

1 A bill to be entitled
2 An act relating to education; amending s. 11.90, F.S.;
3 authorizing the Legislative Budget Commission to review a
4 state plan to implement federal requirements; amending s.
5 20.15, F.S.; establishing the Division of Accountability,
6 Research, and Measurement in the Department of Education;
7 amending s. 1000.03, F.S.; revising the mission of the
8 state's K-20 education system; repealing s. 1000.041,
9 F.S., to conform provisions relating to the 2005 repeal of
10 the BEST Florida Teaching salary career ladder program;
11 amending s. 1001.02, F.S.; requiring legislative review of
12 a revised state plan to implement certain federal
13 requirements; amending s. 1001.03, F.S.; requiring
14 periodic review of Sunshine State Standards subject areas
15 and an annual status report; requiring rules for certain
16 teachers to earn a reading credential equivalent;
17 requiring the maintenance of a uniform school district
18 personnel classification system; amending s. 1001.10,
19 F.S.; requiring legislative review of a revised state plan
20 to implement certain federal requirements; creating s.
21 1001.215, F.S.; creating the Just Read, Florida! Office in
22 the Department of Education; providing duties; amending s.
23 1001.33, F.S.; conforming provisions relating to the 2005
24 repeal of the BEST Florida Teaching salary career ladder
25 program; amending s. 1001.41, F.S.; requiring district
26 school boards to adopt standards and policies to provide
27 each student a complete education program; amending s.
28 1001.42, F.S.; providing a district school board

29 requirement relating to the opening date of the school
30 year; conforming provisions relating to the 2005 repeal of
31 the BEST Florida Teaching salary career ladder program;
32 providing requirements for each school district's system
33 of school improvement and student progression; revising
34 requirements for school improvement plans; requiring
35 alignment with the Sunshine State Standards; revising
36 format and content of public disclosure reports;
37 conforming provisions relating to deletion of a rigorous
38 reading requirement and the designation of school grades;
39 repealing s. 1001.51(24), F.S., and amending s. 1001.54,
40 F.S.; conforming provisions relating to the 2005 repeal of
41 the BEST Florida Teaching salary career ladder program;
42 revising provisions relating to duties of school
43 principals; amending s. 1002.38, F.S., relating to the
44 Opportunity Scholarship Program; conforming provisions
45 relating to the designation of school grades; amending s.
46 1003.01, F.S.; revising definition of the term "special
47 education services"; amending s. 1003.05, F.S.; deleting
48 the requirement that certain children receive preference
49 for admission to special academic programs even if maximum
50 enrollment has been reached; revising programs defined as
51 "special academic programs" for purposes of such
52 preference; creating s. 1003.413, F.S., relating to
53 secondary school reform; providing intent and guiding
54 principles; requiring district school boards to establish
55 policies to implement requirements for middle grades
56 promotion, revised requirements for high school

57 graduation, and requirements for career and professional
58 academies; requiring policy approval and department
59 support for implementation; directing the Commissioner of
60 Education to create and implement the Secondary School
61 Improvement Award Program; repealing s. 1003.415, F.S.,
62 the Middle Grades Reform Act; creating s. 1003.4156, F.S.;
63 providing general course requirements for middle grades
64 promotion; requiring intensive reading and mathematics
65 courses in certain circumstances; authorizing rulemaking
66 and enforcement; amending s. 1003.42, F.S.; providing for
67 required instruction for middle grades promotion; creating
68 s. 1003.428, F.S.; establishing revised general
69 requirements for high school graduation; providing
70 applicability beginning with 2007-2008 first-year high
71 school students; requiring completion of specified credits
72 or a specified curriculum; requiring strategies for
73 exceptional students to meet graduation requirements;
74 requiring standards for graduation; requiring rules for
75 test accommodations and modifications in certain cases;
76 providing requirements for standard diplomas and
77 certificates of completion with exceptions; authorizing
78 rulemaking and enforcement; amending s. 1003.437, F.S.;
79 including middle grades in the uniform grading system;
80 repealing s. 1003.492(3) and (4), F.S., relating to
81 department studies of student performance in industry-
82 certified career education programs; creating s. 1003.493,
83 F.S.; defining career and professional academies and
84 specifying goals of the academies; providing requirements

85 | of academies relating to curriculum, partnerships,
86 | instruction, career education certification, and
87 | evaluation; amending s. 1003.57, F.S.; providing
88 | guidelines for determining the residency of a student who
89 | receives instruction as an exceptional student with a
90 | disability; requiring the student's placing authority or
91 | parent to pay the cost of such instruction, facilities,
92 | and services; providing responsibilities of the
93 | department; providing responsibilities of residential
94 | facilities that educate exceptional students with
95 | disabilities; providing applicability; creating s.
96 | 1003.576, F.S.; requiring the department to develop an
97 | individual education plan form for use in developing and
98 | implementing individual education plans for exceptional
99 | students; requiring school districts to use the form;
100 | amending s. 1003.58, F.S.; correcting a cross-reference;
101 | amending s. 1003.62, F.S.; conforming provisions relating
102 | to the designation of school grades and differentiated pay
103 | for school administrators and instructional personnel;
104 | creating s. 1004.99, F.S., the Florida Ready to Work
105 | Certification Program to enhance student workplace skills;
106 | providing for program implementation and requirements;
107 | authorizing rulemaking; amending s. 1006.09, F.S.;
108 | conforming provisions relating to differentiated pay;
109 | amending s. 1007.2615, F.S.; revising provisions for
110 | certification of American Sign Language teachers; amending
111 | s. 1008.22, F.S.; specifying FCAT grade level and subject
112 | area testing requirements; requiring documentation of

113 | procedures that ensure test difficulty under certain
114 | circumstances; requiring certain opportunities for
115 | demonstrating student performance; requiring the
116 | Commissioner of Education to adopt scores concordant to
117 | FCAT scores required for high school graduation; providing
118 | that such scores satisfy requirements for a diploma;
119 | clarifying eligibility to use such scores; requiring an
120 | annual report on student performance; repealing s.
121 | 1008.221, F.S., relating to alternative assessments for
122 | dependent children of military personnel, to conform;
123 | amending s. 1008.25, F.S.; authorizing district school
124 | boards to require low-performing students to attend
125 | remediation programs outside of regular school hours or
126 | during the summer; requiring the department to establish a
127 | uniform format for reporting information relating to
128 | student progression; requiring an annual report; repealing
129 | s. 1008.301, F.S., relating to a concordance study of FCAT
130 | equivalencies for high school graduation; amending s.
131 | 1008.31, F.S.; revising intent, goals, and measures of the
132 | K-20 performance accountability system and requiring data
133 | quality improvements; requiring adoption of rules;
134 | amending s. 1008.33, F.S.; conforming a cross-reference
135 | and provisions relating to the designation of school
136 | grades; authorizing principals to recommend corrective
137 | actions for low-performing faculty and staff at "F" graded
138 | schools and publication of a school's grade; amending s.
139 | 1008.34, F.S.; revising terminology and provisions
140 | relating to designation and determination of school

141 grades; providing for school grading for alternative
142 schools and specifying requirements related thereto;
143 defining the term "home school" for purposes of
144 assessment; requiring an annual school report card to be
145 published by the department and distributed by school
146 districts; creating s. 1008.341, F.S.; providing for
147 school improvement ratings for certain alternative
148 schools; providing the basis for such ratings and
149 requiring annual performance reports; providing for
150 determination of school improvement ratings,
151 identification of student learning gains, and eligibility
152 for school recognition awards; requiring the development
153 and distribution of an annual school report card;
154 authorizing adoption of rules; amending s. 1008.345, F.S.;
155 conforming a cross-reference and provisions relating to
156 the designation of school grades; providing conditions for
157 determination of a school district in a state of
158 educational emergency; providing procedures to resolve the
159 educational emergency, including state assistance;
160 authorizing establishment of an educational emergency
161 board and providing duties thereof; providing for an
162 action plan to implement recommendations; amending s.
163 1008.36, F.S.; authorizing certain alternative schools to
164 participate in the Florida School Recognition Program;
165 modifying procedures for determination and use of school
166 recognition awards; amending s. 1011.62, F.S.; providing
167 FTE funding for juveniles enrolled in specified education
168 programs; conforming cross-references and provisions

169 relating to the designation of school grades; establishing
170 a research-based reading instruction allocation to provide
171 funds for a comprehensive reading instruction system;
172 requiring school district plans for use of the allocation
173 and approval thereof; including the allocation in the
174 total amount allocated to each school district for current
175 operation; amending s. 1011.64, F.S.; conforming
176 terminology and a cross-reference; amending s. 1011.67,
177 F.S.; requiring district school board approval of a staff
178 development plan relating to use of instructional
179 materials; amending s. 1011.685, F.S.; conforming
180 provisions relating to the 2005 repeal of the BEST Florida
181 Teaching salary career ladder program and implementation
182 of differentiated pay; amending s. 1011.71, F.S.;;
183 correcting a cross-reference; amending s. 1012.21, F.S.;;
184 requiring department reporting relating to school district
185 collectively bargained contracts and the salary and
186 benefits of certain personnel; amending s. 1012.22, F.S.;;
187 requiring each district school board to adopt a salary
188 schedule with differentiated pay for instructional
189 personnel and school-based administrators beginning with
190 the 2007-2008 academic year; creating s. 1012.2315, F.S.;;
191 providing school district requirements for the assignment
192 of teachers and providing procedures for noncompliance;
193 amending s. 1012.27, F.S.;; conforming provisions relating
194 to the 2005 repeal of the BEST Florida Teaching salary
195 career ladder program and implementation of differentiated
196 pay; amending s. 1012.28, F.S.;; conforming provisions

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197 relating to differentiated pay; amending s. 1012.34, F.S.;
198 conforming provisions relating to deletion of a rigorous
199 reading requirement; amending s. 1012.56, F.S.;
200 encouraging school districts to provide mechanisms for
201 teachers to obtain subject area coverage for middle
202 grades; creating s. 1012.986, F.S.; establishing the
203 William Cecil Golden Professional Development Program for
204 School Leaders; defining the term "school leader";
205 providing for school leader designations; providing
206 program requirements and delivery systems; requiring
207 adoption of rules; repealing s. 1012.987, F.S., which
208 requires the State Board of Education to adopt rules
209 through which school principals may earn a leadership
210 designation; providing an effective date.

