flexible scheduling designed to meet
 23 student needs.

24 (i) Procedures for high school students who have not
 25 prepared an electronic personal education plan pursuant to s.
 26 1003.4156 to prepare such plan.

27 (j) Tools for parents to regularly monitor student
 28 progress and communicate with teachers.

29 (k) Additional course requirements for promotion and
 30 graduation which may be determined by each school district in
 31 the student progression plan and may include additional

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1 academic, fine and performing arts, physical education, or
2 career and technical education courses in order to provide a
3 complete education program pursuant to s. 1001.41(3).

4 (4) In order to support the successful implementation
5 of this section by district school boards, the Department of
6 Education shall:

7 (a) By February 1, 2007, increase the number of
8 approved applied, integrated, and combined courses available
9 to school districts.

10 (b) By the beginning of the 2006-2007 school year,
11 make available a professional development package designed to
12 provide the information that content area teachers need to
13 become proficient in applying scientifically based reading
14 strategies through their content areas.

15 (c) Share best practices for providing a complete
16 education program to students enrolled in course recovery,
17 credit recovery, intensive reading intervention, or intensive
18 mathematics intervention.

19 (d) Expedite assistance and decisions and coordinate
20 policies throughout all divisions within the department to
21 provide school districts with support to implement this
22 section.

23 (e) Use data to provide the Legislature with an annual
24 longitudinal analysis of the success of this reform effort,
25 including the progress of 6th grade students and 9th grade
26 students scoring at Level 1 on FCAT Reading or FCAT
27 Mathematics.

28 (5) The Commissioner of Education shall create and
29 implement the Secondary School Improvement Award Program to
30 reward public secondary schools that demonstrate continuous
31 student academic improvement and show the greatest gains in

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1 student academic achievement in reading and mathematics.

2 Section 20. Section 1003.415, Florida Statutes, is
3 repealed.

4 Section 21. Section 1003.4156, Florida Statutes, is
5 created to read:

6 1003.4156 General requirements for middle grades
7 promotion.--

8 (1) Beginning with students entering grade 6 in the
9 2006-2007 school year, promotion from a school composed of
10 middle grades 6, 7, and 8 requires that:

11 (a) The student must successfully complete academic
12 courses as follows:

13 1. Three middle school or higher courses in English.
14 These courses shall emphasize literature, composition, and
15 technical text.

16 2. Three middle school or higher courses in
17 mathematics. Each middle school must offer at least one
18 high-school-level mathematics course for which students may
19 earn high school credit.

20 3. Three middle school or higher courses in social
21 studies, one semester of which must include the study of state
22 and federal government and civics education.

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

24 5. One course in career and education planning to be
25 completed in 7th or 8th grade. The course may be taught by any
26 member of the instructional staff; must include career
27 exploration using CHOICES for the 21st Century or a comparable
28 cost-effective program; must include educational planning
29 using the online student advising system known as Florida
30 Academic Counseling and Tracking for Students at the Internet
31 website FACTS.org; and shall result in the completion of a

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1 personalized academic and career plan. Each student's plan
2 must be signed by the student, the student's guidance
3 counselor or academic advisor, and the student's parent. By
4 January 1, 2007, the Department of Education shall develop
5 course frameworks and professional development materials for
6 the career and education planning course to be implemented as
7 a stand-alone course or integrated into another course or
8 courses.

9
10 Each school must hold a parent meeting either in the evening
11 or on a weekend to inform parents about the course curriculum
12 and activities. Each student shall complete an electronic
13 personal education plan that must be signed by the student,
14 the student's instructor or guidance counselor, and the
15 student's parent. By January 1, 2007, the Department of
16 Education shall develop course frameworks and professional
17 development materials for the career exploration and education
18 planning course. The course may be implemented as a
19 stand-alone course or integrated into another course. The
20 Commissioner of Education shall collect longitudinal high
21 school course enrollment data by student ethnicity in order to
22 analyze course-taking patterns.

23 (b) For each year in which a student scores at Level 1
24 on FCAT Reading, the student must be enrolled in and complete
25 an intensive reading course the following year. Placement of
26 Level 2 readers in either an intensive reading course or a
27 content area course in which reading strategies are delivered
28 shall be determined by diagnosis of reading needs. The
29 department shall provide guidance on appropriate strategies
30 for diagnosing and meeting the varying instructional needs of
31 students reading below grade level. Reading courses shall be

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1 designed and offered pursuant to the comprehensive reading
2 plan required by s. 1011.62(8).

3 (c) For each year in which a student scores at Level 1
4 or Level 2 on FCAT Mathematics, the student must receive
5 remediation the following year, which may be integrated into
6 the student's required mathematics course.

7 (2) Students in grade 6, grade 7, or grade 8 who are
8 not enrolled in schools with a middle grades configuration are
9 subject to the promotion requirements of this section.

10 (3) The State Board of Education may adopt rules
11 pursuant to ss. 120.536(1) and 120.54 to implement the
12 provisions of this section and may enforce the provisions of
13 this section pursuant to s. 1008.32.

14 Section 22. Section 1003.42, Florida Statutes, is
15 amended to read:

16 1003.42 Required instruction.--

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

24 (2) Members of the instructional staff of the public
25 schools, subject to the rules of the State Board of Education
26 and the district school board, shall teach efficiently and
27 faithfully, using the books and materials required that meet
28 the highest standards for professionalism and historic
29 accuracy, following the prescribed courses of study, and
30 employing approved methods of instruction, the following:

31 (a) The history and content of the Declaration of

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1 Independence, including national sovereignty, natural law,
 2 self-evident truth, equality of all persons, limited
 3 government, popular sovereignty, and inalienable rights of
 4 life, liberty, and property, and how they form ~~it forms~~ the
 5 philosophical foundation of our government.

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

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

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

16 (d) Flag education, including proper flag display and
 17 flag salute.

18 (e) The elements of civil government, including the
 19 primary functions of and interrelationships between the
 20 Federal Government, the state, and its counties,
 21 municipalities, school districts, and special districts.

22 (f) The history of the United States, including the
 23 period of discovery, early colonies, the War for Independence,
 24 the Civil War, the expansion of the United States to its
 25 present boundaries, the world wars, and the civil rights
 26 movement to the present. American history shall be viewed as
 27 factual, not as constructed, shall be viewed as knowable,
 28 teachable, and testable, and shall be defined as the creation
 29 of a new nation based largely on the universal principles
 30 stated in the Declaration of Independence.

31 ~~(g)(f)~~ The history of the Holocaust (1933-1945), the

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1 systematic, planned annihilation of European Jews and other
 2 groups by Nazi Germany, a watershed event in the history of
 3 humanity, to be taught in a manner that leads to an
 4 investigation of human behavior, an understanding of the
 5 ramifications of prejudice, racism, and stereotyping, and an
 6 examination of what it means to be a responsible and
 7 respectful person, for the purposes of encouraging tolerance
 8 of diversity in a pluralistic society and for nurturing and
 9 protecting democratic values and institutions.

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

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

16 ~~(j)(i)~~ The true effects of all alcoholic and
 17 intoxicating liquors and beverages and narcotics upon the
 18 human body and mind.

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

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

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

22 ~~(n)(m)~~ Comprehensive health education that addresses
 23 concepts of community health; consumer health; environmental
 24 health; family life, including an awareness of the benefits of
 25 sexual abstinence as the expected standard and the
 26 consequences of teenage pregnancy; mental and emotional
 27 health; injury prevention and safety; nutrition; personal
 28 health; prevention and control of disease; and substance use
 29 and abuse.

30 ~~(o)(n)~~ Such additional materials, subjects, courses,
 31 or fields in such grades as are prescribed by law or by rules

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1 of the State Board of Education and the district school board
2 in fulfilling the requirements of law.

3 ~~(p)(e)~~ The study of Hispanic contributions to the
4 United States.

5 ~~(g)(e)~~ The study of women's contributions to the
6 United States.

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

9 ~~(s)(a)~~ A character-development program in the
10 elementary schools, similar to Character First or Character
11 Counts, which is secular in nature ~~and stresses such character~~
12 ~~qualities as attentiveness, patience, and initiative.~~

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

24 ~~(t)(e)~~ In order to encourage patriotism, the
25 sacrifices that veterans have made in serving our country and
26 protecting democratic values worldwide. Such instruction must
27 occur on or before Veterans' Day and Memorial Day. Members of
28 the instructional staff are encouraged to use the assistance
29 of local veterans when practicable.

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

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

9 Section 23. Section 1003.428, Florida Statutes, is
 10 created to read:

11 1003.428 General requirements for high school
 12 graduation; revised.--

13 (1) Except as otherwise authorized pursuant to s.
 14 1003.429, beginning with students entering their first year of
 15 high school in the 2007-2008 school year, graduation requires
 16 the successful completion of a minimum of 24 credits, an
 17 International Baccalaureate curriculum, or an Advanced
 18 International Certificate of Education curriculum. Students
 19 must be advised of eligibility requirements for state
 20 scholarship programs and postsecondary admissions.

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

24 (a) Sixteen core curriculum credits:

25 1. Four credits in English, with major concentration
 26 in composition, reading for information, and literature.

27 2. Four credits in mathematics, one of which must be
 28 Algebra I, a series of courses equivalent to Algebra I, or a
 29 higher-level mathematics course. School districts are
 30 encouraged to set specific goals to increase enrollments in,
 31 and successful completion of, geometry and Algebra II.

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1 3. Three credits in science, two of which must have a
2 laboratory component.

3 4. Three credits in social studies as follows: one
4 credit in American history; one credit in world history;
5 one-half credit in economics; and one-half credit in American
6 government.

7 5. One credit in fine arts.

8 6. One credit in physical education to include
9 integration of health.

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

11 1. Four credits in a major area of interest, such as
12 sequential courses in a career and technical program, fine and
13 performing arts, or academic content area, selected by the
14 student as part of the education plan required by s.
15 1003.4156. Students may revise major areas of interest each
16 year as part of annual course registration processes and
17 should update their education plan to reflect such revisions.
18 Annually by October 1, the district school board shall approve
19 major areas of interest and submit the list of majors to the
20 Commissioner of Education for approval. Each major area of
21 interest shall be deemed approved unless specifically rejected
22 by the commissioner within 60 days. Upon approval, each
23 district's major areas of interest shall be available for use
24 by all school districts and shall be posted on the
25 department's website.

26 2. Four credits in elective courses selected by the
27 student as part of the education plan required by s.
28 1003.4156. These credits may be combined to allow for a second
29 major area of interest pursuant to subparagraph 1., a minor
30 area of interest, elective courses, intensive reading or
31 mathematics intervention courses, or credit recovery courses

1 as described in this subparagraph.

2 a. Minor areas of interest are composed of three
3 credits selected by the student as part of the education plan
4 required by s. 1003.4156 and approved by the district school
5 board.

6 b. Elective courses are selected by the student in
7 order to pursue a complete education program as described in
8 s. 1001.41(3) and to meet eligibility requirements for
9 scholarships.

10 c. For each year in which a student scores at Level 1
11 on FCAT Reading, the student must be enrolled in and complete
12 an intensive reading course the following year. Placement of
13 Level 2 readers in either an intensive reading course or a
14 content area course in which reading strategies are delivered
15 shall be determined by diagnosis of reading needs. The
16 department shall provide guidance on appropriate strategies
17 for diagnosing and meeting the varying instructional needs of
18 students reading below grade level. Reading courses shall be
19 designed and offered pursuant to the comprehensive reading
20 plan required by s. 1011.62(8).

21 d. For each year in which a student scores at Level 1
22 or Level 2 on FCAT Mathematics, the student must receive
23 remediation the following year. These courses may be taught
24 through applied, integrated, or combined courses and are
25 subject to approval by the department for inclusion in the
26 Course Code Directory.

27 e. Credit recovery courses shall be offered so that
28 students can simultaneously earn an elective credit and the
29 recovered credit.

30 (3)(a) A district school board may require specific
31 courses and programs of study within the minimum credit

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1 requirements for high school graduation and shall modify basic
2 courses, as necessary, to assure exceptional students the
3 opportunity to meet the graduation requirements for a standard
4 diploma, using one of the following strategies:

5 1. Assignment of the exceptional student to an
6 exceptional education class for instruction in a basic course
7 with the same student performance standards as those required
8 of nonexceptional students in the district school board
9 student progression plan; or

10 2. Assignment of the exceptional student to a basic
11 education class for instruction that is modified to
12 accommodate the student's exceptionality.

13 (b) The district school board shall determine which of
14 these strategies to employ based upon an assessment of the
15 student's needs and shall reflect this decision in the
16 student's individual education plan.

17 (4) Each district school board shall establish
18 standards for graduation from its schools, which must include:

19 (a) Successful completion of the academic credit or
20 curriculum requirements of subsections (1) and (2).

21 (b) Earning passing scores on the FCAT, as defined in
22 s. 1008.22(3)(c), or scores on a standardized test that are
23 concordant with passing scores on the FCAT as defined in s.
24 1008.22(9).

25 (c) Completion of all other applicable requirements
26 prescribed by the district school board pursuant to s.
27 1008.25.

28 (d) Achievement of a cumulative grade point average of
29 2.0 on a 4.0 scale, or its equivalent, in the courses required
30 by this section.

31 (5) The State Board of Education, after a public

1 hearing and consideration, shall adopt rules based upon the
 2 recommendations of the commissioner for the provision of test
 3 accommodations and modifications of procedures as necessary
 4 for students with disabilities which will demonstrate the
 5 student's abilities rather than reflect the student's impaired
 6 sensory, manual, speaking, or psychological process skills.

7 (6) The public hearing and consideration required in
 8 subsection (5) shall not be construed to amend or nullify the
 9 requirements of security relating to the contents of
 10 examinations or assessment instruments and related materials
 11 or data as prescribed in s. 1008.23.

12 (7)(a) A student who meets all requirements prescribed
 13 in subsections (1), (2), (3), and(4) shall be awarded a
 14 standard diploma in a form prescribed by the State Board of
 15 Education.

16 (b) A student who completes the minimum number of
 17 credits and other requirements prescribed by subsections (1),
 18 (2), and (3), but who is unable to meet the standards of
 19 paragraph (4)(b), paragraph (4)(c), or paragraph (4)(d), shall
 20 be awarded a certificate of completion in a form prescribed by
 21 the State Board of Education. However, any student who is
 22 otherwise entitled to a certificate of completion may elect to
 23 remain in the secondary school either as a full-time student
 24 or a part-time student for up to 1 additional year and receive
 25 special instruction designed to remedy his or her identified
 26 deficiencies.

27 (8)(a) Each district school board must provide
 28 instruction to prepare students with disabilities to
 29 demonstrate proficiency in the skills and competencies
 30 necessary for successful grade-to-grade progression and high
 31 school graduation.