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212 WHEREAS, students will have the best opportunity to obtain
213 a high-quality education in the public education system of this
214 state and that system can best be enhanced when resources are
215 allocated efficiently and are concentrated in a rigorous and
216 relevant classroom learning environment, when teachers and
217 principals are supported, when high-quality educational
218 opportunity is reinforced through shared high academic and
219 career expectations, when accurate data is consistently
220 maintained and used to drive systemwide decisionmaking, and when
221 successes are rewarded, failures are identified, and the public
222 is apprised of both successes and failures, NOW, THEREFORE,

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

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

11.90 Legislative Budget Commission.--

(8) Upon the 2007 reauthorization of the federal No Child Left Behind Act of 2001, the commission may review the proposed state plan of the State Board of Education and the Commissioner of Education before that plan is submitted.

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

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

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

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

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

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

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

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

252 Section 5. Paragraph (g) of subsection (2) of section
 253 1001.02, Florida Statutes, is amended to read:

254 1001.02 General powers of State Board of Education.--

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

256 (g) To approve plans for cooperating with the Federal
 257 Government. Upon the 2007 reauthorization of the federal No
 258 Child Left Behind Act of 2001, the Commissioner of Education
 259 shall seek public input and secure legislative review of the
 260 revised state plan prior to submission.

261 Section 6. Subsections (1), (3), and (14) of section
 262 1001.03, Florida Statutes, are amended to read:

263 1001.03 Specific powers of State Board of Education.--

264 (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The State
 265 Board of Education shall approve the student performance
 266 standards known as the Sunshine State Standards in key academic
 267 subject areas and grade levels. The state board shall establish
 268 a schedule to facilitate the periodic review of each subject
 269 area to maintain rigor, relevance, integration, and
 270 reinforcement for student achievement and articulation and
 271 evaluate how the standards are taught at each grade level. The
 272 review teams for each Sunshine State Standards subject area must
 273 include representatives from each other Sunshine State Standards
 274 subject area to support valid integration of content and to
 275 address the learning styles and instructional needs of all
 276 students. Each review team must address the following:

277 (a) Rigor, relevance, logical student progression,
 278 articulation from grade to grade, and integration of reading,
 279 writing, and mathematics.

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280 (b) Timelines for revision of course descriptions,
281 adoption of instructional materials, modifications to the
282 statewide assessment, and enhancements to professional
283 development.

284 (c) Input from parents, classroom teachers, school and
285 district administrators, community college and university
286 faculty, and business representatives, in collaboration with
287 local education foundations.

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289 The review schedule and an annual status report must be
290 submitted to the Governor, the President of the Senate, and the
291 Speaker of the House of Representatives annually not later than
292 January 1.

293 (3) PROFESSIONAL CERTIFICATES.--The State Board of
294 Education shall classify school services, designate the
295 certification subject areas, establish competencies, including
296 the use of technology to enhance student learning, and
297 certification requirements for all school-based personnel, and
298 prescribe rules in accordance with which the professional,
299 temporary, and part-time certificates shall be issued by the
300 Department of Education to applicants who meet the standards
301 prescribed by such rules for their class of service, as
302 described in chapter 1012. The state board shall adopt rules
303 that give part-time and full-time nondegreed teachers of career
304 programs, pursuant to s. 1012.39(1)(c), the opportunity to earn
305 a reading credential equivalent to a reading endorsement.

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

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308 Education shall maintain ~~recommend to the Legislature by~~
309 ~~February 1, 2003,~~ a uniform classification system for school
310 district administrative and management personnel that will
311 facilitate the uniform coding of administrative and management
312 personnel to total district employees.

313 Section 7. Section 1001.10, Florida Statutes, is amended
314 to read:

315 1001.10 Commissioner of Education; general powers and
316 duties.--The Commissioner of Education is the chief educational
317 officer of the state and the sole custodian of the K-20 data
318 warehouse, and is responsible for giving full assistance to the
319 State Board of Education in enforcing compliance with the
320 mission and goals of the seamless K-20 education system. To
321 facilitate innovative practices and to allow local selection of
322 educational methods, the State Board of Education may authorize
323 the commissioner to waive, upon the request of a district school
324 board, State Board of Education rules that relate to district
325 school instruction and school operations, except those rules
326 pertaining to civil rights, and student health, safety, and
327 welfare. The Commissioner of Education is not authorized to
328 grant waivers for any provisions in rule pertaining to the
329 allocation and appropriation of state and local funds for public
330 education; the election, compensation, and organization of
331 school board members and superintendents; graduation and state
332 accountability standards; financial reporting requirements;
333 reporting of out-of-field teaching assignments under s. 1012.42;
334 public meetings; public records; or due process hearings
335 governed by chapter 120. No later than January 1 of each year,

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336 the commissioner shall report to the Legislature and the State
337 Board of Education all approved waiver requests in the preceding
338 year. Additionally, the commissioner has the following general
339 powers and duties:

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

342 (2) To advise and counsel with the State Board of
343 Education on all matters pertaining to education; to recommend
344 to the State Board of Education actions and policies as, in the
345 commissioner's opinion, should be acted upon or adopted; and to
346 execute or provide for the execution of all acts and policies as
347 are approved.

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

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

354 (5) To recommend to the State Board of Education policies
355 and steps designed to protect and preserve the principal of the
356 State School Fund; to provide an assured and stable income from
357 the fund; to execute such policies and actions as are approved;
358 and to administer the State School Fund.

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

362 (7) To submit to the State Board of Education, on or
363 before August 1 of each year, recommendations for a coordinated

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364 K-20 education budget that estimates the expenditures for the
365 State Board of Education, including the Department of Education,
366 the Commissioner of Education, and all of the boards,
367 institutions, agencies, and services under the general
368 supervision of the State Board of Education for the ensuing
369 fiscal year. Any program recommended to the State Board of
370 Education that will require increases in state funding for more
371 than 1 year must be presented in a multiyear budget plan.

372 (8) To develop and implement a plan for cooperating with
373 the Federal Government in carrying out any or all phases of the
374 educational program and to recommend policies for administering
375 funds that are appropriated by Congress and apportioned to the
376 state for any or all educational purposes. Upon the 2007
377 reauthorization of the federal No Child Left Behind Act of 2001,
378 the commissioner shall seek public input and secure legislative
379 review of the revised state plan prior to submission.

380 (9) To develop and implement policies for cooperating with
381 other public agencies in carrying out those phases of the
382 program in which such cooperation is required by law or is
383 deemed by the commissioner to be desirable and to cooperate with
384 public and nonpublic agencies in planning and bringing about
385 improvements in the educational program.

386 (10) To prepare forms and procedures as are necessary to
387 be used by district school boards and all other educational
388 agencies to assure uniformity, accuracy, and efficiency in the
389 keeping of records, the execution of contracts, the preparation
390 of budgets, or the submission of reports; and to furnish at
391 state expense, when deemed advisable by the commissioner, those

392 forms that can more economically and efficiently be provided.

393 (11) To implement a program of school improvement and
 394 education accountability designed to provide all students the
 395 opportunity to make adequate learning gains in each year of
 396 school as provided by statute and State Board of Education rule
 397 based upon the achievement of the state education goals,
 398 recognizing the following:

399 (a) The State Board of Education is the body corporate
 400 responsible for the supervision of the system of public
 401 education.

402 (b) The district school board is responsible for school
 403 and student performance.

404 (c) The individual school is the unit for education
 405 accountability.

406 (d) The community college board of trustees is responsible
 407 for community college performance and student performance.

408 (e) The university board of trustees is responsible for
 409 university performance and student performance.

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

413 (13) To prepare and publish annually reports giving
 414 statistics and other useful information pertaining to the
 415 Opportunity Scholarship Program.

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

419 (15) To develop criteria for use by state instructional

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420 materials committees in evaluating materials submitted for
 421 adoption consideration. The criteria shall, as appropriate, be
 422 based on instructional expectations reflected in curriculum
 423 frameworks and student performance standards. The criteria for
 424 each subject or course shall be made available to publishers of
 425 instructional materials pursuant to the requirements of chapter
 426 1006.

427 (16) To prescribe procedures for evaluating instructional
 428 materials submitted by publishers and manufacturers in each
 429 adoption.

430
 431 The commissioner's office shall operate all statewide functions
 432 necessary to support the State Board of Education and the K-20
 433 education system, including strategic planning and budget
 434 development, general administration, and assessment and
 435 accountability.

436 Section 8. Section 1001.215, Florida Statutes, is created
 437 to read:

438 1001.215 Just Read, Florida! Office.--There is created in
 439 the Department of Education the Just Read, Florida! Office. The
 440 office shall be fully accountable to the Commissioner of
 441 Education and shall:

442 (1) Train highly effective reading coaches.

443 (2) Create multiple designations of effective reading
 444 instruction, with accompanying endorsement credentials, which
 445 encourage all teachers to integrate reading instruction into
 446 their content areas.

447 (3) Train K-12 teachers, school principals, and parents on

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448 research-based reading instructional strategies and secondary
449 teachers on effective instructional strategies for teaching
450 reading in the content areas with an emphasis on reading for
451 information.

452 (4) Provide technical assistance to school districts in
453 the development and implementation of district plans for use of
454 the research-based reading instruction allocation provided under
455 s. 1011.62(8) and annually review and approve such plans.

456 (5) Review, evaluate, and provide technical assistance to
457 school districts on their implementation of the K-12
458 comprehensive reading plan required by s. 1011.62(8).

459 (6) Provide information on research-based reading programs
460 and effective instructional strategies for teaching reading in
461 the content areas and support for reading for information.

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

464 (8) Periodically review teacher certification examinations
465 to ascertain whether the examinations measure the skills needed
466 for research-based reading, instructional strategies for
467 teaching reading in the content areas, and support for reading
468 for information.

469 (9) Work with teacher preparation programs approved
470 pursuant to s. 1004.04 to integrate into teacher preparation
471 programs research-based reading instructional strategies and
472 instructional strategies for teaching reading in the content
473 areas.

474 (10) Administer grants and perform other functions as
475 necessary to meet the goal that all students read at grade

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476 level.

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

479 1001.33 Schools under control of district school board and
480 district school superintendent.--

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

485 ~~(2) Each district school board, each district school~~
486 ~~superintendent, and each district and school-based administrator~~
487 ~~shall cooperate to apply the following guiding principles of~~
488 ~~Better Educated Students and Teachers (BEST) Florida Teaching:~~

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

490 ~~(b) Teachers maintain orderly, disciplined classrooms~~
491 ~~conducive to student learning.~~

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

494 ~~(d) Teachers are well rewarded for their students' high~~
495 ~~performance.~~

496 ~~(e) Teachers are most effective when served by exemplary~~
497 ~~school administrators.~~

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

500 1001.41 General powers of district school board.--The
501 district school board, after considering recommendations
502 submitted by the district school superintendent, shall exercise
503 the following general powers:

504 (3) Prescribe and adopt standards and policies to provide
 505 each student the opportunity to receive a complete education
 506 program, including language arts, mathematics, science, social
 507 studies, health, physical education, foreign languages, and the
 508 arts, as defined by the Sunshine State Standards. The standards
 509 and policies must emphasize integration and reinforcement of
 510 reading, writing, and mathematics skills in a rigorous and
 511 relevant context across all subjects, including career and
 512 technical education ~~as are considered desirable by it for~~
 513 ~~improving the district school system.~~

514 Section 11. Paragraph (f) of subsection (4), paragraph (c)
 515 of subsection (5), subsection (16), paragraph (d) of subsection
 516 (17), and subsection (18) of section 1001.42, Florida Statutes,
 517 are amended to read:

518 1001.42 Powers and duties of district school board.--The
 519 district school board, acting as a board, shall exercise all
 520 powers and perform all duties listed below:

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

525 (f) Opening and closing of schools; fixing uniform
 526 date.--Adopt policies for the opening and closing of schools and
 527 fix uniform dates provided that the opening date of the school
 528 year for schools in the district shall be no earlier than 7 days
 529 before Labor Day each year.

530 (5) PERSONNEL.--

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

534 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
 535 ACCOUNTABILITY.--Maintain a system of school improvement and
 536 education accountability as provided by statute and State Board
 537 of Education rule. This system of school improvement and
 538 education accountability shall be consistent with, and
 539 implemented through, the district's continuing system of
 540 planning and budgeting required by this section and ss.
 541 1008.385, 1010.01, and 1011.01. This system of school
 542 improvement and education accountability shall include, but is
 543 not limited to, the following:

544 (a) School improvement plans.--Annually approve and
 545 require implementation of a new, amended, or continuation school
 546 improvement plan for each school in the district, except that a
 547 district school board may establish a district school
 548 improvement plan that includes all schools in the district
 549 operating for the purpose of providing educational services to
 550 youth in Department of Juvenile Justice programs. The school
 551 improvement ~~Such~~ plan shall be designed to achieve the state
 552 education priorities pursuant to s. 1000.03(5) and student
 553 proficiency on the Sunshine State Standards pursuant to s.
 554 1003.41 performance standards. ~~In addition, any school required~~
 555 ~~to implement a rigorous reading requirement pursuant to s.~~
 556 ~~1003.415 must include such component in its school improvement~~
 557 ~~plan.~~ Each plan shall also address issues relative to budget,
 558 training, instructional materials, technology, staffing, student

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559 support services, specific school safety and discipline
560 strategies, student health and fitness, ~~including physical~~
561 ~~fitness, parental involvement information on student health and~~
562 ~~fitness, and indoor environmental air quality, and other matters~~
563 of resource allocation, as determined by district school board
564 policy, and shall include ~~be based on~~ an accurate, data-based
565 analysis of student achievement and other school performance
566 data. For each school in the district that earns a school grade
567 of "C" or below, or is required to have a school improvement
568 plan under federal law, the school improvement plan shall, at a
569 minimum include:

570 1. A needs assessment, based on disaggregated student
571 achievement data related to student performance on the FCAT,
572 which is used to identify each individual student subgroup's
573 strengths and weaknesses and to determine the effectiveness of
574 the teaching and learning strategies that are being used in the
575 classroom.

576 2. Performance goals, based on the needs assessment, with
577 measurable objectives of improvement in the areas of language
578 arts, mathematics, and science for each student subgroup.

579 3. A Sunshine State Standards instructional calendar and
580 timeline based on the needs assessment for each grade and in
581 each of the subject areas of language arts, mathematics, and
582 science to focus and integrate instruction, manage instructional
583 time, and allocate resources.

584 4. The following strategies:

585 a. Mini-assessments of targeted Sunshine State Standards
586 benchmarks that provide ongoing progress monitoring of students
587 and generate data to redesign instruction.

588 b. Alternative in-school, tutorial, remediation, or
589 enrichment programs for students that are based on each
590 student's individual academic needs as defined by performance on
591 the mini-assessments.

592 c. A student performance monitoring plan and clearly
593 assigned school personnel monitoring responsibilities.

594 5. Professional development that supports enhanced
595 instructional strategies, improves teaching and learning, and
596 addresses skill gaps.

597 6. If the school is a high school, annual publication of
598 the school's graduation rate calculated without GEDs for the
599 past 3 years, disaggregated by student ethnicity.

600

601 For each school district with a school designated with a grade
602 of "D" or "F," the district school board shall cooperate with
603 the community assessment team assigned by the commissioner in
604 accordance with s. 1008.345(6)(d).

605 (b) Alignment with Sunshine State Standards.--Design the
606 school district's system of school improvement and student
607 progression to provide frequent and accurate information to the
608 teacher and student regarding each student's progress toward
609 mastering the Sunshine State Standards. The system must support
610 the alignment of the Sunshine State Standards, monitoring of
611 individual student progress, and enhanced instructional
612 strategies, assessment, and professional development.

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613 (c)~~(b)~~ Approval process.--Develop a process for approval
614 of a school improvement plan presented by an individual school
615 and its advisory council. In the event a district school board
616 does not approve a school improvement plan after exhausting this
617 process, the Department of Education shall be notified of the
618 need for assistance.

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

620 1. Develop a 2-year plan of increasing individualized
621 assistance and intervention for each school in danger of not
622 meeting state standards or making adequate progress, as defined
623 pursuant to statute and State Board of Education rule, toward
624 meeting the goals and standards of its approved school
625 improvement plan.

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

629 3. Develop a plan to encourage teachers with demonstrated
630 mastery in improving student performance to remain at or
631 transfer to a school designated with a ~~as~~ performance grade of
632 ~~category~~ "D" or "F" or to an alternative school that serves
633 disruptive or violent youths. If a classroom teacher, as defined
634 by s. 1012.01(2)(a), who meets the definition of teaching
635 mastery developed according to the provisions of this paragraph,
636 requests assignment to a school designated with a ~~as~~ performance
637 grade of ~~category~~ "D" or "F" or to an alternative school that
638 serves disruptive or violent youths, the district school board
639 shall make every practical effort to grant the request.

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

645 ~~(e)-(d)~~ After 2 years.--Notify the Commissioner of
646 Education and the State Board of Education in the event any
647 school does not make adequate progress toward meeting the goals
648 and standards of a school improvement plan by the end of 2 years
649 of failing to make adequate progress and proceed according to
650 guidelines developed pursuant to statute and State Board of
651 Education rule. School districts shall provide intervention and
652 assistance to schools in danger of being designated with a as
653 ~~performance grade of category~~ "F," failing to make adequate
654 progress.