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1 (b) A student with a disability, as defined in s.
 2 1007.02(2), for whom the individual education plan (IEP)
 3 committee determines that the FCAT cannot accurately measure
 4 the student's abilities taking into consideration all
 5 allowable accommodations, shall have the FCAT requirement of
 6 paragraph (4)(b) waived for the purpose of receiving a
 7 standard high school diploma, if the student:

8 1. Completes the minimum number of credits and other
 9 requirements prescribed by subsections (1), (2), and (3).

10 2. Does not meet the requirements of paragraph (4)(b)
 11 after one opportunity in 10th grade and one opportunity in
 12 11th grade.

13 (9) The Commissioner of Education may award a standard
 14 high school diploma to honorably discharged veterans who
 15 started high school between 1937 and 1946 and were scheduled
 16 to graduate between 1941 and 1950 but were inducted into the
 17 United States Armed Forces between September 16, 1940, and
 18 December 31, 1946, prior to completing the necessary high
 19 school graduation requirements. Upon the recommendation of the
 20 commissioner, the State Board of Education may develop
 21 criteria and guidelines for awarding such diplomas.

22 (10) The Commissioner of Education may award a
 23 standard high school diploma to honorably discharged veterans
 24 who started high school between 1946 and 1950 and were
 25 scheduled to graduate between 1950 and 1954, but were inducted
 26 into the United States Armed Forces between June 27, 1950, and
 27 January 31, 1955, and served during the Korean Conflict prior
 28 to completing the necessary high school graduation
 29 requirements. Upon the recommendation of the commissioner, the
 30 State Board of Education may develop criteria and guidelines
 31 for awarding such diplomas.

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1 (11) The State Board of Education may adopt rules
 2 pursuant to ss. 120.536(1) and 120.54 to implement the
 3 provisions of this section and may enforce the provisions of
 4 this section pursuant to s. 1008.32.

5 Section 24. Section 1003.429, Florida Statutes, is
 6 amended to read:

7 1003.429 Accelerated high school graduation options.--

8 (1) Students who enter grade 9 in the 2006-2007
 9 ~~2004-2005~~ school year and thereafter may select, upon receipt
 10 of each consent required by this section, one of the following
 11 three high school graduation options:

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

14 (b) Completion of a 3-year standard college
 15 preparatory program requiring successful completion of a
 16 minimum of 18 academic credits in grades 9 through 12. At
 17 least 6 of the 18 credits required for completion of this
 18 program must be received in classes that are offered pursuant
 19 to the International Baccalaureate Program, the Advanced
 20 Placement Program ~~honors, dual enrollment, advanced placement,~~
 21 ~~International Baccalaureate,~~ Advanced International
 22 Certificate of Education, or specifically listed or identified
 23 by the Department of Education as rigorous pursuant to s.
 24 ~~1009.531(3), or weighted by the district school board for~~
 25 ~~class ranking purposes.~~ The 18 credits required for completion
 26 of this program shall be primary requirements and shall be
 27 distributed as follows:

28 1. Four credits in English, with major concentration
 29 in composition and literature;

30 2. Three credits in mathematics at the Algebra I level
 31 or higher from the list of courses that qualify for state

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1 university admission;

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

4 4. Three credits in social sciences, which must
5 include one credit in American history, one credit in world
6 history, one-half credit in American government, and one-half
7 credit in economics;

8 5. Two credits in the same second language unless the
9 student is a native speaker of or can otherwise demonstrate
10 competency in a language other than English. If the student
11 demonstrates competency in another language, the student may
12 replace the language requirement with two credits in other
13 academic courses; and

14 6. Three credits in electives; or

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

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

21 2. Three credits in mathematics, one of which must be
22 Algebra I;

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

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

29 5. Three credits in a single vocational or career
30 education program, three credits in career and technical
31 certificate dual enrollment courses, or five credits in

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1 vocational or career education courses; and

2 6. Two credits in electives unless five credits are
3 earned pursuant to subparagraph 5.

4
5 Any student who selected an accelerated graduation program
6 before July 1, 2004, may continue that program, and all
7 statutory program requirements that were applicable when the
8 student made the program choice shall remain applicable to the
9 student as long as the student continues that program.

10 (2) Prior to selecting a program described in
11 paragraph (1)(b) or paragraph (1)(c), a student and the
12 student's parent must meet with designated school personnel to
13 receive an explanation of the relative requirements,
14 advantages, and disadvantages of each program option, and the
15 student must also receive the written consent of the student's
16 parent. ~~the following requirements must be met:~~

17 ~~(a) Designated school personnel shall meet with the~~
18 ~~student and student's parent to give an explanation of the~~
19 ~~relative requirements, advantages, and disadvantages of each~~
20 ~~graduation option.~~

21 ~~(b) The student shall submit to the high school~~
22 ~~principal and guidance counselor a signed parental consent to~~
23 ~~enter the 3-year accelerated graduation program.~~

24 ~~(c) The student shall have achieved at least an FCAT~~
25 ~~reading achievement level of 3, an FCAT mathematics~~
26 ~~achievement level of 3, and an FCAT Writing score of 3 on the~~
27 ~~most recent assessments taken by the student.~~

28 (3) Beginning with the 2006-2007 ~~2004-2005~~ school
29 year, each district school board shall provide each student in
30 grades 6 through 9 and their parents with information
31 concerning the 3-year and 4-year high school graduation

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1 options listed in subsection (1), including the respective
 2 curriculum requirements for those options, so that the
 3 students and their parents may select the program
 4 ~~postsecondary education or career plan~~ that best fits their
 5 needs. The information must ~~shall~~ include a timeframe for
 6 achieving each graduation option.

7 (4) Selection of one of the graduation options listed
 8 in subsection (1) must be completed by the student prior to
 9 the end of grade 9 and is exclusively up to the student and
 10 parent, subject to the requirements in subsection (2). Each
 11 district school board shall establish policies for extending
 12 this deadline to the end of a student's first semester of
 13 grade 10 for a student who entered a Florida public school
 14 after grade 9 upon transfer from a private school or another
 15 state or who was prevented from choosing a graduation option
 16 due to illness during grade 9. If the student and parent fail
 17 to select a graduation option, the student shall be considered
 18 to have selected the general requirements for high school
 19 graduation pursuant to paragraph (1)(a).

20 (5) District school boards may ~~shall~~ not establish
 21 requirements for accelerated 3-year high school graduation
 22 options in excess of the requirements in paragraphs (1)(b) and
 23 (c).

24 (6) Students pursuing accelerated 3-year high school
 25 graduation options pursuant to paragraph (1)(b) or paragraph
 26 (1)(c) are required to:

27 (a) Earn passing scores on the FCAT as defined in s.
 28 1008.22(3)(c) or scores on a standardized test that are
 29 concordant with passing scores on the FCAT as defined in s.
 30 1008.22(9).

31 (b)1. Achieve a cumulative weighted grade point

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1 average of 3.5 ~~3.0~~ on a 4.0 scale, or its equivalent, in the
2 courses required for the college preparatory accelerated
3 3-year high school graduation option pursuant to paragraph
4 (1)(b); or

5 2. Achieve a cumulative weighted grade point average
6 of 3.0 on a 4.0 scale, or its equivalent, in the courses
7 required for the career preparatory accelerated 3-year high
8 school graduation option pursuant to paragraph (1)(c).

9 (c) Receive a weighted or unweighted grade that earns
10 at least 3.0 points, or its equivalent, to earn course credit
11 toward the 18 credits required for the college preparatory
12 accelerated 3-year high school graduation option pursuant to
13 paragraph (1)(b).

14 (d) Receive a weighted or unweighted grade that earns
15 at least 2.0 points, or its equivalent, to earn course credit
16 toward the 18 credits required for the career preparatory
17 accelerated 3-year high school graduation option pursuant to
18 paragraph (1)(c).

19
20 Weighted grades referred to in paragraphs (b), (c), and (d)
21 shall be applied to those courses specifically listed or
22 identified by the department as rigorous pursuant to s.
23 1009.531(3) or weighted by the district school board for class
24 ranking purposes.

25 (7) If, at the end of grade 10, a student is not on
26 track to meet the credit, assessment, or grade-point-average
27 requirements of the accelerated graduation option selected,
28 the school shall notify the student and parent of the
29 following:

30 (a) The requirements that the student is not currently
31 meeting.

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1 (b) The specific performance necessary in grade 11 for
2 the student to meet the accelerated graduation requirements.

3 (c) The right of the student to change to the 4-year
4 program set forth in s. 1003.43.

5 (8) A student who selected one of the accelerated
6 3-year graduation options shall automatically move to the
7 4-year program set forth in s. 1003.43 if the student:

8 (a) Exercises his or her right to change to the 4-year
9 program;

10 (b) Fails to earn 5 credits by the end of grade 9 or
11 fails to earn 11 credits by the end of grade 10;

12 (c) Does not achieve a score of 3 or higher on the
13 grade 10 FCAT Writing assessment; or

14 (d) By the end of grade 11 does not meet the
15 requirements of subsections (1) and (6).

16 (9) A student who meets all requirements prescribed in
17 subsections (1) and (6) shall be awarded a standard diploma in
18 a form prescribed by the State Board of Education.

19 Section 25. Section 1003.437, Florida Statutes, is
20 amended to read:

21 1003.437 Middle and high school grading system.--The
22 grading system and interpretation of letter grades used for
23 students in public ~~high~~ schools in grades 6-12 shall be as
24 follows:

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

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

31 (3) Grade "C" equals 70 percent through 79 percent,

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1 has a grade point average value of 2, and is defined as
2 "average progress."

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

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

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

11

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

14 Section 26. Section 1003.491, Florida Statutes, is
15 amended to read:

16 1003.491 Career education.--

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

20 (a) Student exposure to a variety of careers and
21 provision of instruction to explore specific careers in
22 greater depth.

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

25 (c) Student development of individual academic and
26 career plans as specified in s. 1003.4156.

27 (d) Integration of academic and career skills in the
28 secondary curriculum.

29 (e) Student preparation to enter the workforce and
30 enroll in postsecondary education without being required to
31 complete college preparatory or career preparatory

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1 instruction.

2 (f) Student retention in school through high school
3 graduation.

4 (g) Career education curriculum articulation with
5 corresponding postsecondary programs in the career center or
6 community college, or both.

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

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

17 Section 27. Section 1003.493, Florida Statutes, is
18 created to read:

19 1003.493 Career and professional academies.--

20 (1) A career and professional academy is a
21 research-based program that integrates a rigorous academic
22 curriculum with an industry-driven career curriculum. Career
23 and professional academies may be offered by public schools,
24 school districts, or the Florida Virtual School. Students
25 completing career and professional academy programs receive a
26 standard high school diploma, the highest available industry
27 certification, and postsecondary credit if the academy
28 partners with a postsecondary institution.

29 (2) The goals of career and professional academies are
30 to:

31 (a) Increase student academic achievement and

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1 graduation rates through integrated academic and career
2 curricula.

3 (b) Focus on career preparation through rigorous
4 academics and industry certification.

5 (c) Raise student aspiration and commitment to
6 academic achievement and work ethics.

7 (d) Support the revised graduation requirements
8 pursuant to s. 1003.428 by providing creative, applied majors.

9 (e) Promote acceleration mechanisms, such as dual
10 enrollment, articulated credit, or occupational completion
11 points, so that students may earn postsecondary credit while
12 in high school.

13 (f) Support the state's economy by meeting industry
14 needs for skilled employees in high-demand occupations.

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

17 (a) A school-within-a-school career academy, as part
18 of an existing high school, that provides courses in one
19 occupational cluster. Students in the high school are not
20 required to be students in the academy.

21 (b) A total school configuration providing multiple
22 academies each structured around an occupational cluster.
23 Every student in the school is in an academy.

24 (4) Each career and professional academy must:

25 (a) Provide a rigorous standards-based academic
26 curriculum integrated with a career curriculum. The curriculum
27 must take into consideration multiple styles of student
28 learning; promote learning by doing through application and
29 adaptation; maximize relevance of the subject matter; enhance
30 each student's capacity to excel; and include an emphasis on
31 work habits and work ethics.

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1 (b) Include one or more partnerships with
 2 postsecondary institutions, businesses, industry, employers,
 3 economic development organizations, or other appropriate
 4 partners from the local community. Such partnerships must
 5 provide opportunities for:

- 6 1. Instruction from highly skilled professionals.
- 7 2. Internships, externships, and on-the-job training.
- 8 3. A postsecondary degree, diploma, or certificate.
- 9 4. The highest available level of industry
 10 certification. Where no national or state certification
 11 exists, school districts may establish a local certification
 12 in conjunction with the local workforce development board, the
 13 chamber of commerce, or the Agency for Workforce Innovation.
- 14 5. Maximum articulation of credits pursuant to s.
 15 1007.23 upon program completion.

16 (c) Provide creative and tailored student advisement,
 17 including parent participation and coordination with middle
 18 schools to provide career exploration and education planning
 19 as required under s. 1003.4156. Coordination with middle
 20 schools must provide information to middle school students
 21 about secondary and postsecondary career education programs
 22 and academies.

23 (d) Provide a career education certification on the
 24 high school diploma pursuant to s. 1003.431.

25 (e) Provide instruction in careers designated as high
 26 growth, high demand, and high pay by the local workforce
 27 development board, the chamber of commerce, or the Agency for
 28 Workforce Innovation.

29 (f) Deliver academic content through instruction
 30 relevant to the career, including intensive reading and
 31 mathematics intervention required by s. 1003.428, with an

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1 emphasis on strengthening reading for information skills.

2 (g) Provide instruction resulting in competency,
3 certification, or credentials in workplace skills, including,
4 but not limited to, communication skills, interpersonal
5 skills, decisionmaking skills, the importance of attendance
6 and timeliness in the work environment, and work ethics.

7 (h) Provide opportunities for students to obtain the
8 Florida Ready to Work Certification pursuant to s. 1004.99.

9 (i) Include an evaluation plan developed jointly with
10 the Department of Education. The evaluation plan must include
11 a self-assessment tool based on standards, such as the Career
12 Academy National Standards of Practice, and outcome measures
13 including, but not limited to, graduation rates, enrollment in
14 postsecondary education, business and industry satisfaction,
15 employment and earnings, achievement of industry
16 certification, awards of postsecondary credit, and FCAT
17 achievement levels and learning gains.

18 Section 28. Paragraphs (g) and (n) of subsection (2)
19 of section 1003.51, Florida Statutes, are amended to read:

20 1003.51 Other public educational services.--

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

29 (g) Funding requirements, which shall include the
30 requirement that at least 90 percent of the FEFP funds
31 generated by students in Department of Juvenile Justice

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1 programs or in an education program for juveniles under s.
 2 985.223 be spent on instructional costs for those students.
 3 One hundred percent of the formula-based categorical funds
 4 generated by students in Department of Juvenile Justice
 5 programs must be spent on appropriate categoricals such as
 6 instructional materials and public school technology for those
 7 students.