655 ~~(f)-(e)~~ Public disclosure.--Provide information regarding
656 performance of students and educational programs as required
657 pursuant to ss. 1008.22 and 1008.385 and implement a system of
658 school reports as required by statute and State Board of
659 Education rule that shall include schools operating for the
660 purpose of providing educational services to youth in Department
661 of Juvenile Justice programs, and for those schools, report on
662 the elements specified in s. 1003.52(19). Annual public
663 disclosure reports shall be in an understandable and easy-to-
664 read report card format, use multiple media such as electronic
665 mail, websites, public service announcements, or print or
666 electronic advertising, and shall include the school's student
667 and school ~~performance grade,~~ high school graduation rate

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668 calculated without GEDs, disaggregated by student ethnicity,
669 ~~category designation~~ and other performance data as specified in
670 state board rule.

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

675 (17) LOCAL-LEVEL DECISIONMAKING.--

676 (d) Adopt policies that assist in giving greater autonomy,
677 including authority over the allocation of the school's budget,
678 to schools designated with a ~~as~~ performance grade of category
679 "A," making excellent progress, and schools rated as having
680 improved at least two grades ~~performance grade categories~~.

681 (18) OPPORTUNITY SCHOLARSHIPS.--Adopt policies allowing
682 students attending schools that have been designated with a ~~as~~
683 performance grade of category "F," failing to make adequate
684 progress, for 2 school years in a 4-year period to attend a
685 higher performing school in the district or an adjoining
686 district or be granted a state opportunity scholarship to a
687 private school, in conformance with s. 1002.38 and State Board
688 of Education rule.

689 Section 12. Subsection (24) of section 1001.51, Florida
690 Statutes, is repealed.

691 Section 13. Paragraphs (c) and (d) of subsection (1) and
692 subsection (2) of section 1001.54, Florida Statutes, are amended
693 to read:

694 1001.54 Duties of school principals.--

695 (1)

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

699 (c)~~(d)~~ The school principal shall fully support the
 700 authority of each teacher and school bus driver to remove
 701 disobedient, disrespectful, violent, abusive, uncontrollable, or
 702 disruptive students from the classroom and the school bus and,
 703 when appropriate and available, place such students in an
 704 alternative educational setting.

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

708 Section 14. Subsection (2) and paragraphs (a) and (b) of
 709 subsection (3) of section 1002.38, Florida Statutes, are amended
 710 to read:

711 1002.38 Opportunity Scholarship Program.--

712 (2) OPPORTUNITY SCHOLARSHIP ELIGIBILITY.--A public school
 713 student's parent may request and receive from the state an
 714 opportunity scholarship for the student to enroll in and attend
 715 a private school in accordance with the provisions of this
 716 section if:

717 (a)1. By assigned school attendance area or by special
 718 assignment, the student has spent the prior school year in
 719 attendance at a public school that has been designated pursuant
 720 to s. 1008.34 with a ~~as~~ performance grade of ~~category~~ "F,"
 721 failing to make adequate progress, and that has had 2 school
 722 years in a 4-year period of such low performance, and the

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723 student's attendance occurred during a school year in which such
724 designation was in effect;

725 2. The student has been in attendance elsewhere in the
726 public school system and has been assigned to such school for
727 the next school year; or

728 3. The student is entering kindergarten or first grade and
729 has been notified that the student has been assigned to such
730 school for the next school year.

731 (b) The parent has obtained acceptance for admission of
732 the student to a private school eligible for the program
733 pursuant to subsection (4), and has notified the Department of
734 Education and the school district of the request for an
735 opportunity scholarship no later than July 1 of the first year
736 in which the student intends to use the scholarship.

737
738 The provisions of this section shall not apply to a student who
739 is enrolled in a school operating for the purpose of providing
740 educational services to youth in Department of Juvenile Justice
741 commitment programs. For purposes of continuity of educational
742 choice, the opportunity scholarship shall remain in force until
743 the student returns to a public school or, if the student
744 chooses to attend a private school the highest grade of which is
745 grade 8, until the student matriculates to high school and the
746 public high school to which the student is assigned is an
747 accredited school with a ~~performance grade category designation~~
748 of "C" or better. However, at any time upon reasonable notice to
749 the Department of Education and the school district, the
750 student's parent may remove the student from the private school

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751 and place the student in a public school, as provided in
752 subparagraph (3)(a)2.

753 (3) SCHOOL DISTRICT OBLIGATIONS.--

754 (a) A school district shall, for each student enrolled in
755 or assigned to a school that has been designated with a ~~as~~
756 ~~performance~~ grade of ~~category~~ "F" for 2 school years in a 4-year
757 period:

758 1. Timely notify the parent of the student as soon as such
759 designation is made of all options available pursuant to this
760 section.

761 2. Offer that student's parent an opportunity to enroll
762 the student in a ~~the~~ public school within the district that has
763 been designated by the state pursuant to s. 1008.34 as a school
764 performing higher than that in which the student is currently
765 enrolled or to which the student has been assigned, but not less
766 than ~~performance~~ grade ~~category~~ "C." The parent is not required
767 to accept this offer in lieu of requesting a state opportunity
768 scholarship to a private school. The opportunity to continue
769 attending the higher performing public school shall remain in
770 force until the student graduates from high school.

771 (b) The parent of a student enrolled in or assigned to a
772 school that has been designated with a ~~performance~~ grade of
773 ~~category~~ "F" for 2 school years in a 4-year period may choose as
774 an alternative to enroll the student in and transport the
775 student to a higher-performing public school that has available
776 space in an adjacent school district, and that school district
777 shall accept the student and report the student for purposes of

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778 the district's funding pursuant to the Florida Education Finance
779 Program.

780 Section 15. Paragraph (b) of subsection (3) of section
781 1003.01, Florida Statutes, is amended to read:

782 1003.01 Definitions.--As used in this chapter, the term:

783 (3)

784 (b) "Special education services" means specially designed
785 instruction and such related services as are necessary for an
786 exceptional student to benefit from education. Such services may
787 include: transportation; diagnostic and evaluation services;
788 social services; physical and occupational therapy; speech and
789 language pathology services; job placement; orientation and
790 mobility training; braillists, typists, and readers for the
791 blind; interpreters and auditory amplification; rehabilitation
792 counseling; transition services; mental health services;
793 guidance and career counseling; specified materials, assistive
794 technology devices, and other specialized equipment; and other
795 such services as approved by rules of the state board.

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

798 1003.05 Assistance to transitioning students from military
799 families.--

800 (3) Dependent children of active duty military personnel
801 who otherwise meet the eligibility criteria for special academic
802 programs offered through public schools shall be given first
803 preference for admission to such programs even if the program is
804 being offered through a public school other than the school to
805 which the student would generally be assigned ~~and the school at~~

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806 ~~which the program is being offered has reached its maximum~~
807 ~~enrollment.~~ If such a program is offered through a public school
808 other than the school to which the student would generally be
809 assigned, the parent or guardian of the student must assume
810 responsibility for transporting the student to that school. For
811 purposes of this subsection, special academic programs include
812 ~~charter schools,~~ magnet schools, advanced studies programs,
813 advanced placement, dual enrollment, Advanced International
814 Certificate of Education, and International Baccalaureate.

815 Section 17. Section 1003.413, Florida Statutes, is created
816 to read:

817 1003.413 Secondary school reform.--

818 (1) Secondary schools are schools that primarily serve
819 students in grades 6 through 12. It is the intent of the
820 Legislature to provide for secondary school reform so that
821 students promoted from the 8th grade have the necessary academic
822 skills for success in high school and students graduating from
823 high school have the necessary skills for success in the
824 workplace and postsecondary education.

825 (2) Guiding principles for secondary school reform are:

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

829 (b) Every teacher must contribute to every student's
830 reading improvement.

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

833 (d) Small learning communities allow teachers to

834 personalize instruction to better address student learning
835 styles, strengths, and weaknesses.

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

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

841 (g) Applied and integrated courses help students see the
842 relationships between subjects and relevance to their futures.

843 (h) Majors and minors allow students to choose courses and
844 set goals based on their interests and talents.

845 (i) Master schedules should not determine instruction and
846 must be designed based on student needs, not adult or
847 institutional needs.

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

851 (3) Based on these guiding principles, district school
852 boards shall establish policies to implement the requirements of
853 ss. 1003.4156, 1003.428, and 1003.493. The policies must
854 address:

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

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

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862 (c) Applied, integrated, and combined courses that provide
863 flexibility for students to enroll in courses that are creative
864 and meet individual learning styles and student needs.

865 (d) Credit recovery courses and intensive reading and
866 mathematics intervention courses based on student performance on
867 the FCAT. These courses should be competency based and offered
868 through innovative delivery systems, including computer-assisted
869 instruction. School districts should use learning gains as well
870 as other appropriate data and provide incentives to identify and
871 reward high-performing teachers who teach credit recovery and
872 intensive intervention courses.

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

876 (f) Summer academies for students to receive intensive
877 reading and mathematics intervention courses or competency-based
878 credit recovery courses. A student's participation in an
879 instructional or remediation program prior to or immediately
880 following entering grade 9 for the first time shall not affect
881 that student's classification as a first-time 9th grader for
882 reporting purposes.

883 (g) Strategies to support teachers' pursuit of the reading
884 endorsement and emphasize reading instruction professional
885 development for content area teachers.

886 (h) Creative and flexible scheduling designed to meet
887 student needs.