8 (n) Performance expectations for providers and
 9 district school boards, including the provision of a progress
 10 monitoring ~~an academic improvement~~ plan as required in s.
 11 1008.25.

12 Section 29. Subsection (7) of section 1003.52, Florida
 13 Statutes, is amended to read:

14 1003.52 Educational services in Department of Juvenile
 15 Justice programs.--

16 (7) A progress monitoring ~~An academic improvement~~ plan
 17 shall be developed for students who score below the level
 18 specified in district school board policy in reading, writing,
 19 and mathematics or below the level specified by the
 20 Commissioner of Education on statewide assessments as required
 21 by s. 1008.25. These plans shall address academic, literacy,
 22 and life skills and shall include provisions for intensive
 23 remedial instruction in the areas of weakness.

24 Section 30. Section 1003.57, Florida Statutes, is
 25 amended to read:

26 1003.57 Exceptional students instruction.--

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

31 (a)(1) The district school board provide the necessary

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1 professional services for diagnosis and evaluation of
2 exceptional students.

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

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

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

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

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

23 ~~(f)(6)~~ In providing for the education of exceptional
24 students, the district school superintendent, principals, and
25 teachers shall utilize the regular school facilities and adapt
26 them to the needs of exceptional students to the maximum
27 extent appropriate. Segregation of exceptional students shall
28 occur only if the nature or severity of the exceptionality is
29 such that education in regular classes with the use of
30 supplementary aids and services cannot be achieved
31 satisfactorily.

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

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

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

27 (c) The Department of Education shall develop a
 28 process by which a school district must, before providing
 29 services to an exceptional student with a disability who
 30 resides in a residential facility in this state, review the
 31 residency of the student. The residential facility, not the

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1 district, is responsible for billing and collecting from a
2 nonresidential student's home state payment for the student's
3 educational and related services.

4 (d) The Department of Education shall formulate an
5 interagency agreement or other mechanism for billing and
6 collecting from a nonresidential student's home state payment
7 for the student's educational and related services.

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

20 Section 31. Section 1003.576, Florida Statutes, is
21 created to read:

22 1003.576 Individual education plans for exceptional
23 students.--The Department of Education must develop and have
24 an operating electronic IEP system in place for potential
25 statewide use no later than July 1, 2007. The statewide
26 system shall be developed collaboratively with school
27 districts and must include input from school districts
28 currently developing or operating electronic IEP systems.

29 Section 32. Subsection (3) of section 1003.58, Florida
30 Statutes, is amended to read:

31 1003.58 Students in residential care facilities.--Each

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

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

10 |

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

17 | Section 33. Paragraph (a) of subsection (1) and
18 | paragraph (a) of subsection (2) of section 1003.62, Florida
19 | Statutes, are amended to read:

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

30 | (1) ACADEMIC PERFORMANCE-BASED CHARTER SCHOOL
31 | DISTRICT.--

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

21 (2) EXEMPTION FROM STATUTES AND RULES.--

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

31 1. Those statutes pertaining to the provision of

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1 services to students with disabilities.

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

4 3. Those statutes pertaining to student health,
5 safety, and welfare.

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

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

10 6. Those statutes pertaining to financial matters,
11 including chapter 1010.

12 7. Those statutes pertaining to planning and
13 budgeting, including chapter 1011, except that ss. 1011.64 and
14 1011.69 shall be eligible for exemption.

15 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
16 differentiated pay and performance-pay policies for school
17 administrators and instructional personnel. Professional
18 service contracts shall be subject to the provisions of ss.
19 1012.33 and 1012.34.

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

27 Section 34. Section 1004.64, Florida Statutes, is
28 created to read:

29 1004.64 Florida Center for Reading Research.--There is
30 created at the Florida State University, the Florida Center
31 for Reading Research (FCRR). The center shall include two

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1 outreach centers, one at a central Florida community college
2 and one at a south Florida state university. The center and
3 the outreach centers, under the center's leadership, shall:

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

8 (2) Conduct applied research that will have an
9 immediate impact on policy and practices related to literacy
10 instruction and assessment in this state with an emphasis on
11 struggling readers and reading in the content area strategies
12 and methods for secondary teachers.

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

16 (4) Collaborate with the Just Read! Florida Office and
17 school districts in the development of frameworks for
18 comprehensive reading intervention courses for possible use in
19 middle schools and secondary schools.

20 (5) Collaborate with the Just Read! Florida Office and
21 school districts in the development of frameworks for
22 professional development activities, using multiple delivery
23 methods for teaching reading in the content area.

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

27 (7) Collect, manage, and report on assessment
28 information from screening, progress monitoring, and outcome
29 assessments through the Florida Progress Monitoring and
30 Reporting Network. The network is a statewide resource that is
31 operated to provide valid and timely reading assessment data

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1 for parents, teachers, principals, and district-level and
2 state-level staff in the management of instruction at the
3 individual, classroom, and school levels.

4 Section 35. Section 1004.99, Florida Statutes, is
5 created to read:

6 1004.99 Florida Ready to Work Certification Program.--

7 (1) There is created the Florida Ready to Work
8 Certification Program to enhance the workplace skills of
9 Florida's students to better prepare them for successful
10 employment in specific occupations.

11 (2) The Florida Ready to Work Certification Program
12 may be conducted in public middle and high schools, community
13 colleges, technical centers, one-stop career centers,
14 vocational rehabilitation centers, and Department of Juvenile
15 Justice educational facilities. The program may be made
16 available to other entities that provide job training. The
17 Department of Education shall establish institutional
18 readiness criteria for program implementation.

19 (3) The Florida Ready to Work Certification Program
20 shall be composed of:

21 (a) A comprehensive identification of workplace skills
22 for each occupation identified for inclusion in the program by
23 the Agency for Workforce Innovation and the Department of
24 Education.

25 (b) A preinstructional assessment that delineates the
26 student's mastery level on the specific workplace skills
27 identified for that occupation.

28 (c) A targeted instructional program limited to those
29 identified workplace skills in which the student is not
30 proficient as measured by the preinstructional assessment.

31 Instruction must utilize a web-based program and be customized

1 to meet identified specific needs of local employers.

2 (d) A certificate and portfolio awarded to students
3 upon successful completion of the instruction. Each portfolio
4 must delineate the skills demonstrated by the student as
5 evidence of the student's preparation for employment.

6 (4) The State Board of Education, in consultation with
7 the Agency for Workforce Innovation, may adopt rules pursuant
8 to ss. 120.536(1) and 120.54 to implement the provisions of
9 this section.

10 Section 36. Subsection (4) of section 1006.09, Florida
11 Statutes, is amended to read:

12 1006.09 Duties of school principal relating to student
13 discipline and school safety.--

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

25 Section 37. Section 1007.21, Florida Statutes, is
26 amended to read:

27 1007.21 Readiness for postsecondary education and the
28 workplace.--

29 (1) It is the intent of the Legislature that students
30 and parents develop academic ~~set early~~ achievement and career
31 goals for the student's post-high-school ~~post-high-school~~

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

13 (2)(a) Students entering the 9th grade and their
 14 parents shall have developed during the middle grades a 4- to
 15 5-year academic and career plan based on postsecondary and
 16 career ~~be active participants in choosing an~~
 17 ~~end-of-high-school student destination based upon both student~~
 18 ~~and parent goals. Alternate career and academic~~ ~~Four or more~~
 19 destinations should be considered ~~available~~ with bridges
 20 between destinations to enable students to shift academic and
 21 career priorities if ~~destinations should~~ they choose to change
 22 goals. The destinations shall accommodate the needs of
 23 students served in exceptional education programs to the
 24 extent appropriate for individual students. Exceptional
 25 education students may continue to follow the courses outlined
 26 in the district school board student progression plan.

27 ~~Participating~~ Students and their parents shall choose among
 28 destinations, which must include:

- 29 1. Four-year college or university, community college
 30 plus university, or military academy degree.
- 31 2. Two-year postsecondary degree.

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

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1 real-world internships and apprenticeships.

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

4 (h) High school equivalency diploma preparation
5 programs shall not be a choice for high school students
6 leading to any of the four destinations provided in paragraph

7 (a) since the appropriate coursework, counseling component,
8 and career preparation cannot be ensured.

9 (i) Schools shall ensure that students and parents are
10 made aware of the destinations available and provide the
11 necessary coursework to assist the student in reaching the
12 chosen destination. Students and parents shall be made aware
13 of the student's progress toward the chosen destination.

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

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

21 (b) The school principal shall:

22 1. Designate a member of the existing instructional or
23 administrative staff to serve as a specialist to help
24 coordinate the use of student achievement strategies to help
25 students succeed in their coursework. The specialist shall
26 also assist teachers in integrating the academic and career
27 curricula, utilizing technology, providing feedback regarding
28 student achievement, and implementing the Blueprint for Career
29 Preparation and Tech Prep programs.

30 2. Institute strategies to eliminate reading, writing,
31 and mathematics deficiencies of secondary students.

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1 Section 38. Paragraph (c) of subsection (3) of section
2 1007.2615, Florida Statutes, is amended to read:

3 1007.2615 American Sign Language; findings;
4 foreign-language credits authorized; teacher licensing.--

5 (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE
6 BOARD OF EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE
7 TEACHERS; PLAN FOR POSTSECONDARY EDUCATION PROVIDERS.--

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

14 Section 39. Subsections (5) and (16) of section
15 1007.271, Florida Statutes, are amended to read:

16 1007.271 Dual enrollment programs.--

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

31 (16) Beginning with students entering grade 9 in the

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1 2006-2007 school year, school districts and community colleges
 2 must weigh ~~college level~~ dual enrollment courses the same as
 3 ~~honors courses and~~ advanced placement, International
 4 Baccalaureate, and Advanced International Certificate of
 5 Education courses when grade point averages are calculated.
 6 Alternative grade calculation or weighting systems that
 7 discriminate against dual enrollment courses are prohibited.

8 Section 40. Paragraphs (c) and (f) of subsection (1),
 9 paragraphs (c), (e), and (f) of subsection (3), and subsection
 10 (9) of section 1008.22, Florida Statutes, are amended,
 11 paragraph (f) is added to subsection (3) of that section,
 12 present subsection (10) of that section is redesignated as
 13 subsection (11), and a new subsection (10) is added to that
 14 section, to read:

15 1008.22 Student assessment program for public
 16 schools.--

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

23 (c) Identify the educational strengths and needs of
 24 students and the readiness of students to be promoted to the
 25 next grade level or to graduate from high school with a
 26 standard or special high school diploma.

27 (f) Provide information on the performance of Florida
 28 students compared with that of other students ~~others~~ across
 29 the United States.

30 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner
 31 shall design and implement a statewide program of educational

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

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

30 1. The tests measure student skills and competencies
 31 adopted by the State Board of Education as specified in

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1 paragraph (a). The tests must measure and report student
2 proficiency levels of all students assessed in reading,
3 writing, mathematics, and science. The commissioner shall
4 provide for the tests to be developed or obtained, as
5 appropriate, through contracts and project agreements with
6 private vendors, public vendors, public agencies,
7 postsecondary educational institutions, or school districts.
8 The commissioner shall obtain input with respect to the design
9 and implementation of the testing program from state
10 educators, assistive technology experts, and the public.

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

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

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

25 5. Except as provided in s. 1003.428(8)(b) or s.
26 1003.43(11)(b), students must earn a passing score on the
27 grade 10 assessment test described in this paragraph or attain
28 concordant scores ~~on an alternate assessment~~ as described in
29 subsection (9) in reading, writing, and mathematics to qualify
30 for a standard ~~regular~~ high school diploma. The State Board of
31 Education shall designate a passing score for each part of the

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1 grade 10 assessment test. In establishing passing scores, the
 2 state board shall consider any possible negative impact of the
 3 test on minority students. ~~All students who took the grade 10~~
 4 ~~FCAT during the 2000-2001 school year shall be required to~~
 5 ~~earn the passing scores in reading and mathematics established~~
 6 ~~by the State Board of Education for the March 2001 test~~
 7 ~~administration. Such students who did not earn the established~~
 8 ~~passing scores and must repeat the grade 10 FCAT are required~~
 9 ~~to earn the passing scores established for the March 2001 test~~
 10 ~~administration. All students who take the grade 10 FCAT for~~
 11 ~~the first time in March 2002 shall be required to earn the~~
 12 ~~passing scores in reading and mathematics established by the~~
 13 ~~State Board of Education for the March 2002 test~~
 14 ~~administration.~~ The State Board of Education shall adopt rules
 15 which specify the passing scores for the grade 10 FCAT. Any
 16 such rules, which have the effect of raising the required
 17 passing scores, shall only apply to students taking the grade
 18 10 FCAT for the first time after such rules are adopted by the
 19 State Board of Education.

20 6. Participation in the testing program is mandatory
 21 for all students attending public school, including students
 22 served in Department of Juvenile Justice programs, except as
 23 otherwise prescribed by the commissioner. If a student does
 24 not participate in the statewide assessment, the district must
 25 notify the student's parent and provide the parent with
 26 information regarding the implications of such
 27 nonparticipation. ~~If modifications are made in the student's~~
 28 ~~instruction to provide accommodations that would not be~~
 29 ~~permitted on the statewide assessment tests, the district must~~
 30 ~~notify the student's parent of the implications of such~~
 31 ~~instructional modifications.~~ A parent must provide signed

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1 consent for a student to receive classroom instructional
 2 accommodations ~~modifications~~ that would not be available or
 3 permitted on the statewide assessments and must acknowledge in
 4 writing that he or she understands the implications of such
 5 instructional accommodations. The State Board of Education
 6 shall adopt rules, based upon recommendations of the
 7 commissioner, for the provision of test accommodations ~~and~~
 8 ~~modifications of procedures as necessary~~ for students in
 9 exceptional education programs and for students who have
 10 limited English proficiency. Accommodations that negate the
 11 validity of a statewide assessment are not allowable in the
 12 administration of the FCAT. However, instructional
 13 accommodations are allowable in the classroom if included in a
 14 student's individual education plan. Students using
 15 instructional accommodations in the classroom that are not
 16 allowable as accommodations on the FCAT may have the FCAT
 17 requirement waived pursuant to the requirements of s.
 18 1003.428(8)(b) or s. 1003.43(11)(b).

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

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

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1 in reading, writing, and math. The commissioner shall conduct
2 studies as necessary to verify that the required skills and
3 competencies are part of the district instructional programs.

4 9. District school boards must provide opportunities
5 for students to demonstrate an acceptable level of performance
6 on an alternative standardized assessment approved by the
7 State Board of Education 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 an alternate assessment tool that
18 accurately measures the skills and competencies established in
19 the Sunshine State Standards for students with disabilities
20 under s. 1003.438.

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 monitor educational achievement in the state,
26 including the measurement of educational achievement of the
27 Sunshine State Standards for students with disabilities.

28 Development and refinement of assessments shall include
29 universal design principles and accessibility standards that
30 will prevent any unintended obstacles for students with
31 disabilities while ensuring the validity and reliability of

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1 the test. These principles should be applicable to all
 2 technology platforms and assistive devices available for the
 3 assessments. The field testing process and psychometric
 4 analyses for the statewide assessment program must include an
 5 appropriate percentage of students with disabilities and an
 6 evaluation or determination of the effect of test items on
 7 such students.

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

13 (f) Study the cost and student achievement impact of
 14 secondary end-of-course assessments, including web-based and
 15 performance formats, and report to the Legislature prior to
 16 implementation.

17 (9) CONCORDANT SCORES FOR THE FCAT EQUIVALENCIES FOR
 18 STANDARDIZED TESTS.--

19 (a) The State Board of Education shall analyze the
 20 content and concordant data sets for widely used high school
 21 achievement tests, including, but not limited to, the PSAT,
 22 PLAN, SAT, ACT, and College Placement Test, to assess if
 23 concordant scores for FCAT scores can be determined for high
 24 school graduation, college placement, and scholarship awards.
 25 In cases where content alignment and concordant scores can be
 26 determined, the Commissioner of Education shall adopt those
 27 scores as meeting the graduation requirement in lieu of
 28 achieving the FCAT passing score and may adopt those scores as
 29 being sufficient to achieve additional purposes as determined
 30 by rule. Each time that test content or scoring procedures are
 31 changed for the FCAT or one of the identified tests, new

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1 concordant scores must be determined. ~~The Commissioner of~~
2 ~~Education shall approve the use of the SAT and ACT tests as~~
3 ~~alternative assessments to the grade 10 FCAT for the 2003-2004~~
4 ~~school year.~~

5 (b) In order to use a concordant subject area score
6 pursuant to this subsection to ~~Students who attain scores on~~
7 ~~the SAT or ACT which equate to the passing scores on the grade~~
8 ~~10 FCAT for purposes of high school graduation shall satisfy~~
9 ~~the assessment requirement for a standard high school diploma~~
10 ~~as provided in s. 1003.429(6)(a), or s. 1003.43(5)(a), or s.~~
11 1003.428, ~~for the 2003-2004 school year if the students meet~~
12 ~~the requirement in paragraph (b).~~

13 ~~(b)~~ a student must ~~shall be required to take each~~
14 subject area of the grade 10 FCAT a total of three times
15 without earning a passing score ~~in order to use the scores on~~
16 ~~an alternative assessment pursuant to paragraph (a).~~ The
17 requirements of this paragraph ~~This requirement shall not~~
18 apply to a new student who enters the Florida ~~is a new student~~
19 ~~to the public school system in grade 12, who may either~~
20 achieve a passing score on the FCAT or use an approved subject
21 area concordant score to fulfill the graduation requirement.

22 (c) The State Board of Education may define by rule
23 the allowable uses, other than to satisfy the high school
24 graduation requirement, for concordant scores as described in
25 this subsection. Such uses may include, but need not be
26 limited to, achieving appropriate standardized test scores
27 required for the awarding of Florida Bright Futures
28 Scholarships and college placement.

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

1 the following:

2 (a) Longitudinal performance of students in
3 mathematics and reading.

4 (b) Longitudinal performance of students by grade
5 level in mathematics and reading.

6 (c) Longitudinal performance regarding efforts to
7 close the achievement gap.

8 (d) Longitudinal performance of students on the
9 norm-referenced component of the FCAT.

10 (e) Other student performance data based on national
11 norm- referenced and criterion-referenced tests, when
12 available, and numbers of students who after 8th grade enroll
13 in adult education rather than other secondary education.

14 Section 41. Section 1008.221, Florida Statutes, is
15 repealed.

16 Section 42. Paragraphs (a), (b), and (c) of subsection
17 (4), paragraphs (b) and (c) of subsection (6), paragraph (b)
18 of subsection (7), and paragraph (b) of subsection (8) of
19 section 1008.25, Florida Statutes, are amended, and paragraph
20 (c) is added to subsection (8) of that section, to read:

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

23 (4) ASSESSMENT AND REMEDIATION.--

24 (a) Each student must participate in the statewide
25 assessment tests required by s. 1008.22. Each student who does
26 not meet specific levels of performance as determined by the
27 district school board in reading, writing, science, and
28 mathematics for each grade level, or who scores below Level 3
29 in reading or math ~~does not meet specific levels of~~
30 ~~performance as determined by the commissioner on statewide~~
31 ~~assessments at selected grade levels~~, must be provided with

1 additional diagnostic assessments to determine the nature of
2 the student's difficulty, the and areas of academic need, and
3 strategies for appropriate intervention and instruction as
4 described in paragraph (b).

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

15 1. A federally required student plan such as an
16 individual education plan;

17 2. A schoolwide system of progress monitoring for all
18 students; or

19 3. An individualized progress monitoring plan.

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

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1 ~~performance in these areas; and the K-12 comprehensive reading~~
2 ~~plan required by s. 1011.62(8) shall include instructional and~~
3 ~~support services to be provided to meet the desired levels of~~
4 ~~performance. District school boards may require low-performing~~
5 ~~students to attend remediation programs held before or after~~
6 ~~regular school hours or during the summer if transportation is~~
7 ~~provided. 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~~
11 ~~activities that have been shown to be successful in teaching~~
12 ~~reading to low-performing students. Remedial instruction~~
13 ~~provided during high school may not be in lieu of English and~~
14 ~~mathematics credits required for graduation.~~

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

25 (6) ELIMINATION OF SOCIAL PROMOTION.--

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

- 30 1. Limited English proficient students who have had
- 31 less than 2 years of instruction in an English for Speakers of

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1 Other Languages program.

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

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

9 4. Students who demonstrate, through a student
10 portfolio, that the student is reading on grade level as
11 evidenced by demonstration of mastery of the Sunshine State
12 Standards in reading equal to at least a Level 2 performance
13 on the FCAT.

14 5. Students with disabilities who participate in the
15 FCAT and who have an individual education plan or a Section
16 504 plan that reflects that the student has received ~~the~~
17 intensive remediation in reading, ~~as required by paragraph~~
18 ~~(4)(b)~~, for more than 2 years but still demonstrates a
19 deficiency in reading and was previously retained in
20 kindergarten, grade 1, grade 2, or grade 3.

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

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1 improving reading among low-performing readers.

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

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

14 2. The school principal shall review and discuss such
15 recommendation with the teacher and make the determination as
16 to whether the student should be promoted or retained. If the
17 school principal determines that the student should be
18 promoted, the school principal shall make such recommendation
19 in writing to the district school superintendent. The district
20 school superintendent shall accept or reject the school
21 principal's recommendation in writing.

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

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

25 1. Conduct a review of student progress monitoring
26 ~~academic improvement~~ plans for all students who did not score
27 above Level 1 on the reading portion of the FCAT and did not
28 meet the criteria for one of the good cause exemptions in
29 paragraph (6)(b). The review shall address additional supports
30 and services, as described in this subsection, needed to
31 remediate the identified areas of reading deficiency. The

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1 school district shall require a student portfolio to be
2 completed for each such student.

3 2. Provide students who are retained under the
4 provisions of paragraph (5)(b) with intensive instructional
5 services and supports to remediate the identified areas of
6 reading deficiency, including a minimum of 90 minutes of
7 daily, uninterrupted, scientifically research-based reading
8 instruction and other strategies prescribed by the school
9 district, which may include, but are not limited to:

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

18 3. Provide written notification to the parent of any
19 student who is retained under the provisions of paragraph
20 (5)(b) that his or her child has not met the proficiency level
21 required for promotion and the reasons the child is not
22 eligible for a good cause exemption as provided in paragraph
23 (6)(b). The notification must comply with the provisions of s.
24 1002.20(14) and must include a description of proposed
25 interventions and supports that will be provided to the child
26 to remediate the identified areas of reading deficiency.

27 4. Implement a policy for the midyear promotion of any
28 student retained under the provisions of paragraph (5)(b) who
29 can demonstrate that he or she is a successful and independent
30 reader, reading at or above grade level, and ready to be
31 promoted to grade 4. Tools that school districts may use in

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1 reevaluating any student retained may include subsequent
2 assessments, alternative assessments, and portfolio reviews,
3 in accordance with rules of the State Board of Education.
4 Students promoted during the school year after November 1 must
5 demonstrate proficiency above that required to score at Level
6 2 on the grade 3 FCAT, as determined by the State Board of
7 Education. The State Board of Education shall adopt standards
8 that provide a reasonable expectation that the student's
9 progress is sufficient to master appropriate 4th grade level
10 reading skills.

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

15 6. In addition to required reading enhancement and
16 acceleration strategies, provide parents of students to be
17 retained with at least one of the following instructional
18 options:

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

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

25 c. A mentor or tutor with specialized reading
26 training.

27 7. Establish a Reading Enhancement and Acceleration
28 Development (READ) Initiative. The focus of the READ
29 Initiative shall be to prevent the retention of grade 3
30 students and to offer intensive accelerated reading
31 instruction to grade 3 students who failed to meet standards

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1 for promotion to grade 4 and to each K-3 student who is
2 assessed as exhibiting a reading deficiency. The READ
3 Initiative shall:

4 a. Be provided to all K-3 students at risk of
5 retention as identified by the statewide assessment system
6 used in Reading First schools. The assessment must measure
7 phonemic awareness, phonics, fluency, vocabulary, and
8 comprehension.

9 b. Be provided during regular school hours in addition
10 to the regular reading instruction.

11 c. Provide a state-identified reading curriculum that
12 has been reviewed by the Florida Center for Reading Research
13 at Florida State University and meets, at a minimum, the
14 following specifications:

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

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

19 (III) Provides scientifically based and reliable
20 assessment.

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

23 (V) Is implemented during regular school hours.

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

27 8. Establish at each school, where applicable, an
28 Intensive Acceleration Class for retained grade 3 students who
29 subsequently score at Level 1 on the reading portion of the
30 FCAT. The focus of the Intensive Acceleration Class shall be
31 to increase a child's reading level at least two grade levels

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1 in 1 school year. The Intensive Acceleration Class shall:

2 a. Be provided to any student in grade 3 who scores at
3 Level 1 on the reading portion of the FCAT and who was
4 retained in grade 3 the prior year because of scoring at Level
5 1 on the reading portion of the FCAT.

6 b. Have a reduced teacher-student ratio.

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

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

14 e. Provide intensive language and vocabulary
15 instruction using a scientifically research-based program,
16 including use of a speech-language therapist.

17 f. Include weekly progress monitoring measures to
18 ensure progress is being made.

19 g. Report to the Department of Education, in the
20 manner described by the department, the progress of students
21 in the class at the end of the first semester.

22 9. Report to the State Board of Education, as
23 requested, on the specific intensive reading interventions and
24 supports implemented at the school district level. The
25 Commissioner of Education shall annually prescribe the
26 required components of requested reports.

27 10. Provide a student who has been retained in grade 3
28 and has received intensive instructional services but is still
29 not ready for grade promotion, as determined by the school
30 district, the option of being placed in a transitional
31 instructional setting. Such setting shall specifically be

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1 | designed to produce learning gains sufficient to meet grade 4
 2 | performance standards while continuing to remediate the areas
 3 | of reading deficiency.

4 | (8) ANNUAL REPORT.--

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

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

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

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

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

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

23 | (c) The Department of Education shall establish a
 24 | uniform format for school districts to report the information
 25 | required in paragraph (b). The format shall be developed with
 26 | input from district school boards and shall be provided not
 27 | later than 90 days prior to the annual due date. The
 28 | department shall annually compile the information required in
 29 | subparagraphs (b)2., 3., and 4., along with state-level
 30 | summary information, and report such information to the
 31 | Governor, the President of the Senate, and the Speaker of the

1 House of Representatives.

2 Section 43. Section 1008.301, Florida Statutes, is
3 repealed.

4 Section 44. Paragraphs (d) and (e) of subsection (1),
5 paragraphs (b) and (c) of subsection (2), and subsection (3)
6 of section 1008.31, Florida Statutes, are amended, and
7 subsection (4) is added to that section, to read:

8 1008.31 Florida's K-20 education performance
9 accountability system; legislative intent; ~~performance-based~~
10 ~~funding~~; mission, goals, and systemwide measures; data quality
11 improvements.--

12 (1) LEGISLATIVE INTENT.--It is the intent of the
13 Legislature that:

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

22 (e)1. The State Board of Education establish
23 performance measures and set performance standards for
24 individual ~~components of the public education system,~~
25 ~~including individual~~ schools and community colleges
26 ~~postsecondary educational institutions,~~ with measures and
27 standards based primarily on student achievement.

28 2. The Board of Governors of the State University
29 System establish performance measures and set performance
30 standards for individual state universities, including actual
31 completion rates.

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

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

- 5 1. Focused on student success.
- 6 2. Addressable through policy and program changes.
- 7 3. Efficient and of high quality.
- 8 4. Measurable over time.
- 9 5. Simple to explain and display to the public.
- 10 6. Aligned with other measures and other sectors to

11 support a coordinated K-20 education system.

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

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

23 2. Seamless articulation and maximum access, as
24 measured by evidence of progression, readiness, and access by
25 targeted groups of students identified by the Commissioner of
26 Education: ~~the percentage of students who demonstrate~~
27 ~~readiness for the educational level they are entering, from~~
28 ~~kindergarten through postsecondary education and into the~~
29 ~~workforce; the number and percentage of students needing~~
30 ~~remediation; the percentage of Floridians who complete~~
31 ~~associate, baccalaureate, graduate, professional, and~~

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1 ~~postgraduate degrees; the number and percentage of credits~~
 2 ~~that articulate; the extent to which each set of exit-point~~
 3 ~~requirements matches the next set of entrance point~~
 4 ~~requirements; the degree to which underserved populations~~
 5 ~~access educational opportunity; the extent to which access is~~
 6 ~~provided through innovative educational delivery strategies;~~
 7 ~~and other measures identified in law or rule.~~

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

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

23 5. Other goals as identified by law or rule.

24 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS
 25 SYSTEMWIDE DATA COLLECTION.--To provide data required to
 26 implement education performance accountability measures in
 27 state and federal law, the Commissioner of Education shall
 28 initiate and maintain strategies to improve data quality and
 29 timeliness. All data collected from state universities shall,
 30 as determined by the commissioner, be integrated into the K-20
 31 data warehouse. The commissioner shall have unlimited access

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1 to such data solely for the purposes of conducting studies,
2 reporting annual and longitudinal student outcomes, and
3 improving college readiness and articulation. All public
4 educational institutions shall provide data to the K-20 data
5 warehouse in a format specified by the commissioner.