888 (i) Procedures for high school students who have not
889 prepared an electronic personal education plan pursuant to s.

890 1003.4156 to prepare such plan.

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

893 (k) Additional course requirements for promotion and
 894 graduation which may be determined by each school district in
 895 the student progression plan and may include additional
 896 academic, fine and performing arts, physical education, or
 897 career and technical education courses in order to provide a
 898 complete education program pursuant to s. 1001.41(3).

899
 900 Within 30 days after adoption, the district school board
 901 policies shall be submitted to the State Board of Education for
 902 approval. The district school board policies shall be deemed
 903 approved unless specifically rejected by the State Board of
 904 Education within 60 days after receipt.

905 (4) In order to support the successful implementation of
 906 this section by district school boards, the Department of
 907 Education shall by the 2006-2007 school year:

908 (a) Increase the number of approved applied, integrated,
 909 and combined courses available to school districts.

910 (b) Make available a professional development package
 911 designed to provide the information that content area teachers
 912 need to become proficient in applying scientifically based
 913 reading strategies through their content areas.

914 (c) Share best practices for providing a complete
 915 education program to students enrolled in course recovery,
 916 credit recovery, intensive reading intervention, or intensive
 917 mathematics intervention.

918 (d) Expedite assistance and decisions and coordinate
 919 policies throughout all divisions within the department to
 920 provide school districts with support to implement this section.

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

925 (5) The Commissioner of Education shall create and
 926 implement the Secondary School Improvement Award Program to
 927 reward public secondary schools that demonstrate continuous
 928 student academic improvement and show the greatest gains in
 929 student academic achievement in reading and mathematics.

930 Section 18. Section 1003.415, Florida Statutes, is
 931 repealed.

932 Section 19. Section 1003.4156, Florida Statutes, is
 933 created to read:

934 1003.4156 General requirements for middle grades
 935 promotion.--

936 (1) Beginning with students entering grade 6 in the 2006-
 937 2007 school year, promotion from a school composed of middle
 938 grades 6, 7, and 8 requires that:

939 (a) The student must successfully complete academic
 940 courses as follows:

941 1. Three middle school or higher year-long courses in
 942 English. These courses shall emphasize literature, composition,
 943 and reading for information.

944 2. Three middle school or higher year-long courses in
 945 mathematics. Each middle school must offer at least one high-

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946 school-level mathematics course for which students may earn high
947 school credit.

948 3. Three middle school or higher year-long courses in
949 social studies, including American history and world history.

950 4. Three middle school or higher year-long courses in
951 science.

952 5. One half-year course in career exploration and
953 education planning to be completed in grade 7 or grade 8. The
954 course may be taught by any member of the instructional staff;
955 must include a web-based career exploration program; must
956 include educational planning using the online student advising
957 system Florida Academic Counseling and Tracking for Students at
958 the Internet website FACTS.org; must provide information to each
959 student about high school programs and courses that are
960 available, including acceleration mechanisms, career and
961 technical programs, and career and professional academies
962 pursuant to s. 1003.493; and shall result in the completion of
963 an electronic personal education plan. Each student's plan must
964 be signed by the student, the student's guidance counselor, and
965 the student's parent. By January 1, 2007, the Department of
966 Education shall develop a course framework and professional
967 development materials for the career exploration and education
968 planning course.

969 (b) For each year in which a student scores at Level 1 on
970 FCAT Reading, the student must be enrolled in and complete an
971 intensive reading course the following year. Placement of Level
972 2 readers in either an intensive reading course or a content
973 area course in which reading strategies are delivered shall be

974 determined by diagnosis of reading needs. The department shall
 975 provide guidance on appropriate strategies for diagnosing and
 976 meeting the varying instructional needs of students reading
 977 below grade level. Reading courses shall be designed and offered
 978 pursuant to the comprehensive reading plan required by s.
 979 1011.62(8).

980 (c) For each year in which a student scores at Level 1 on
 981 FCAT Mathematics, the student must complete an intensive
 982 mathematics course the following year, which may be integrated
 983 into the student's required mathematics course. These courses
 984 are subject to approval by the department for inclusion in the
 985 Course Code Directory.

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

989 (3) The State Board of Education may adopt rules pursuant
 990 to ss. 120.536(1) and 120.54 to implement the provisions of this
 991 section and may enforce the provisions of this section pursuant
 992 to s. 1008.32.

993 Section 20. Subsection (1) of section 1003.42, Florida
 994 Statutes, is amended to read:

995 1003.42 Required instruction.--

996 (1) Each district school board shall provide all courses
 997 required for middle grades promotion, high school graduation,
 998 and appropriate instruction designed to ensure that all students
 999 have the opportunity to meet State Board of Education adopted
 1000 standards in the following subject areas: reading and other
 1001 language arts, mathematics, science, social studies, foreign

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1002 languages, health and physical education, and the arts.

1003 Section 21. Section 1003.428, Florida Statutes, is created
 1004 to read:

1005 1003.428 General requirements for high school graduation;
 1006 revised.--

1007 (1) Except as otherwise authorized pursuant to s.
 1008 1003.429, beginning with students entering their first year of
 1009 high school in the 2007-2008 school year, graduation requires
 1010 the successful completion of a minimum of 24 credits, an
 1011 International Baccalaureate curriculum, or an Advanced
 1012 International Certificate of Education curriculum. Students must
 1013 be advised of eligibility requirements for state scholarship
 1014 programs and postsecondary admissions.

1015 (2) The 24 credits may be earned through applied,
 1016 integrated, and combined courses approved by the Department of
 1017 Education and shall be distributed as follows:

1018 (a) Fourteen core curriculum credits:

1019 1. Four credits in English, with major concentration in
 1020 composition, reading for information, and literature.

1021 2. Four credits in mathematics, one of which must be
 1022 Algebra I, a series of courses equivalent to Algebra I, or a
 1023 higher-level mathematics course. School districts are encouraged
 1024 to set specific goals to increase enrollments in, and successful
 1025 completion of, geometry and Algebra II.

1026 3. Three credits in science, two of which must have a
 1027 laboratory component.

1028 4. Three credits in social studies as follows: one credit
 1029 in American history; one credit in world history; one-half

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1030 credit in economics; and one-half credit in American government.

1031 (b) Ten credits in majors, minors, or electives:

1032 1. Four credits in a major area of study, such as
1033 sequential courses in a career and technical program, fine and
1034 performing arts, or academic content area, selected by the
1035 student as part of the education plan required by s. 1003.4156.
1036 Annually by October 1, the district school board shall approve
1037 major areas of study and submit the list of majors to the
1038 Commissioner of Education for approval. Each major shall be
1039 deemed approved unless specifically rejected by the commissioner
1040 within 60 days. Upon approval, each district's majors shall be
1041 available for use by all school districts and shall be posted on
1042 the department's website.

1043 2. Six credits in elective courses selected by the student
1044 as part of the education plan required by s. 1003.4156. These
1045 credits may be combined to allow for a second major area of
1046 study pursuant to subparagraph 1., a minor area of study,
1047 elective courses, intensive reading or mathematics intervention
1048 courses, or credit recovery courses as described in this
1049 subparagraph.

1050 a. Minor areas of study are composed of three credits
1051 selected by the student as part of the education plan required
1052 by s. 1003.4156 and approved by the district school board.

1053 b. Elective courses are selected by the student in order
1054 to pursue a complete education program as described in s.
1055 1001.41(3) and to meet eligibility requirements for
1056 scholarships.

1057 c. For each year in which a student scores at Level 1 on

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1058 FCAT Reading, the student must be enrolled in and complete an
1059 intensive reading course the following year. Placement of Level
1060 2 readers in either an intensive reading course or a content
1061 area course in which reading strategies are delivered shall be
1062 determined by diagnosis of reading needs. The department shall
1063 provide guidance on appropriate strategies for diagnosing and
1064 meeting the varying instructional needs of students reading
1065 below grade level. Reading courses shall be designed and offered
1066 pursuant to the comprehensive reading plan required by s.
1067 1011.62(8).

1068 d. For each year in which a student scores at Level 1 on
1069 FCAT Mathematics, the student must complete an intensive
1070 mathematics course the following year. These courses may be
1071 taught through applied, integrated, or combined courses and are
1072 subject to approval by the department for inclusion in the
1073 Course Code Directory.

1074 e. Credit recovery courses shall be offered so that
1075 students can simultaneously earn an elective credit and the
1076 recovered credit.

1077 (3) (a) A district school board may require specific
1078 courses and programs of study within the minimum credit
1079 requirements for high school graduation and shall modify basic
1080 courses, as necessary, to assure exceptional students the
1081 opportunity to meet the graduation requirements for a standard
1082 diploma, using one of the following strategies:

1083 1. Assignment of the exceptional student to an exceptional
1084 education class for instruction in a basic course with the same
1085 student performance standards as those required of

1086 nonexceptional students in the district school board student
 1087 progression plan; or

1088 2. Assignment of the exceptional student to a basic
 1089 education class for instruction that is modified to accommodate
 1090 the student's exceptionality.

1091 (b) The district school board shall determine which of
 1092 these strategies to employ based upon an assessment of the
 1093 student's needs and shall reflect this decision in the student's
 1094 individual education plan.