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

15 (b) The Commissioner of Education shall determine the
16 standards for the required data, monitor data quality, and
17 measure improvements. The commissioner shall report annually
18 to the State Board of Education, the Board of Governors of the
19 State University System, the President of the Senate, and the
20 Speaker of the House of Representatives data quality
21 indicators and ratings for all school districts and public
22 postsecondary educational institutions.

23 (c) Before establishing any new reporting or data
24 collection requirements, the Commissioner of Education shall
25 utilize existing data being collected to reduce duplication
26 and minimize paperwork.

27 (4) RULES.--The State Board of Education shall adopt
28 rules pursuant to ss. 120.536(1) and 120.54 to implement the
29 provisions of this section relating to the K-20 data
30 warehouse.

31 Section 45. Section 1008.33, Florida Statutes, is

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1 amended to read:

2 1008.33 Authority to enforce public school
3 improvement.--It is the intent of the Legislature that all
4 public schools be held accountable for students performing at
5 acceptable levels. A system of school improvement and
6 accountability that assesses student performance by school,
7 identifies schools in which students are not making adequate
8 progress toward state standards, institutes appropriate
9 measures for enforcing improvement, and provides rewards and
10 sanctions based on performance shall be the responsibility of
11 the State Board of Education.

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

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

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

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

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

25 (c) Contract for the educational services of the
 26 school, or reorganize the school at the end of the school year
 27 under a new school principal who is authorized to hire new
 28 staff and implement a plan that addresses the causes of
 29 inadequate progress. A contract to administer an alternative
 30 school may not be entered into with a private entity which
 31 contract changes the character of the alternative school

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1 population as it existed when the alternative school was
 2 administered by the public school system. The term "character
 3 of the alternative school population" means the percentage of
 4 students having learning disabilities, physical disabilities,
 5 emotional disabilities, or developmental disabilities, as well
 6 as the percentage of students having discipline problems;

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

9 (e) Other action appropriate to improve the school's
 10 performance, including, if the school is a high school,
 11 requiring annual publication of the school's graduation rate
 12 calculated without GED tests for the past 3 years,
 13 disaggregated by student ethnicity.

14 (3) In recommending actions to district school boards,
 15 the State Board of Education shall specify the length of time
 16 available to implement the recommended action. The State
 17 Board of Education may adopt rules to further specify how it
 18 may respond in specific circumstances. No action taken by the
 19 State Board of Education shall relieve a school from state
 20 accountability requirements.

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

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1 low-performing schools as specified in s. 1001.42(16)(d) ~~s.~~
2 ~~1001.42(16)(c)~~.

3 Section 46. Section 1008.34, Florida Statutes, is
4 amended to read:

5 1008.34 School grading system; school report cards;
6 district ~~performance~~ grade.--

7 (1) ANNUAL REPORTS.--The Commissioner of Education
8 shall prepare annual reports of the results of the statewide
9 assessment program which describe student achievement in the
10 state, each district, and each school. The commissioner shall
11 prescribe the design and content of these reports, which must
12 include, without limitation, descriptions of the performance
13 of all schools participating in the assessment program and all
14 of their major student populations as determined by the
15 Commissioner of Education, and must also include the median
16 scores of all eligible students who scored at or in the lowest
17 25th percentile of the state in the previous school year;
18 provided, however, that the provisions of s. 1002.22
19 pertaining to student records apply to this section.

20 (2) SCHOOL GRADES ~~PERFORMANCE GRADE CATEGORIES~~.--The
21 annual report shall identify schools as having one of the
22 following grades, ~~being in one of the following grade~~
23 ~~categories~~ defined according to rules of the State Board of
24 Education:

- 25 (a) "A," schools making excellent progress.
- 26 (b) "B," schools making above average progress.
- 27 (c) "C," schools making satisfactory progress.
- 28 (d) "D," schools making less than satisfactory
29 progress.
- 30 (e) "F," schools failing to make adequate progress.

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1 Each school designated with a ~~in performance grade of category~~
 2 "A," making excellent progress, or having improved at least
 3 two ~~performance grade levels categories~~, shall have greater
 4 authority over the allocation of the school's total budget
 5 generated from the FEFP, state categoricals, lottery funds,
 6 grants, and local funds, as specified in state board rule. The
 7 rule must provide that the increased budget authority shall
 8 remain in effect until the school's ~~performance grade~~
 9 declines.

10 (3) DESIGNATION OF SCHOOL GRADES ~~PERFORMANCE GRADE~~
 11 CATEGORIES.--Each school that has students who are tested and
 12 included in the school grading system, except an alternative
 13 school that receives a school-improvement rating pursuant to
 14 s. 1008.341, shall receive a school grade; however, an
 15 alternative school may choose to receive a school grade under
 16 this section in lieu of a school-improvement rating.
 17 Additionally, a school that serves any combination of students
 18 in kindergarten through grade 3 which does not receive a
 19 school grade because its students are not tested and included
 20 in the school grading system shall receive the school grade
 21 designation of a K-3 feeder pattern school identified by the
 22 Department of Education and verified by the school district. A
 23 school feeder pattern exists if at least 60 percent of the
 24 students in the school serving a combination of students in
 25 kindergarten through grade 3 are scheduled to be assigned to
 26 the graded school. School grades ~~performance grade category~~
 27 ~~designations~~ itemized in subsection (2) shall be based on the
 28 following:

29 (a) Criteria ~~Timeframes~~.--A school's grade shall be
 30 based on a combination of:

31 1. Student achievement scores, including achievement

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1 scores for students seeking a special diploma ~~School~~
 2 ~~performance grade category designations shall be based on the~~
 3 ~~school's current year performance and the school's annual~~
 4 ~~learning gains.~~

5 2. ~~A school's performance grade category designation~~
 6 ~~shall be based on a combination of student achievement scores,~~
 7 Student learning gains as measured by annual FCAT assessments
 8 in grades 3 through 10; learning gains for students seeking a
 9 special diploma, as measured by an alternate assessment tool,
 10 shall be included not later than the 2009-2010 school year.

11 ~~and~~

12 3. Improvement of the lowest 25th percentile of
 13 students in the school in reading, math, or writing on the
 14 FCAT, unless these students are exhibiting ~~performing above~~
 15 satisfactory performance.

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

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

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

27 3. Effective with the 2005-2006 school year, the
 28 achievement scores and learning gains of eligible students
 29 attending alternative schools that provide dropout-prevention
 30 and academic-intervention services pursuant to s. 1003.53. The
 31 term "eligible students" in this subparagraph does not include

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

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

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1 satisfactory performance.

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

9 (5) SCHOOL REPORT CARD ~~PERFORMANCE GRADE CATEGORY AND~~
 10 ~~IMPROVEMENT RATING REPORTS.~~--The Department of Education shall
 11 annually develop, in collaboration with the school districts,
 12 a school report card to be delivered to parents throughout
 13 each school district. The report card shall include the
 14 school's grade, information regarding school improvement, an
 15 explanation of school performance as evaluated by the federal
 16 No Child Left Behind Act of 2001, and indicators of return on
 17 investment. School performance grade category designations and
 18 improvement ratings shall apply to each school's performance
 19 for the year in which performance is measured. Each school's
 20 report card designation and rating shall be published annually
 21 by the department on its website, of Education and the school
 22 district shall provide the school report card to each parent.
 23 ~~Parents shall be entitled to an easy to read report card about~~
 24 ~~the designation and rating of the school in which their child~~
 25 ~~is enrolled.~~

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

29 (6)(7) PERFORMANCE-BASED FUNDING.--The Legislature may
 30 factor in the performance of schools in calculating any
 31 performance-based funding policy that is provided for annually

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1 in the General Appropriations Act.

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

10 Section 47. Section 1008.341, Florida Statutes, is
11 created to read:

12 1008.341 School-improvement rating for alternative
13 schools.--

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

19 (2) SCHOOL IMPROVEMENT RATING.--Alternative schools
20 that provide dropout-prevention and academic-intervention
21 services pursuant to s. 1003.53 shall receive a
22 school-improvement rating pursuant to this section. The
23 school-improvement rating shall identify schools as having one
24 of the following ratings defined according to rules of the
25 State Board of Education:

26 (a) "Improving" means schools with students making
27 more academic progress than when the students were served in
28 their home schools.

29 (b) "Maintaining" means schools with students making
30 progress equivalent to the progress made when the students
31 were served in their home schools.

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1 (c) "Declining" means schools with students making
2 less academic progress than when the students were served in
3 their home schools.

4
5 The school-improvement rating shall be based on a comparison
6 of student performance data for the current year and previous
7 year. Schools that improve at least one level or maintain an
8 "improving" rating pursuant to this section are eligible for
9 school recognition awards pursuant to s. 1008.36.

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

13 (a) The aggregate scores of all eligible students who
14 were assigned to and enrolled in the school during the October
15 or February FTE count, who have been assessed on the FCAT, and
16 who have FCAT or comparable scores for the preceding school
17 year.

18 (b) The aggregate scores of all eligible students who
19 were assigned to and enrolled in the school during the October
20 or February FTE count, who have been assessed on the FCAT,
21 including Florida Writes, and who have scored in the lowest
22 25th percentile of students in the state on FCAT Reading.

23
24 The assessment scores of students who are subject to district
25 school board policies for expulsion for repeated or serious
26 offenses, who are in dropout-retrieval programs serving
27 students who have officially been designated as dropouts, or
28 who are in programs operated or contracted by the Department
29 of Juvenile Justice may not be included in an alternative
30 school's school improvement rating.

31 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.--For

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1 each alternative school receiving a school-improvement rating,
 2 the Department of Education shall annually identify the
 3 percentage of students making learning gains as compared to
 4 the percentage of the same students making learning gains in
 5 their home schools in the year prior to being assigned to the
 6 alternative school.

7 (5) SCHOOL REPORT CARD.--The Department of Education
 8 shall annually develop, in collaboration with the school
 9 districts, a school report card for alternative schools to be
 10 delivered to parents throughout each school district. The
 11 report card shall include the school-improvement rating,
 12 identification of student learning gains, student attendance
 13 data, information regarding school improvement, an explanation
 14 of school performance as evaluated by the federal No Child
 15 Left Behind Act of 2001, and indicators of return on
 16 investment.

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

20 1008.345 Implementation of state system of school
 21 improvement and education accountability.--

22 (5) The commissioner shall report to the Legislature
 23 and recommend changes in state policy necessary to foster
 24 school improvement and education accountability. Included in
 25 the report shall be a list of the schools, including schools
 26 operating for the purpose of providing educational services to
 27 youth in Department of Juvenile Justice programs, for which
 28 district school boards have developed assistance and
 29 intervention plans and an analysis of the various strategies
 30 used by the school boards. School reports shall be distributed
 31 pursuant to this subsection and s. 1001.42(16)(f) ~~s.~~

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1 ~~1001.42(16)(e)~~ and according to rules adopted by the State
2 Board of Education.

3 (6)

4 (b) Upon request, the department shall provide
5 technical assistance and training to any school, including any
6 school operating for the purpose of providing educational
7 services to youth in Department of Juvenile Justice programs,
8 school advisory council, district, or district school board
9 for conducting needs assessments, developing and implementing
10 school improvement plans, developing and implementing
11 assistance and intervention plans, or implementing other
12 components of school improvement and accountability. Priority
13 for these services shall be given to schools designated with a
14 ~~as performance grade of~~ category "D" or "F" and school
15 districts in rural and sparsely populated areas of the state.

16 (d) The commissioner ~~department~~ shall assign a
17 community assessment team to each school district or governing
18 board with a school graded ~~designated as performance grade~~
19 ~~category "D" or "F"~~ to review the school performance data and
20 determine causes for the low performance, including the role
21 of school, area, and district administrative personnel. The
22 community assessment team shall review a high school's
23 graduation rate calculated without GED tests for the past 3
24 years, disaggregated by student ethnicity. The team shall make
25 recommendations to the school board or the governing board, to
26 the department, and to the State Board of Education for
27 implementing an assistance and intervention plan that will
28 address the causes of the school's low performance. The
29 assessment team shall include, but not be limited to, a
30 department representative, parents, business representatives,
31 educators, representatives of local governments, and community

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1 activists, and shall represent the demographics of the
2 community from which they are appointed.

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

7 (b) Schools that have improved at least two grades
8 ~~performance grade categories~~ and that meet the criteria of the
9 Florida School Recognition Program pursuant to s. 1008.36 may
10 be given deregulated status as specified in s. 1003.63(5),
11 (7), (8), (9), and (10).

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

14 1009.24 State university student fees.--

15 (3) Except as otherwise provided by law, undergraduate
16 tuition shall be established annually in the General
17 Appropriations Act. The Board of Governors, or the board's
18 designee, may establish tuition for graduate and professional
19 programs, and out-of-state fees for all programs. The sum of
20 tuition and out-of-state fees assessed to nonresident students
21 must be sufficient to offset the full instructional cost of
22 servicing such students. However, adjustments to out-of-state
23 fees or tuition for graduate and professional programs
24 pursuant to this section may not exceed 10 percent in any
25 year. Within proviso in the General Appropriations Act and
26 law, each board of trustees shall set university tuition and
27 fees. The sum of the activity and service, health, and
28 athletic fees a student is required to pay to register for a
29 course shall not exceed 40 percent of the tuition established
30 in law or in the General Appropriations Act. No university
31 shall be required to lower any fee in effect on the effective

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1 date of this act in order to comply with this subsection.
 2 Within the 40 percent cap, universities may not increase the
 3 aggregate sum of activity and service, health, and athletic
 4 fees more than 5 percent per year unless specifically
 5 authorized in law or in the General Appropriations Act. A
 6 university may increase its athletic fee to defray the costs
 7 associated with changing National Collegiate Athletic
 8 Association divisions. Any such increase in the athletic fee
 9 may exceed both the 40 percent cap and the 5 percent cap
 10 imposed by this subsection. Any such increase must be approved
 11 by the athletic fee committee in the process outlined in
 12 subsection (11) and cannot exceed \$2 per credit hour.
 13 Notwithstanding the provisions of ss. 1009.534, 1009.535, and
 14 1009.536, that portion of any increase in an athletic fee
 15 pursuant to this subsection that causes the sum of the
 16 activity and service, health, and athletic fees to exceed the
 17 40 percent cap or the annual increase in such fees to exceed
 18 the 5 percent cap shall not be included in calculating the
 19 amount a student receives for a Florida Academic Scholars
 20 award, a Florida Medallion Scholars award, or a Florida Gold
 21 Seal Vocational Scholars award. This subsection does not
 22 prohibit a university from increasing or assessing optional
 23 fees related to specific activities if payment of such fees is
 24 not required as a part of registration for courses.

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

31 1011.62 Funds for operation of schools.--If the annual

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1 allocation from the Florida Education Finance Program to each
2 district for operation of schools is not determined in the
3 annual appropriations act or the substantive bill implementing
4 the annual appropriations act, it shall be determined as
5 follows:

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

10 (f) Supplemental academic instruction; categorical
11 fund.--

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

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

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1 by the school as being the most effective and efficient way to
2 best help that student progress from grade to grade and to
3 graduate.

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

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

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

26 (h) Small, isolated high schools.--Districts which
27 levy the maximum nonvoted discretionary millage, exclusive of
28 millage for capital outlay purposes levied pursuant to s.
29 1011.71(2), may calculate full-time equivalent students for
30 small, isolated high schools by multiplying the number of
31 unweighted full-time equivalent students times 2.75; provided

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1 the school has attained a ~~state accountability performance~~
2 grade ~~category~~ of "C" or better, pursuant to s. 1008.34, for
3 the previous school year. For the purpose of this section, the
4 term "small, isolated high school" means any high school which
5 is located no less than 28 miles by the shortest route from
6 another high school; which has been serving students primarily
7 in basic studies provided by sub-subparagraphs (c)1.b. and c.
8 and may include subparagraph (c)4.; and which has a membership
9 of no more than 100 students, but no fewer than 28 students,
10 in grades 9 through 12.

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

24 1. A bonus in the amount of \$50 for each student
25 taught by the International Baccalaureate teacher in each
26 international baccalaureate course who receives a score of 4
27 or higher on the international baccalaureate examination.

28 2. An additional bonus of \$500 to each International
29 Baccalaureate teacher in a school designated with a
30 ~~performance grade of~~ category "D" or "F" who has at least one
31 student scoring 4 or higher on the international baccalaureate

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1 examination, regardless of the number of classes taught or of
2 the number of students scoring a 4 or higher on the
3 international baccalaureate examination.

4

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

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

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

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1 Advanced International Certificate of Education examination. A
 2 bonus in the amount of \$25 for each student taught by the
 3 Advanced International Certificate of Education teacher in
 4 each half-credit Advanced International Certificate of
 5 Education course who receives a score of E or higher on the
 6 Advanced International Certificate of Education examination.

7 2. An additional bonus of \$500 to each Advanced
 8 International Certificate of Education teacher in a school
 9 designated with a performance grade of category "D" or "F" who
 10 has at least one student scoring E or higher on the
 11 full-credit Advanced International Certificate of Education
 12 examination, regardless of the number of classes taught or of
 13 the number of students scoring an E or higher on the
 14 full-credit Advanced International Certificate of Education
 15 examination.

16 3. Additional bonuses of \$250 each to teachers of
 17 half-credit Advanced International Certificate of Education
 18 classes in a school designated with a performance grade of
 19 category "D" or "F" which has at least one student scoring an
 20 E or higher on the half-credit Advanced International
 21 Certificate of Education examination in that class. The
 22 maximum additional bonus for a teacher awarded in accordance
 23 with this subparagraph shall not exceed \$500 in any given
 24 school year. Teachers receiving an award under subparagraph 2.
 25 are not eligible for a bonus under this subparagraph.

26
 27 Bonuses awarded to a teacher according to this paragraph shall
 28 not exceed \$2,000 in any given school year and shall be in
 29 addition to any regular wage or other bonus the teacher
 30 received or is scheduled to receive.

31 (n) Calculation of additional full-time equivalent

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1 membership based on college board advanced placement scores of
 2 students.--A value of 0.24 full-time equivalent student
 3 membership shall be calculated for each student in each
 4 advanced placement course who receives a score of 3 or higher
 5 on the College Board Advanced Placement Examination for the
 6 prior year and added to the total full-time equivalent student
 7 membership in basic programs for grades 9 through 12 in the
 8 subsequent fiscal year. Each district must allocate at least
 9 80 percent of the funds provided to the district for advanced
 10 placement instruction, in accordance with this paragraph, to
 11 the high school that generates the funds. The school district
 12 shall distribute to each classroom teacher who provided
 13 advanced placement instruction:

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

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

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

30 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL
 31 EFFORT.--The Legislature shall prescribe the aggregate

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1 required local effort for all school districts collectively as
 2 an item in the General Appropriations Act for each fiscal
 3 year. The amount that each district shall provide annually
 4 toward the cost of the Florida Education Finance Program for
 5 kindergarten through grade 12 programs shall be calculated as
 6 follows:

7 (a) Estimated taxable value calculations.--

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

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

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1 produces more than 90 percent of its total Florida Education
 2 Finance Program entitlement to a level that will produce only
 3 90 percent of its total Florida Education Finance Program
 4 entitlement in the July calculation.

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

11 (b) Final calculation.--

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

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

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1 Revenue shall certify the most recent revision of the official
2 taxable value for school purposes. The certified value shall
3 be the final taxable value for school purposes, and no further
4 adjustments shall be made, except those made pursuant to
5 paragraph (10)(b). ~~subparagraph (9)(a)2.~~

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

7 (a) The research-based reading instruction allocation
8 is created to provide comprehensive reading instruction to
9 students in kindergarten through grade 12.

10 (b) Funds for comprehensive, research-based reading
11 instruction shall be allocated annually to each school
12 district in the amount provided in the General Appropriations
13 Act. Each eligible school district shall receive the same
14 minimum amount as specified in the General Appropriations Act,
15 and any remaining funds shall be distributed to eligible
16 school districts based on each school district's proportionate
17 share of K-12 base funding.

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

22 1. The provision of highly qualified reading coaches.

23 2. Professional development for school district
24 teachers in scientifically based reading instruction,
25 including strategies to teach reading in content areas and
26 with an emphasis on technical and informational text.

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

29 4. The provision of supplemental instructional
30 materials that are grounded in scientifically based reading
31 research.

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

3 (d) Annually, by a date determined by the Department
4 of Education but before May 1, school districts shall submit a
5 K-12 comprehensive reading plan for the specific use of the
6 research-based reading instruction allocation in the format
7 prescribed by the department for review and approval by the
8 Just Read, Florida! Office created pursuant to s. 1001.215.

9 The plan annually submitted by school districts shall be
10 deemed approved unless the department rejects the plan on or
11 before June 1. If a school district and the Just Read,
12 Florida! Office cannot reach agreement on the contents of the
13 plan, the school district may appeal to the State Board of
14 Education for resolution. School districts shall be allowed
15 reasonable flexibility in designing their plans and shall be
16 encouraged to offer reading remediation through innovative
17 methods, including career academies. The plan format shall be
18 developed with input from school district personnel, including
19 teachers and principals, and shall allow courses in core,
20 career, and alternative programs that deliver intensive
21 reading remediation through integrated curricula, provided
22 that the teacher is deemed highly qualified to teach reading
23 or working toward that status. No later than July 1 annually,
24 the department shall release the school district's allocation
25 of appropriated funds to those districts having approved
26 plans. A school district that spends 100 percent of this
27 allocation on its approved plan shall be deemed to have been
28 in compliance with the plan. The department may withhold funds
29 upon a determination that reading instruction allocation funds
30 are not being used to implement the approved plan.

31 (9)(8) QUALITY ASSURANCE GUARANTEE.--The Legislature

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

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

28 | (a) The basic amount for current operation for the
 29 | FEFP as determined in subsection (1), multiplied by the
 30 | district cost differential factor as determined in subsection
 31 | (2), plus the amounts provided for categorical components

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

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

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

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

27 (b) The amount thus obtained shall be the net annual
28 allocation to each school district. However, if it is
29 determined that any school district received an
30 underallocation or overallocation for any prior year because
31 of an arithmetical error, assessment roll change, full-time

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1 equivalent student membership error, or any allocation error
 2 revealed in an audit report, the allocation to that district
 3 shall be appropriately adjusted. Beginning with audits for the
 4 2001-2002 fiscal year, if the adjustment is the result of an
 5 audit finding in which group 2 FTE are reclassified to the
 6 basic program and the district weighted FTE are over the
 7 weighted enrollment ceiling for group 2 programs, the
 8 adjustment shall not result in a gain of state funds to the
 9 district. If the Department of Education audit adjustment
 10 recommendation is based upon controverted findings of fact,
 11 the Commissioner of Education is authorized to establish the
 12 amount of the adjustment based on the best interests of the
 13 state.

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

19 Section 51. Paragraph (a) of subsection (2) of section
 20 1011.64, Florida Statutes, is amended to read:

21 1011.64 School district minimum classroom expenditure
 22 requirements.--

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

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

31 Section 52. Section 1011.67, Florida Statutes, is

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1 amended to read:

2 1011.67 Funds for instructional materials.--

3 (1) The department is authorized to allocate and
4 distribute to each district an amount as prescribed annually
5 by the Legislature for instructional materials for student
6 membership in basic and special programs in grades K-12, which
7 will provide for growth and maintenance needs. For purposes of
8 this subsection ~~section~~, unweighted full-time equivalent
9 students enrolled in the lab schools in state universities are
10 to be included as school district students and reported as
11 such to the department. These funds shall be distributed to
12 school districts as follows: 50 percent on or about July 10;
13 35 percent on or about October 10; 10 percent on or about
14 January 10; and 5 percent on or about June 10. The annual
15 allocation shall be determined as follows:

16 (a)~~(1)~~ The growth allocation for each school district
17 shall be calculated as follows:

18 1.~~(a)~~ Subtract from that district's projected
19 full-time equivalent membership of students in basic and
20 special programs in grades K-12 used in determining the
21 initial allocation of the Florida Education Finance Program,
22 the prior year's full-time equivalent membership of students
23 in basic and special programs in grades K-12 for that
24 district.

25 2.~~(b)~~ Multiply any such increase in full-time
26 equivalent student membership by the allocation for a set of
27 instructional materials, as determined by the department, or
28 as provided for in the General Appropriations Act.

29 3.~~(c)~~ The amount thus determined shall be that
30 district's initial allocation for growth for the school year.

31 However, the department shall recompute and adjust the initial

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1 allocation based on actual full-time equivalent student
2 membership data for that year.

3 ~~(b)(2)~~ The maintenance of the instructional materials
4 allocation for each school district shall be calculated by
5 multiplying each district's prior year full-time equivalent
6 membership of students in basic and special programs in grades
7 K-12 by the allocation for maintenance of a set of
8 instructional materials as provided for in the General
9 Appropriations Act. The amount thus determined shall be that
10 district's initial allocation for maintenance for the school
11 year; however, the department shall recompute and adjust the
12 initial allocation based on such actual full-time equivalent
13 student membership data for that year.

14 ~~(c)(3)~~ In the event the funds appropriated are not
15 sufficient for the purpose of implementing this subsection
16 ~~section~~ in full, the department shall prorate the funds
17 available for instructional materials after first funding in
18 full each district's growth allocation.

19 (2) Annually by July 1 and prior to the release of
20 instructional materials funds, each district school
21 superintendent shall certify to the Commissioner of Education
22 that the district school board has approved a comprehensive
23 staff development plan that supports fidelity of
24 implementation of instructional materials programs. The report
25 shall include verification that training was provided and that
26 the materials are being implemented as designed.

27 Section 53. Paragraph (b) of subsection (2) of section
28 1011.685, Florida Statutes, is amended to read:

29 1011.685 Class size reduction; operating categorical
30 fund.--

31 (2) Class size reduction operating categorical funds

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1 shall be used by school districts for the following:

2 (b) For any lawful operating expenditure, if the
3 district has met the constitutional maximums identified in s.
4 1003.03(1) or the reduction of two students per year required
5 by s. 1003.03(2); however, priority shall be given to increase
6 salaries of classroom teachers as defined in s. 1012.01(2)(a)
7 and to implement the differentiated-pay provisions detailed in
8 s. 1012.22 ~~salary career ladder defined in s. 1012.231.~~

9 Section 54. Subsection (1) of section 1011.71, Florida
10 Statutes, is amended to read:

11 1011.71 District school tax.--

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

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1 (2).

2 Section 55. Subsection (6) is added to section
3 1012.21, Florida Statutes, to read:

4 1012.21 Department of Education duties; K-12
5 personnel.--

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

13 Section 56. Paragraphs (b), (c), (h), and (i) of
14 subsection (1) of section 1012.22, Florida Statutes, are
15 amended, and subsection (3) is added to that section, to read:

16 1012.22 Public school personnel; powers and duties of
17 the district school board.--The district school board shall:

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

23 (b) Time to act on nominations.--The district school
24 board shall act not later than 3 weeks following the receipt
25 of FCAT scores and data, including school grades, or June 30
26 ~~after the end of the regular legislative session or May 31,~~
27 whichever is later, on the district school superintendent's
28 nominations of supervisors, principals, and members of the
29 instructional staff.

30 (c) Compensation and salary schedules.--

31 1. The district school board shall adopt a salary

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1 schedule or salary schedules designed to furnish incentives
 2 for improvement in training and for continued efficient
 3 service to be used as a basis for paying all school employees
 4 and fix and authorize the compensation of school employees on
 5 the basis thereof.

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

15 3. In developing the salary schedule, the district
 16 school board shall seek input from parents, teachers, and
 17 representatives of the business community.

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

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1 of Education shall determine whether the district school
 2 board's adopted policy and salary schedule complies with the
 3 requirement for performance-based pay. If the district school
 4 board fails to comply with this section, the commissioner may
 5 ~~shall~~ withhold disbursements from the Educational Enhancement
 6 Trust Fund to the district and take any other measure provided
 7 by law necessary to ensure compliance until compliance is
 8 verified.

9 5. Beginning with the 2007-2008 academic year, each
 10 district school board shall adopt a salary schedule with
 11 differentiated pay for both instructional personnel and
 12 school-based administrators. The salary schedule is subject to
 13 negotiation as provided in chapter 447 and must allow
 14 differentiated pay based on district-determined factors,
 15 including, but not limited to, additional responsibilities,
 16 school demographics, critical shortage areas, and level of job
 17 performance difficulties.

18 (h) Planning and training time for teachers.--The
 19 district school board shall ~~may~~ adopt rules to make provisions
 20 for teachers to have time for lunch, professional ~~and some~~
 21 planning, and professional development ~~training~~ time when they
 22 will not be directly responsible for the children if, ~~provided~~
 23 ~~that~~ some adult supervision is ~~shall be~~ furnished for the
 24 students during such periods.

25 (i) Comprehensive program of staff development.--The
 26 district school board shall establish a comprehensive program
 27 of staff development that incorporates school improvement
 28 plans pursuant to s. 1001.42 and is aligned with principal
 29 leadership training pursuant to s. 1012.985 as a part of the
 30 plan.

31 (3) Annually provide to the Department of Education

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1 the negotiated collective bargaining contract for the school
 2 district and the salary and benefits for the personnel or
 3 officers of any educator association which are paid by the
 4 school district. The district school board shall report using
 5 the computer format prescribed by the department pursuant to
 6 s. 1012.21.