1095 (4) Each district school board shall establish standards
 1096 for graduation from its schools, which must include:

1097 (a) Earning passing scores on the FCAT, as defined in s.
 1098 1008.22(3)(c), or scores on a standardized test that are
 1099 concordant with passing scores on the FCAT as defined in s.
 1100 1008.22(9).

1101 (b) Completion of all other applicable requirements
 1102 prescribed by the district school board pursuant to s. 1008.25.

1103 (c) Achievement of a cumulative grade point average of 2.0
 1104 on a 4.0 scale, or its equivalent, in the courses required by
 1105 this section.

1106 (5) The State Board of Education, after a public hearing
 1107 and consideration, shall adopt rules based upon the
 1108 recommendations of the commissioner for the provision of test
 1109 accommodations and modifications of procedures as necessary for
 1110 students with disabilities which will demonstrate the student's
 1111 abilities rather than reflect the student's impaired sensory,
 1112 manual, speaking, or psychological process skills.

1113 (6) The public hearing and consideration required in

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1114 subsection (5) shall not be construed to amend or nullify the
1115 requirements of security relating to the contents of
1116 examinations or assessment instruments and related materials or
1117 data as prescribed in s. 1008.23.

1118 (7) (a) A student who meets all requirements prescribed in
1119 subsections (1), (2), (3), and(4) shall be awarded a standard
1120 diploma in a form prescribed by the State Board of Education.

1121 (b) A student who completes the minimum number of credits
1122 and other requirements prescribed by subsections (1), (2), and
1123 (3), but who is unable to meet the standards of paragraph
1124 (4) (a), paragraph (4) (b), or paragraph (4) (c), shall be awarded
1125 a certificate of completion in a form prescribed by the State
1126 Board of Education. However, any student who is otherwise
1127 entitled to a certificate of completion may elect to remain in
1128 the secondary school either as a full-time student or a part-
1129 time student for up to 1 additional year and receive special
1130 instruction designed to remedy his or her identified
1131 deficiencies.

1132 (8) (a) Each district school board must provide instruction
1133 to prepare students with disabilities to demonstrate proficiency
1134 in the skills and competencies necessary for successful grade-
1135 to-grade progression and high school graduation.

1136 (b) A student with a disability, as defined in s.
1137 1007.02(2), for whom the individual education plan (IEP)
1138 committee determines that the FCAT cannot accurately measure the
1139 student's abilities taking into consideration all allowable
1140 accommodations, shall have the FCAT requirement of paragraph
1141 (4) (a) waived for the purpose of receiving a standard high

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1142 school diploma, if the student:

1143 1. Completes the minimum number of credits and other
1144 requirements prescribed by subsections (1), (2), and (3).

1145 2. Does not meet the requirements of paragraph (4)(a)
1146 after one opportunity in 10th grade and one opportunity in 11th
1147 grade.

1148 (9) The Commissioner of Education may award a standard
1149 high school diploma to honorably discharged veterans who started
1150 high school between 1937 and 1946 and were scheduled to graduate
1151 between 1941 and 1950 but were inducted into the United States
1152 Armed Forces between September 16, 1940, and December 31, 1946,
1153 prior to completing the necessary high school graduation
1154 requirements. Upon the recommendation of the commissioner, the
1155 State Board of Education may develop criteria and guidelines for
1156 awarding such diplomas.

1157 (10) The Commissioner of Education may award a standard
1158 high school diploma to honorably discharged veterans who started
1159 high school between 1946 and 1950 and were scheduled to graduate
1160 between 1950 and 1954, but were inducted into the United States
1161 Armed Forces between June 27, 1950, and January 31, 1955, and
1162 served during the Korean Conflict prior to completing the
1163 necessary high school graduation requirements. Upon the
1164 recommendation of the commissioner, the State Board of Education
1165 may develop criteria and guidelines for awarding such diplomas.

1166 (11) The State Board of Education may adopt rules pursuant
1167 to ss. 120.536(1) and 120.54 to implement the provisions of this
1168 section and may enforce the provisions of this section pursuant
1169 to s. 1008.32.

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1170 Section 22. Section 1003.437, Florida Statutes, is amended
 1171 to read:

1172 1003.437 Middle and high school grading system.--The
 1173 grading system and interpretation of letter grades used for
 1174 students in public ~~high~~ schools in grades 6 through 12 shall be
 1175 as follows:

1176 (1) Grade "A" equals 90 percent through 100 percent, has a
 1177 grade point average value of 4, and is defined as "outstanding
 1178 progress."

1179 (2) Grade "B" equals 80 percent through 89 percent, has a
 1180 grade point average value of 3, and is defined as "above average
 1181 progress."

1182 (3) Grade "C" equals 70 percent through 79 percent, has a
 1183 grade point average value of 2, and is defined as "average
 1184 progress."

1185 (4) Grade "D" equals 60 percent through 69 percent, has a
 1186 grade point average value of 1, and is defined as "lowest
 1187 acceptable progress."

1188 (5) Grade "F" equals zero percent through 59 percent, has
 1189 a grade point average value of zero, and is defined as
 1190 "failure."

1191 (6) Grade "I" equals zero percent, has a grade point
 1192 average value of zero, and is defined as "incomplete."

1193
 1194 For the purposes of class ranking for students in grades 9
 1195 through 12, district school boards may exercise a weighted
 1196 grading system.

1197 Section 23. Subsections (3) and (4) of section 1003.492,

1198 Florida Statutes, are repealed.
 1199 Section 24. Section 1003.493, Florida Statutes, is created
 1200 to read:
 1201 1003.493 Career and professional academies.--
 1202 (1) A career and professional academy is a research-based
 1203 program that integrates a rigorous academic curriculum with an
 1204 industry-driven career curriculum. Career and professional
 1205 academies may be offered by public schools, school districts, or
 1206 the Florida Virtual School. Students completing career and
 1207 professional academy programs receive a standard high school
 1208 diploma, the highest available industry certification, and
 1209 postsecondary credit if the academy partners with a
 1210 postsecondary institution.
 1211 (2) The goals of career and professional academies are to:
 1212 (a) Increase student academic achievement and graduation
 1213 rates through integrated academic and career curricula.
 1214 (b) Focus on career preparation through rigorous academics
 1215 and industry certification.
 1216 (c) Raise student aspiration and commitment to academic
 1217 achievement and work ethics.
 1218 (d) Support the revised graduation requirements pursuant
 1219 to s. 1003.428 by providing creative, applied majors.
 1220 (e) Promote acceleration mechanisms, such as dual
 1221 enrollment, articulated credit, or occupational completion
 1222 points, so that students may earn postsecondary credit while in
 1223 high school.
 1224 (f) Support the state's economy by meeting industry needs
 1225 for skilled employees in high-demand occupations.

1226 (3) A career and professional academy may be offered as
 1227 one of the following small learning communities:

1228 (a) A school-within-a-school career academy, as part of an
 1229 existing high school, that provides courses in one occupational
 1230 cluster. Students in the high school are not required to be
 1231 students in the academy.

1232 (b) A total school configuration providing multiple
 1233 academies each structured around an occupational cluster. Every
 1234 student in the school is in an academy.

1235 (4) Each career and professional academy must:

1236 (a) Provide a rigorous standards-based academic curriculum
 1237 integrated with a career curriculum. The curriculum must take
 1238 into consideration multiple styles of student learning; promote
 1239 learning by doing through application and adaptation; maximize
 1240 relevance of the subject matter; enhance each student's capacity
 1241 to excel; and include an emphasis on work habits and work
 1242 ethics.

1243 (b) Include one or more partnerships with postsecondary
 1244 institutions, businesses, industry, employers, economic
 1245 development organizations, or other appropriate partners from
 1246 the local community. Such partnerships must provide
 1247 opportunities for:

- 1248 1. Instruction from highly skilled professionals.
- 1249 2. Internships, externships, and on-the-job training.
- 1250 3. A postsecondary degree, diploma, or certificate.
- 1251 4. The highest available level of industry certification.

1252 Where no national or state certification exists, school
 1253 districts may establish a local certification in conjunction

1254 with the local workforce development board, the chamber of
 1255 commerce, or the Agency for Workforce Innovation.

1256 5. Maximum articulation of credits pursuant to s. 1007.23
 1257 upon program completion.

1258 (c) Provide creative and tailored student advisement,
 1259 including parent participation and coordination with middle
 1260 schools to provide career exploration and education planning as
 1261 required under s. 1003.4156. Coordination with middle schools
 1262 must provide information to middle school students about
 1263 secondary and postsecondary career education programs and
 1264 academies.

1265 (d) Provide a career education certification on the high
 1266 school diploma pursuant to s. 1003.431.

1267 (e) Provide instruction in careers designated as high
 1268 growth, high demand, and high pay by the local workforce
 1269 development board, the chamber of commerce, or the Agency for
 1270 Workforce Innovation.

1271 (f) Deliver academic content through instruction relevant
 1272 to the career, including intensive reading and mathematics
 1273 intervention required by s. 1003.428, with an emphasis on
 1274 strengthening reading for information skills.

1275 (g) Provide instruction resulting in competency,
 1276 certification, or credentials in workplace skills, including,
 1277 but not limited to, communication skills, interpersonal skills,
 1278 decisionmaking skills, the importance of attendance and
 1279 timeliness in the work environment, and work ethics.

1280 (h) Provide opportunities for students to obtain the
 1281 Florida Ready to Work Certification pursuant to s. 1004.99.