7 Section 57. Section 1012.2315, Florida Statutes, is
 8 created to read:

9 1012.2315 Assignment of teachers.--

10 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
 11 finds disparities between teachers assigned to teach in a
 12 majority of "A" graded schools and teachers assigned to teach
 13 in a majority of "F" graded schools. The disparities can be
 14 found in the average years of experience, the median salary,
 15 and the performance of the teachers on teacher certification
 16 examinations. It is the intent of the Legislature that
 17 district school boards have flexibility through the collective
 18 bargaining process to assign teachers more equitably across
 19 the schools in the district.

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

1 meeting to require compliance.

2 (3) SALARY INCENTIVES.--District school boards are
3 authorized to provide salary incentives to meet the
4 requirement of subsection (2). A district school board may not
5 sign a collective bargaining agreement that precludes the
6 school district from providing sufficient incentives to meet
7 this requirement.

8 (4) COLLECTIVE BARGAINING.--Notwithstanding provisions
9 of chapter 447 relating to district school board collective
10 bargaining, collective bargaining provisions may not preclude
11 a school district from providing incentives to high-quality
12 teachers and assigning such teachers to low-performing
13 schools.

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

18 Section 58. Subsection (2) of section 1012.27, Florida
19 Statutes, is amended to read:

20 1012.27 Public school personnel; powers and duties of
21 district school superintendent.--The district school
22 superintendent is responsible for directing the work of the
23 personnel, subject to the requirements of this chapter, and in
24 addition the district school superintendent shall perform the
25 following:

26 (2) COMPENSATION AND SALARY SCHEDULES.--Prepare and
27 recommend to the district school board for adoption a salary
28 schedule or salary schedules. The district school
29 superintendent must recommend a salary schedule for
30 instructional personnel which bases a portion of each
31 employee's compensation on performance demonstrated under s.

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1 1012.34. In developing the recommended salary schedule, the
 2 district school superintendent shall include input from
 3 parents, teachers, and representatives of the business
 4 community. Beginning with the 2007-2008 ~~2004-2005~~ academic
 5 year, the recommended salary schedule for classroom teachers
 6 shall be consistent with the district's differentiated-pay
 7 policy ~~career ladder~~ based upon s. 1012.22 ~~s. 1012.231~~.

8 Section 59. Subsection (6) of section 1012.28, Florida
 9 Statutes, is amended to read:

10 1012.28 Public school personnel; duties of school
 11 principals.--

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

16 Section 60. Paragraph (a) of subsection (3) of section
 17 1012.34, Florida Statutes, is amended to read:

18 1012.34 Assessment procedures and criteria.--

19 (3) The assessment procedure for instructional
 20 personnel and school administrators must be primarily based on
 21 the performance of students assigned to their classrooms or
 22 schools, as appropriate. Pursuant to this section, a school
 23 district's performance assessment is not limited to basing
 24 unsatisfactory performance of instructional personnel and
 25 school administrators upon student performance, but may
 26 include other criteria approved to assess instructional
 27 personnel and school administrators' performance, or any
 28 combination of student performance and other approved
 29 criteria. The procedures must comply with, but are not limited
 30 to, the following requirements:

31 (a) An assessment must be conducted for each employee

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1 at least once a year. The assessment must be based upon sound
 2 educational principles and contemporary research in effective
 3 educational practices. The assessment must primarily use data
 4 and indicators of improvement in student performance assessed
 5 annually as specified in s. 1008.22 and may consider results
 6 of peer reviews in evaluating the employee's performance.
 7 Student performance must be measured by state assessments
 8 required under s. 1008.22 and by local assessments for
 9 subjects and grade levels not measured by the state assessment
 10 program. The assessment criteria must include, but are not
 11 limited to, indicators that relate to the following:

- 12 1. Performance of students.
- 13 2. Ability to maintain appropriate discipline.
- 14 3. Knowledge of subject matter. The district school
 15 board shall make special provisions for evaluating teachers
 16 who are assigned to teach out-of-field.
- 17 4. Ability to plan and deliver instruction, ~~including~~
 18 ~~implementation of the rigorous reading requirement pursuant to~~
 19 ~~s. 1003.415, when applicable,~~ and the use of technology in the
 20 classroom.
- 21 5. Ability to evaluate instructional needs.
- 22 6. Ability to establish and maintain a positive
 23 collaborative relationship with students' families to increase
 24 student achievement.
- 25 7. Other professional competencies, responsibilities,
 26 and requirements as established by rules of the State Board of
 27 Education and policies of the district school board.

28 Section 61. Subsection (4) of section 1012.56, Florida
 29 Statutes, is amended to read:

30 1012.56 Educator certification requirements.--

31 (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable

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1 means of demonstrating mastery of subject area knowledge are:

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

4 (b) Completion of the subject area specialization
5 requirements specified in state board rule and verification of
6 the attainment of the essential subject matter competencies by
7 the district school superintendent of the employing school
8 district or chief administrative officer of the employing
9 state-supported or private school for a subject area for which
10 a subject area examination has not been developed and required
11 by state board rule;

12 (c) Completion of the subject area specialization
13 requirements specified in state board rule for a subject
14 coverage requiring a master's or higher degree and achievement
15 of a passing score on the subject area examination specified
16 in state board rule;

17 (d) A valid professional standard teaching certificate
18 issued by another state; or

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

22
23 School districts are encouraged to provide mechanisms for
24 those middle school teachers holding only a K-6 teaching
25 certificate to obtain a subject area coverage for middle
26 grades through postsecondary coursework or district add-on
27 certification.

28 Section 62. Section 1012.98, Florida Statutes, is
29 amended to read:

30 1012.98 School Community Professional Development
31 Act.--

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1 (1) The Department of Education, public postsecondary
2 educational institutions, public school districts, public
3 schools, state education foundations, consortia, and
4 professional organizations ~~and public schools~~ in this state
5 shall work collaboratively ~~collaborate~~ to establish a
6 coordinated system of professional development. The purpose of
7 the professional development system is to increase student
8 achievement, enhance classroom instructional strategies that
9 promote rigor and relevance throughout the curriculum, and
10 prepare students for continuing education and the workforce.
11 The system of professional development must align to the
12 standards adopted by the state and support the framework for
13 standards adopted by the National Staff Development Council
14 ~~enable the school community to meet state and local student~~
15 ~~achievement standards and the state education goals and to~~
16 ~~succeed in school improvement as described in s. 1000.03.~~

17 (2) The school community includes students and
18 parents, administrative personnel, managers, instructional
19 personnel, support personnel, members of district school
20 boards, members of school advisory councils, business
21 partners, and personnel that provide health and social
22 services to students.

23 (3) The activities designed to implement this section
24 must:

25 (a) Support and increase the success of educators
26 through collaboratively developed school improvement plans
27 that focus on:

28 1. Enhanced and differentiated instructional
29 strategies to engage students in rigorous and relevant
30 curriculum based on ~~in guiding student learning and~~
31 ~~development so as to implement~~ state and local educational

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1 standards, goals, and initiatives;—

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

4 3. Increased opportunities for professional
5 collaboration among and between teachers, guidance counselors,
6 instructional leaders, postsecondary educators engaged in
7 preservice training for new teachers, and the workforce
8 community.

9 (b) Assist the school community in providing
10 stimulating, scientific ~~scientifically~~ research-based
11 educational activities that encourage and motivate students to
12 achieve at the highest levels and to participate as ~~become~~
13 active learners and that prepare students for success at
14 subsequent educational levels and the workforce.

15 (c) Provide continuous support for all education
16 professionals as well as temporary intervention for education
17 professionals who need improvement in knowledge, skills, and
18 performance.

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

23 (a) The department shall ~~develop and~~ disseminate to
24 the school community research-based ~~model~~ professional
25 development methods and programs that have demonstrated
26 success in meeting identified student needs. The Commissioner
27 of Education shall use data on student achievement to identify
28 student needs. The methods of dissemination must include a
29 web-based statewide performance support system, including a
30 database of exemplary professional development activities, a
31 listing of available professional development resources,

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1 training programs, and available assistance.

2 (b) Each school district shall develop a professional
 3 development system as specified in subsection (3). The system
 4 shall be developed in consultation with teachers,
 5 teacher-educators ~~and representatives~~ of community colleges
 6 ~~college~~ and state universities ~~university faculty~~, business
 7 and community representatives ~~agencies~~, and local education
 8 foundations, consortia, and professional organizations ~~other~~
 9 ~~interested citizen groups to establish policy and procedures~~
 10 ~~to guide the operation of the district professional~~
 11 ~~development program~~. The professional development system must:

12 1. Be approved by the department. All substantial
 13 revisions to the system shall be submitted to the department
 14 for review for continued approval.

15 2. Be based on analyses ~~Require the use~~ of student
 16 achievement data and instructional strategies and methods that
 17 support rigorous, relevant, and challenging curricula for all
 18 students. Schools and districts, in developing and refining
 19 the professional development system, shall also review and
 20 monitor school discipline data; school environment surveys;
 21 assessments of parental satisfaction; performance appraisal
 22 data of teachers, managers, and administrative personnel; and
 23 other performance indicators to identify school and student
 24 needs that can be met by improved professional performance.

25 3. Provide inservice activities coupled with followup
 26 support ~~that are~~ appropriate to accomplish district-level and
 27 school-level improvement goals and standards. The inservice
 28 activities for instructional personnel shall ~~primarily~~ focus
 29 on analysis of student achievement data, ongoing formal and
 30 informal assessments of student achievement, identification
 31 and use of enhanced and differentiated instructional

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1 strategies that emphasize rigor, relevance, and reading in the
 2 content areas, enhancement of subject content expertise,
 3 integrated use of classroom technology that enhances teaching
 4 and learning ~~and teaching methods, including technology, as~~
 5 ~~related to the Sunshine State Standards, assessment and data~~
 6 ~~analysis, classroom management, parent involvement, and school~~
 7 ~~safety.~~

8 4. Include a master plan for inservice activities,
 9 pursuant to rules of the State Board of Education, for all
 10 district employees from all fund sources. The master plan
 11 shall be updated annually by September 1, must be based on
 12 input from teachers and district and school instructional
 13 leaders, and must use the latest available student achievement
 14 data and research to enhance rigor and relevance in the
 15 classroom. Each district inservice plan must be aligned to and
 16 support the school-based inservice plans and school
 17 improvement plans pursuant to s. 1001.42(16). District plans
 18 ~~using criteria for continued approval as specified by rules of~~
 19 ~~the State Board of Education. Written verification that the~~
 20 ~~inservice plan meets all requirements of this section must be~~
 21 approved by the district school board ~~submitted~~ annually in
 22 order to ensure compliance with subsection (1) and to allow
 23 for dissemination of research-based best practices to other
 24 districts ~~to the commissioner by October 1. District school~~
 25 boards must submit verification of their approval to the
 26 Commissioner of Education no later than October 1, annually.

27 5. Require each school principal to establish and
 28 maintain an individual professional development plan for each
 29 instructional employee assigned to the school as a seamless
 30 component to the school improvement plans developed pursuant
 31 to 1001.42(16). The individual professional development plan

1 must:

2 a. Be related to specific performance data for the
3 students to whom the teacher is assigned.

4 b. Define the inservice objectives and specific
5 measurable improvements expected in student performance as a
6 result of the inservice activity.

7 c. Include an evaluation component that determines the
8 effectiveness of the professional development plan.

9 6. Include inservice activities for school
10 administrative personnel that address updated skills necessary
11 for ~~effective school management and~~ instructional leadership
12 and effective school management pursuant to s. 1012.986.

13 7. Provide for systematic consultation with regional
14 and state personnel designated to provide technical assistance
15 and evaluation of local professional development programs.

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

19 9. Provide for the continuous evaluation of the
20 quality and effectiveness of professional development programs
21 in order to eliminate ineffective programs and strategies and
22 to expand effective ones. Evaluations must consider the impact
23 of such activities on the performance of participating
24 educators and their students' achievement and behavior.

25 ~~(c) Each community college and state university shall~~
26 ~~assist the department, school districts, and schools in the~~
27 ~~design, delivery, and evaluation of professional development~~
28 ~~activities. This assistance must include active participation~~
29 ~~in state and local activities required by the professional~~
30 ~~development system.~~

31 ~~(c)(d)~~ The Department of Education shall approve a

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1 public state university having an approved physical education
 2 teacher preparation program within its college of education to
 3 develop and implement an Internet-based clearinghouse for
 4 physical education professional development programs that may
 5 be accessed and used by all instructional personnel. The
 6 development of these programs shall be financed primarily by
 7 private funds and shall be available for use no later than
 8 August 1, 2005.

9 (5) Each district school board shall provide funding
 10 for the professional development system as required by s.
 11 1011.62 and the General Appropriations Act, and shall direct
 12 expenditures from other funding sources to continuously
 13 strengthen the system in order to increase student achievement
 14 and support instructional staff in enhancing rigor and
 15 relevance in the classroom ~~and make it uniform and coherent.~~ A
 16 school district may coordinate its professional development
 17 program with that of another district, with an educational
 18 consortium, or with a community college or university,
 19 especially in preparing and educating personnel. Each district
 20 school board shall make available inservice activities to
 21 instructional personnel of nonpublic schools in the district
 22 and the state certified teachers who are not employed by the
 23 district school board on a fee basis not to exceed the cost of
 24 the activity per all participants.

25 (6) An organization of private schools which has no
 26 fewer than 10 member schools in this state, which publishes
 27 and files with the Department of Education copies of its
 28 standards, and the member schools of which comply with the
 29 provisions of part II of chapter 1003, relating to compulsory
 30 school attendance, may also develop a professional development
 31 system that includes a master plan for inservice activities.

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1 The system and inservice plan must be submitted to the
2 commissioner for approval pursuant to rules of the State Board
3 of Education.

4 (7) The Department of Education shall disseminate,
5 using web-based technology, research-based best-practice
6 ~~design~~ methods by which the state and district school boards
7 may evaluate and improve the professional development system.
8 The best practices ~~evaluation~~ must include ~~an annual~~
9 ~~assessment of~~ data that indicate the progress ~~or lack of~~
10 ~~progress~~ of all students. ~~If the review of the data indicates~~
11 ~~progress, the department shall identify the best practices~~
12 ~~that contributed to the progress. If the review of the data~~
13 ~~indicates a lack of progress, the department shall investigate~~
14 ~~the causes of the lack of progress, provide technical~~
15 ~~assistance, and require the school district to employ a~~
16 ~~different approach to professional development.~~ The department
17 shall report annually to the State Board of Education and the
18 Legislature any school district that, in the determination of
19 the department, has failed to provide an adequate professional
20 development system. This report must include the results of
21 the department's investigation and of any intervention
22 provided.

23 (8) The State Board of Education may adopt rules
24 pursuant to ss. 120.536(1) and 120.54 to administer this
25 section.

26 (9) This section does not limit or discourage a
27 district school board from contracting with independent
28 entities for professional development services and inservice
29 education if the district school board can demonstrate to the
30 Commissioner of Education that, through such a contract, a
31 better product can be acquired or its goals for education

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1 improvement can be better met.