1282 (i) Include an evaluation plan developed jointly with the
 1283 Department of Education. The evaluation plan must include a
 1284 self-assessment tool based on standards, such as the Career
 1285 Academy National Standards of Practice, and outcome measures
 1286 including, but not limited to, graduation rates, enrollment in
 1287 postsecondary education, business and industry satisfaction,
 1288 employment and earnings, achievement of industry certification,
 1289 awards of postsecondary credit, and FCAT achievement levels and
 1290 learning gains.

1291 Section 25. Section 1003.57, Florida Statutes, is amended
 1292 to read:

1293 1003.57 Exceptional students instruction.--

1294 (1) Each district school board shall provide for an
 1295 appropriate program of special instruction, facilities, and
 1296 services for exceptional students as prescribed by the State
 1297 Board of Education as acceptable, including provisions that:

1298 (a)~~(1)~~ The district school board provide the necessary
 1299 professional services for diagnosis and evaluation of
 1300 exceptional students.

1301 (b)~~(2)~~ The district school board provide the special
 1302 instruction, classes, and services, either within the district
 1303 school system, in cooperation with other district school
 1304 systems, or through contractual arrangements with approved
 1305 private schools or community facilities that meet standards
 1306 established by the commissioner.

1307 (c)~~(3)~~ The district school board annually provide
 1308 information describing the Florida School for the Deaf and the
 1309 Blind and all other programs and methods of instruction

1310 available to the parent of a sensory-impaired student.

1311 (d)~~(4)~~ The district school board, once every 3 years,
 1312 submit to the department its proposed procedures for the
 1313 provision of special instruction and services for exceptional
 1314 students.

1315 (e)~~(5)~~ A ~~No~~ student may not be given special instruction
 1316 or services as an exceptional student until after he or she has
 1317 been properly evaluated, classified, and placed in the manner
 1318 prescribed by rules of the State Board of Education. The parent
 1319 of an exceptional student evaluated and placed or denied
 1320 placement in a program of special education shall be notified of
 1321 each such evaluation and placement or denial. Such notice shall
 1322 contain a statement informing the parent that he or she is
 1323 entitled to a due process hearing on the identification,
 1324 evaluation, and placement, or lack thereof. Such hearings shall
 1325 be exempt from the provisions of ss. 120.569, 120.57, and
 1326 286.011, except to the extent that the State Board of Education
 1327 adopts rules establishing other procedures and any records
 1328 created as a result of such hearings shall be confidential and
 1329 exempt from the provisions of s. 119.07(1). The hearing must be
 1330 conducted by an administrative law judge from the Division of
 1331 Administrative Hearings of the Department of Management
 1332 Services. The decision of the administrative law judge shall be
 1333 final, except that any party aggrieved by the finding and
 1334 decision rendered by the administrative law judge shall have the
 1335 right to bring a civil action in the circuit court. In such an
 1336 action, the court shall receive the records of the
 1337 administrative hearing and shall hear additional evidence at the

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1338 request of either party. In the alternative, any party aggrieved
 1339 by the finding and decision rendered by the administrative law
 1340 judge shall have the right to request an impartial review of the
 1341 administrative law judge's order by the district court of appeal
 1342 as provided by s. 120.68. Notwithstanding any law to the
 1343 contrary, during the pendency of any proceeding conducted
 1344 pursuant to this section, unless the district school board and
 1345 the parents otherwise agree, the student shall remain in his or
 1346 her then-current educational assignment or, if applying for
 1347 initial admission to a public school, shall be assigned, with
 1348 the consent of the parents, in the public school program until
 1349 all such proceedings have been completed.

1350 (f)~~(6)~~ In providing for the education of exceptional
 1351 students, the district school superintendent, principals, and
 1352 teachers shall utilize the regular school facilities and adapt
 1353 them to the needs of exceptional students to the maximum extent
 1354 appropriate. Segregation of exceptional students shall occur
 1355 only if the nature or severity of the exceptionality is such
 1356 that education in regular classes with the use of supplementary
 1357 aids and services cannot be achieved satisfactorily.

1358 (g)~~(7)~~ In addition to the services agreed to in a
 1359 student's individual education plan, the district school
 1360 superintendent shall fully inform the parent of a student having
 1361 a physical or developmental disability of all available services
 1362 that are appropriate for the student's disability. The
 1363 superintendent shall provide the student's parent with a summary
 1364 of the student's rights.

1365 (2) (a) An exceptional student with a disability who

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1366 resides in a residential facility and receives special
1367 instruction or services is considered a resident of the state in
1368 which the student's parent is a resident. The cost of such
1369 instruction, facilities, and services for a nonresident student
1370 with a disability shall be provided by the placing authority in
1371 the student's state of residence, such as a public school
1372 entity, other placing authority, or parent. A nonresident
1373 student with a disability may not be reported by any school
1374 district for FTE funding in the Florida Education Finance
1375 Program.

1376 (b) The Department of Education shall provide to each
1377 school district a statement of the specific limitations of the
1378 district's financial obligation for exceptional students with
1379 disabilities under federal and state law. The department shall
1380 also provide to each school district technical assistance as
1381 necessary for developing a local plan to impose on a student's
1382 home state the fiscal responsibility for educating a nonresident
1383 exceptional student with a disability.

1384 (c) The Department of Education shall develop a process by
1385 which a school district must, before providing services to an
1386 exceptional student with a disability who resides in a
1387 residential facility in this state, review the residency of the
1388 student. The residential facility, not the district, is
1389 responsible for billing and collecting from a nonresidential
1390 student's home state payment for the student's educational and
1391 related services.

1392 (d) This subsection applies to any nonresident student
1393 with a disability who resides in a residential facility and who

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1394 receives instruction as an exceptional student with a disability
 1395 in any type of residential facility in this state, including,
 1396 but not limited to, a public school, a private school, a group
 1397 home facility as defined in s. 393.063, an intensive residential
 1398 treatment program for children and adolescents as defined in s.
 1399 395.002, a facility as defined in s. 394.455, an intermediate
 1400 care facility for the developmentally disabled or ICF/DD as
 1401 defined in s. 393.063 or s. 400.960, or a community residential
 1402 home as defined in s. 419.001.

1403 Section 26. Section 1003.576, Florida Statutes, is created
 1404 to read:

1405 1003.576 Individual education plans for exceptional
 1406 students.--The Department of Education shall develop an
 1407 individual education plan (IEP) form for use in developing and
 1408 implementing individual education plans for exceptional
 1409 students. The IEP form must be available electronically, include
 1410 notice of testing accommodations pursuant to s. 1008.22(3), and
 1411 have a streamlined format. To provide for the use of an existing
 1412 IEP form when a student transfers from one school district to
 1413 another, the IEP form developed by the department must be used
 1414 in each school district in the state.

1415 Section 27. Subsection (3) of section 1003.58, Florida
 1416 Statutes, is amended to read:

1417 1003.58 Students in residential care facilities.--Each
 1418 district school board shall provide educational programs
 1419 according to rules of the State Board of Education to students
 1420 who reside in residential care facilities operated by the
 1421 Department of Children and Family Services.

1422 (3) The district school board shall have full and complete
 1423 authority in the matter of the assignment and placement of such
 1424 students in educational programs. The parent of an exceptional
 1425 student shall have the same due process rights as are provided
 1426 under s. 1003.57 (1) (e) ~~(5)~~.

1427
 1428 Notwithstanding the provisions herein, the educational program
 1429 at the Marianna Sunland Center in Jackson County shall be
 1430 operated by the Department of Education, either directly or
 1431 through grants or contractual agreements with other public or
 1432 duly accredited educational agencies approved by the Department
 1433 of Education.

1434 Section 28. Paragraph (a) of subsection (1) and paragraph
 1435 (a) of subsection (2) of section 1003.62, Florida Statutes, are
 1436 amended to read:

1437 1003.62 Academic performance-based charter school
 1438 districts.--The State Board of Education may enter into a
 1439 performance contract with district school boards as authorized
 1440 in this section for the purpose of establishing them as academic
 1441 performance-based charter school districts. The purpose of this
 1442 section is to examine a new relationship between the State Board
 1443 of Education and district school boards that will produce
 1444 significant improvements in student achievement, while complying
 1445 with constitutional and statutory requirements assigned to each
 1446 entity.

1447 (1) ACADEMIC PERFORMANCE-BASED CHARTER SCHOOL DISTRICT.--

1448 (a) A school district shall be eligible for designation as
 1449 an academic performance-based charter school district if it is a

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1450 high-performing school district in which a minimum of 50 percent
1451 of the schools earn a ~~performance grade~~ of category "A" or "B"
1452 and in which no school earns a ~~performance grade~~ of category "D"
1453 or "F" for 2 consecutive years pursuant to s. 1008.34. Schools
1454 that receive a ~~performance grade~~ of category "I" or "N" shall
1455 not be included in this calculation. The performance contract
1456 for a school district that earns a charter based on school
1457 ~~performance~~ grades shall be predicated on maintenance of at
1458 least 50 percent of the schools in the school district earning a
1459 ~~performance grade~~ of category "A" or "B" with no school in the
1460 school district earning a ~~performance grade~~ of category "D" or
1461 "F" for 2 consecutive years. A school district in which the
1462 number of schools that earn a ~~performance grade~~ of "A" or "B" is
1463 less than 50 percent may have its charter renewed for 1 year;
1464 however, if the percentage of "A" or "B" schools is less than 50
1465 percent for 2 consecutive years, the charter shall not be
1466 renewed.