2 (10) For teachers, managers, and administrative
3 personnel who have been evaluated as less than satisfactory, a
4 district school board shall require participation in specific
5 professional development programs as part of the improvement
6 prescription.

7 (11) The department shall disseminate to the school
8 community proven model professional development programs that
9 have demonstrated success in increasing rigorous and relevant
10 content, increasing student achievement and engagement, and
11 meeting identified student needs. The methods of dissemination
12 must include a web-based statewide performance-support system
13 including a database of exemplary professional development
14 activities, a listing of available professional development
15 resources, training programs, and available technical
16 assistance.

17 Section 63. Section 1012.986, Florida Statutes, is
18 created to read:

19 1012.986 William Cecil Golden Professional Development
20 Program for School Leaders.--

21 (1) There is established the William Cecil Golden
22 Professional Development Program for school leaders to provide
23 high standards and sustained support for principals as
24 instructional leaders. The program shall consist of a
25 collaborative network of state and national professional
26 leadership organizations to respond to instructional
27 leadership needs throughout the state. The network shall
28 support the human-resource development needs of principals,
29 principal leadership teams, and candidates for principal
30 leadership positions using the framework of leadership
31 standards adopted by the State Board of Education, the

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1 Southern Regional Education Board, and the National Staff
2 Development Council. The goal of the network leadership
3 program is to:

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

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

9 (c) Build the capacity to increase the quality of
10 programs for preservice education for aspiring principals and
11 inservice professional development for principals and
12 principal leadership teams.

13 (d) Support best teaching and research-based
14 instructional practices through dissemination and modeling at
15 the preservice and inservice levels for both teachers and
16 principals.

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

20 (a) Approved school district training programs.

21 (b) Interactive technology-based instruction.

22 (c) Regional consortium service organizations pursuant
23 to s. 1001.451.

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

25 (3) The State Board of Education shall adopt rules
26 pursuant to ss. 120.536(1) and 120.54 to administer this
27 section.

28 Section 64. Section 1012.987, Florida Statutes, is
29 repealed.

30 Section 65. This act shall take effect upon becoming a
31 law.

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

2 And the title is amended as follows:

3 Delete everything before the enacting clause

4

5 and insert:

6 A bill to be entitled

7 An act relating to education; amending s.

8 20.15, F.S.; establishing the Division of

9 Accountability, Research, and Measurement in

10 the Department of Education; amending s.

11 411.227, F.S.; conforming provisions relating

12 to student progress monitoring plans; repealing

13 s. 446.609, F.S., relating to the "Jobs for

14 Florida's Graduates Act"; amending s. 1000.03,

15 F.S.; specifying that the mission of the

16 state's K-20 education system is to provide

17 rigorous and relevant learning opportunities

18 for students; repealing s. 1000.041, F.S., to

19 conform provisions relating to the 2005 repeal

20 of the BEST Florida Teaching salary career

21 ladder program; amending s. 1001.03, F.S.;

22 requiring periodic review of Sunshine State

23 Standards subject areas and an annual status

24 report; requiring rules for certain teachers to

25 earn a reading credential equivalent; requiring

26 the maintenance of a uniform school district

27 personnel classification system; amending s.

28 1001.10, F.S.; specifying that the Commissioner

29 of Education is the sole custodian of the K-20

30 data warehouse; requiring the Commissioner of

31 Education to submit the proposed plan for the

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1 reauthorization of the No Child Left Behind Act
2 to the Legislature before it is submitted to
3 federal agencies; requiring legislative leaders
4 to appoint members of a select legislative
5 committee to review the proposed plan; creating
6 s. 1001.215, F.S.; creating the Just Read,
7 Florida! Office in the Department of Education;
8 providing duties; amending s. 1001.33, F.S.;
9 conforming provisions relating to the 2005
10 repeal of the BEST Florida Teaching salary
11 career ladder program; amending s. 1001.41,
12 F.S.; requiring district school boards to adopt
13 standards and policies to provide to each
14 student a complete education program; amending
15 s. 1001.42, F.S., relating to requirements of
16 district plans for school improvement;
17 providing requirements for district school
18 boards in developing the plans; providing that
19 the opening date for the school year may not be
20 earlier than a specified date; requiring each
21 district school board to appoint a classroom
22 teacher to serve as the teacher representative
23 to speak on behalf of the district's teachers
24 regarding paperwork and data collection
25 reduction; requiring the teacher designee to
26 report his or her findings and potential
27 solutions to the school board; requiring each
28 school board to submit its findings and
29 potential solutions to the State Board of
30 Education by a specified date; requiring the
31 State Board of Education to prepare a report of

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1 the statewide paperwork and data collection
2 findings and potential solutions and submit the
3 report to the Governor and the Legislature;
4 repealing s. 1001.51(24), F.S., and amending s.
5 1001.54, F.S.; conforming provisions relating
6 to the 2005 repeal of the BEST Florida Teaching
7 salary career ladder program; requiring each
8 secondary school principal to implement a
9 school redesign component; amending s. 1002.20,
10 F.S.; conforming provisions relating to student
11 progress monitoring plans; amending s. 1003.01,
12 F.S.; revising the definition of the terms
13 "special education services" and "career
14 education"; amending s. 1003.03, F.S.;
15 requiring that each teacher assigned to any
16 classroom be included in the calculation for
17 compliance with constitutional class-size
18 limits; providing criteria for teaching
19 strategies that involve assigning more than one
20 teacher to a classroom; providing for
21 retroactive application; prohibiting the
22 imposition of penalties for the use of any
23 legal strategy relating to the implementation
24 of class-size reduction; amending s. 1003.05,
25 F.S.; deleting the requirement that certain
26 children receive preference for admission to
27 special academic programs; revising programs
28 defined as "special academic programs" for
29 purposes of such preference; amending s.
30 1003.21, F.S.; requiring student exit
31 interviews prior to terminating school

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1 enrollment; creating s. 1003.413, F.S.,
2 relating to secondary school redesign;
3 providing intent and guiding principles;
4 requiring district school boards to establish
5 policies to implement requirements for middle
6 grades promotion, revised requirements for high
7 school graduation, and requirements for career
8 and professional academies; directing the
9 Commissioner of Education to create and
10 implement the Secondary School Improvement
11 Award Program; repealing s. 1003.415, F.S., the
12 Middle Grades Reform Act; creating s.
13 1003.4156, F.S.; providing general course
14 requirements for middle grades promotion;
15 requiring intensive reading and remediation
16 mathematics courses in certain circumstances;
17 authorizing rulemaking and enforcement;
18 amending s. 1003.42, F.S., relating to required
19 instruction; revising the requirements for
20 studying U.S. history and free enterprise;
21 creating s. 1003.428, F.S.; providing revised
22 requirements for high school graduation;
23 specifying the required courses; requiring that
24 certain courses be based on the student's
25 performance on the FCAT; requiring that
26 district school boards establish policies for
27 implementing secondary school reform; requiring
28 the Department of Education to increase the
29 number of courses that are available to school
30 districts; requiring strategies for exceptional
31 students to meet graduation requirements;

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1 requiring standards for graduation; requiring
2 rules for test accommodations and modifications
3 in certain cases; providing requirements for
4 standard diplomas and certificates of
5 completion with exceptions; authorizing
6 rulemaking and enforcement; amending s.
7 1003.429, F.S.; revising requirements
8 applicable to selecting an option for
9 accelerated high school graduation; revising
10 required courses for the 3-year standard
11 college preparatory program; revising
12 requirements for grades that must be earned to
13 participate in the accelerated program;
14 providing for default to the standard
15 graduation requirements in certain
16 circumstances; amending s. 1003.437, F.S.;
17 including middle grades in the uniform grading
18 system; amending s. 1003.491, F.S.; including
19 within career education personal and career
20 plans; creating s. 1003.493, F.S.; defining the
21 term "career and professional academy";
22 providing academy goals and duties; providing
23 types of career and professional academies;
24 providing for the approval of career education
25 courses as core curricula courses under certain
26 circumstances; amending s. 1003.51, F.S.;
27 modifying guidelines for funding requirements
28 that must be included in a rule adopted by the
29 State Board of Education and relating to
30 education programs for youth in Department of
31 Juvenile Justice programs; conforming

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1 provisions relating to student progress
2 monitoring plans; amending s. 1003.52, F.S.;
3 conforming provisions relating to student
4 recognition awards; requiring the development
5 and distribution of an annual school report
6 card; authorizing adoption of rules; amending
7 s. 1003.57, F.S.; providing guidelines for
8 determining the residency of a student who
9 receives instruction as an exceptional student
10 with a disability; requiring the student's
11 placing authority or parent to pay the cost of
12 such instruction, facilities, and services;
13 providing responsibilities of the Department of
14 Education; providing responsibilities of
15 residential facilities that educate exceptional
16 students with disabilities; providing
17 applicability; creating s. 1003.576, F.S.;
18 requiring the Department of Education to
19 develop an individual education plan form for
20 use in developing and implementing individual
21 education plans for exceptional students;
22 requiring school districts to use the form;
23 amending s. 1003.58, F.S.; correcting a
24 cross-reference; amending s. 1003.62, F.S.;
25 conforming provisions relating to the
26 designation of school grades and
27 differentiated-pay polices; creating s.
28 1004.64, F.S.; establishing the Florida Center
29 for Reading Research; specifying the duties of
30 the center; creating s. 1004.99, F.S., the
31 Florida Ready to Work Certification Program to

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1 enhance student workplace skills; providing for
2 program implementation and requirements;
3 authorizing rulemaking; amending s. 1006.09,
4 F.S.; conforming a cross-reference; amending s.
5 1007.21, F.S.; revising the readiness
6 requirements for postsecondary education and
7 the workplace; amending s. 1007.2615, F.S. ;
8 revising the date by which a teacher of
9 American Sign Language must be certified;
10 deleting a provision allowing alternative
11 certification; amending s. 1007.271, F.S. ;
12 revising the weighting systems for certain high
13 school courses; amending s. 1008.22, F.S. ;
14 specifying FCAT grade level and subject area
15 testing requirements; requiring documentation
16 of procedures that ensure test difficulty under
17 certain circumstances; providing that FCAT
18 nonallowable accommodations may be used as
19 instructional accommodations during classroom
20 instruction if included in the individual
21 education plan of a student with a disability;
22 authorizing waiver of the FCAT under certain
23 circumstances; requiring certain opportunities
24 for demonstrating student performance;
25 requiring the development of assessments for
26 measuring the academic competency of students
27 with disabilities; requiring the Commissioner
28 of Education to adopt scores concordant to FCAT
29 scores required for high school graduation;
30 authorizing use of concordant scores for
31 additional purposes; clarifying eligibility to

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1 use such scores to satisfy requirements for a
2 diploma; requiring an annual report on student
3 performance; repealing s. 1008.221, F.S.,
4 relating to alternative assessments for
5 dependent children of military personnel, to
6 conform; amending s. 1008.25, F.S.; replacing
7 student academic improvement plans with
8 progress monitoring plans; authorizing district
9 school boards to require low-performing
10 students to attend remediation programs outside
11 of regular school hours or during the summer;
12 requiring the department to establish a uniform
13 format for reporting information relating to
14 student progression; requiring an annual
15 report; repealing s. 1008.301, F.S., relating
16 to a concordance study of FCAT equivalencies
17 for high school graduation; amending s.
18 1008.31, F.S.; revising intent, goals, and
19 measures of the K-20 performance accountability
20 system and requiring data quality improvements;
21 requiring adoption of rules; amending s.
22 1008.33, 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;

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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; requiring the
24 commissioner to assign a community assessment
25 team to failing schools; amending s. 1009.24,
26 F.S.; providing that undergraduate tuition be
27 set annually in the General Appropriations Act;
28 providing authority, procedures, and guidelines
29 for determining tuition for graduate and
30 professional programs and for determining
31 out-of-state fees for all programs; amending s.

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1 1011.62, F.S.; providing FTE funding for
2 juveniles enrolled in specified education
3 programs; providing funding for supplemental
4 educational programs; providing funding for
5 supplemental educational services for certain
6 students; conforming cross-references and
7 provisions relating to the designation of
8 school grades; establishing a research-based
9 reading instruction allocation to provide funds
10 for a comprehensive reading instruction system;
11 requiring school district plans for use of the
12 allocation and approval thereof; including the
13 allocation in the total amount allocated to
14 each school district for current operation;
15 amending s. 1011.64, F.S.; conforming
16 terminology and a cross-reference; amending s.
17 1011.67, F.S.; requiring district school board
18 approval of a staff development plan relating
19 to use of instructional materials; amending s.
20 1011.685, F.S.; conforming provisions relating
21 to the 2005 repeal of the BEST Florida Teaching
22 salary career ladder program and implementation
23 of a differentiated-pay policy; amending s.
24 1011.71, F.S.; correcting a cross-reference;
25 amending s. 1012.21, F.S.; requiring the
26 department to annually post online school
27 district collective bargaining contracts and
28 the salary and benefits of certain personnel;
29 amending s. 1012.22, F.S.; revising the time
30 period in which to nominate principals;
31 requiring that each school district adopt a

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1 differentiated-pay policy meeting specified
2 criteria; requiring each district school board
3 to annually provide to the department its
4 negotiated collective bargaining contract and
5 the salary and benefits of certain personnel;
6 creating s. 1012.2315, F.S.; providing school
7 district requirements for the assignment of
8 teachers and authorizing incentives; providing
9 procedures for noncompliance; providing
10 requirements relating to collective bargaining;
11 requiring reporting by certain schools;
12 amending s. 1012.27, F.S.; conforming
13 provisions relating to the 2005 repeal of the
14 BEST Florida Teaching salary career ladder
15 program and implementation of a
16 differentiated-pay policy; amending s. 1012.28,
17 F.S.; conforming a cross-reference; amending s.
18 1012.34, F.S.; conforming provisions relating
19 to deletion of a rigorous reading requirement;
20 amending s. 1012.56, F.S., relating to middle
21 grades certification; encouraging school
22 districts to provide for additional
23 certification for teachers; amending s.
24 1012.98, F.S., relating to the School Community
25 Professional Development Act; revising the
26 purpose of the professional development system;
27 providing for additional activities; requiring
28 instructional strategies and methods that
29 support rigorous, relevant, and challenging
30 curriculum; providing requirements for followup
31 support and the master plan for inservice

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1 activities; providing requirements for the
2 individual professional development plan for
3 instructional employees; requiring the
4 department to disseminate best-practice methods
5 and model professional development programs;
6 creating s. 1012.986, F.S.; providing for a
7 statewide system for the professional
8 development of school leaders consisting of a
9 collaborative network of professional
10 organizations; providing goals of the network;
11 repealing s. 1012.987, F.S., which requires the
12 State Board of Education to adopt rules through
13 which school principals may earn a leadership
14 designation; providing an effective date.

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