1467 (2) EXEMPTION FROM STATUTES AND RULES.--

1468 (a) An academic performance-based charter school district
1469 shall operate in accordance with its charter and shall be exempt
1470 from certain State Board of Education rules and statutes if the
1471 State Board of Education determines such an exemption will
1472 assist the district in maintaining or improving its high-
1473 performing status pursuant to paragraph (1)(a). However, the
1474 State Board of Education may not exempt an academic performance-
1475 based charter school district from any of the following
1476 statutes:

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- 1477 1. Those statutes pertaining to the provision of services
 1478 to students with disabilities.
- 1479 2. Those statutes pertaining to civil rights, including s.
 1480 1000.05, relating to discrimination.
- 1481 3. Those statutes pertaining to student health, safety,
 1482 and welfare.
- 1483 4. Those statutes governing the election or compensation
 1484 of district school board members.
- 1485 5. Those statutes pertaining to the student assessment
 1486 program and the school grading system, including chapter 1008.
- 1487 6. Those statutes pertaining to financial matters,
 1488 including chapter 1010.
- 1489 7. Those statutes pertaining to planning and budgeting,
 1490 including chapter 1011, except that ss. 1011.64 and 1011.69
 1491 shall be eligible for exemption.
- 1492 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
 1493 performance-pay policies and differentiated pay for school
 1494 administrators and instructional personnel. Professional service
 1495 contracts shall be subject to the provisions of ss. 1012.33 and
 1496 1012.34.
- 1497 9. Those statutes pertaining to educational facilities,
 1498 including chapter 1013, except as specified under contract with
 1499 the State Board of Education. However, no contractual provision
 1500 that could have the effect of requiring the appropriation of
 1501 additional capital outlay funds to the academic performance-
 1502 based charter school district shall be valid.
- 1503 Section 29. Section 1004.99, Florida Statutes, is created
 1504 to read:

1505 1004.99 Florida Ready to Work Certification Program.--

1506 (1) There is created the Florida Ready to Work
 1507 Certification Program to enhance the workplace skills of
 1508 Florida's students to better prepare them for successful entry-
 1509 level employment in specific occupations.

1510 (2) The Florida Ready to Work Certification Program may be
 1511 conducted in public high schools, community colleges, technical
 1512 centers, one-stop career centers, vocational rehabilitation
 1513 centers, and Department of Juvenile Justice educational
 1514 facilities. The Department of Education shall establish
 1515 institutional readiness criteria for program implementation.

1516 (3) The Florida Ready to Work Certification Program shall
 1517 be composed of:

1518 (a) A comprehensive identification of workplace skills for
 1519 each occupation identified for inclusion in the program by the
 1520 Agency for Workforce Innovation.

1521 (b) A preinstructional assessment that delineates the
 1522 student's mastery level on the specific workplace skills
 1523 identified for that occupation.

1524 (c) A targeted instructional program limited to those
 1525 identified workplace skills in which the student is not
 1526 proficient as measured by the preinstructional assessment.
 1527 Instruction must utilize a web-based program and be customized
 1528 to meet identified specific needs of local employers.

1529 (d) A certificate and portfolio awarded to students upon
 1530 successful completion of the instruction. Each portfolio must
 1531 delineate the skills demonstrated by the student as evidence of
 1532 the student's preparation for employment.

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1533 (4) The State Board of Education, in consultation with the
 1534 Agency for Workforce Innovation, may adopt rules pursuant to ss.
 1535 120.536(1) and 120.54 to implement the provisions of this
 1536 section.

1537 Section 30. Subsection (4) of section 1006.09, Florida
 1538 Statutes, is amended to read:

1539 1006.09 Duties of school principal relating to student
 1540 discipline and school safety.--

1541 (4) When a student has been the victim of a violent crime
 1542 perpetrated by another student who attends the same school, the
 1543 school principal shall make full and effective use of the
 1544 provisions of subsection (2) and s. 1006.13(5). A school
 1545 principal who fails to comply with this subsection shall be
 1546 ineligible for any portion of the performance-pay ~~performanee~~
 1547 ~~pay~~ policy incentive or the differentiated pay under s.
 1548 1012.22(1)(c). However, if any party responsible for
 1549 notification fails to properly notify the school, the school
 1550 principal shall be eligible for the incentive or differentiated
 1551 pay.

1552 Section 31. Paragraph (c) of subsection (3) of section
 1553 1007.2615, Florida Statutes, is amended to read:

1554 1007.2615 American Sign Language; findings; foreign-
 1555 language credits authorized; teacher licensing.--

1556 (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF
 1557 EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN
 1558 FOR POSTSECONDARY EDUCATION PROVIDERS.--

1559 (c) An ASL teacher must be certified by the Department of
 1560 Education by July 1, 2009 ~~January 1, 2008,~~ and ~~must obtain~~

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1561 ~~current certification through the Florida American Sign Language~~
 1562 ~~Teachers' Association (FASLTA) by January 1, 2006. New FASLTA~~
 1563 ~~certification may be used by current ASL teachers as an~~
 1564 ~~alternative certification track.~~

1565 Section 32. Paragraph (f) of subsection (1), paragraphs
 1566 (c) and (e) of subsection (3), and subsection (9) of section
 1567 1008.22, Florida Statutes, are amended, paragraph (g) is added
 1568 to subsection (3), subsection (10) is renumbered as subsection
 1569 (11), and a new subsection (10) is added to that section, to
 1570 read:

1571 1008.22 Student assessment program for public schools.--

1572 (1) PURPOSE.--The primary purposes of the student
 1573 assessment program are to provide information needed to improve
 1574 the public schools by enhancing the learning gains of all
 1575 students and to inform parents of the educational progress of
 1576 their public school children. The program must be designed to:

1577 (f) Provide information on the performance of Florida
 1578 students compared with that of other students ~~others~~ across the
 1579 United States.

1580 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
 1581 design and implement a statewide program of educational
 1582 assessment that provides information for the improvement of the
 1583 operation and management of the public schools, including
 1584 schools operating for the purpose of providing educational
 1585 services to youth in Department of Juvenile Justice programs.
 1586 The commissioner may enter into contracts for the continued
 1587 administration of the assessment, testing, and evaluation
 1588 programs authorized and funded by the Legislature. Contracts may

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1589 be initiated in 1 fiscal year and continue into the next and may
1590 be paid from the appropriations of either or both fiscal years.
1591 The commissioner is authorized to negotiate for the sale or
1592 lease of tests, scoring protocols, test scoring services, and
1593 related materials developed pursuant to law. Pursuant to the
1594 statewide assessment program, the commissioner shall:

1595 (c) Develop and implement a student achievement testing
1596 program known as the Florida Comprehensive Assessment Test
1597 (FCAT) as part of the statewide assessment program, ~~to be~~
1598 ~~administered annually in grades 3 through 10~~ to measure reading,
1599 writing, science, and mathematics. Other content areas may be
1600 included as directed by the commissioner. The assessment of
1601 reading and mathematics shall be administered annually in grades
1602 3 through 10. The assessment of writing and science shall be
1603 administered at least once at each of the elementary, middle,
1604 and high school levels. The commissioner must document the
1605 procedures that ensure that the versions of the FCAT taken by
1606 students retaking the grade 10 FCAT are as equally challenging
1607 and difficult as the tests taken by students in grade 10 that
1608 contain performance tasks. The testing program must be designed
1609 so that:

1610 1. The tests measure student skills and competencies
1611 adopted by the State Board of Education as specified in
1612 paragraph (a). The tests must measure and report student
1613 proficiency levels in reading, writing, mathematics, and
1614 science. The commissioner shall provide for the tests to be
1615 developed or obtained, as appropriate, through contracts and
1616 project agreements with private vendors, public vendors, public

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1617 agencies, postsecondary educational institutions, or school
1618 districts. The commissioner shall obtain input with respect to
1619 the design and implementation of the testing program from state
1620 educators and the public.

1621 2. The testing program will include a combination of norm-
1622 referenced and criterion-referenced tests and include, to the
1623 extent determined by the commissioner, questions that require
1624 the student to produce information or perform tasks in such a
1625 way that the skills and competencies he or she uses can be
1626 measured.

1627 3. Each testing program, whether at the elementary,
1628 middle, or high school level, includes a test of writing in
1629 which students are required to produce writings that are then
1630 scored by appropriate methods.

1631 4. A score is designated for each subject area tested,
1632 below which score a student's performance is deemed inadequate.
1633 The school districts shall provide appropriate remedial
1634 instruction to students who score below these levels.

1635 5. Except as provided in s. 1003.428(8)(b) or s.
1636 1003.43(11)(b), students must earn a passing score on the grade
1637 10 assessment test described in this paragraph or attain
1638 concordant scores ~~on an alternate assessment~~ as described in
1639 subsection (9) in reading, writing, and mathematics to qualify
1640 for a regular high school diploma. The State Board of Education
1641 shall designate a passing score for each part of the grade 10
1642 assessment test. In establishing passing scores, the state board
1643 shall consider any possible negative impact of the test on
1644 minority students. ~~All students who took the grade 10 FCAT~~

1645 ~~during the 2000-2001 school year shall be required to earn the~~
 1646 ~~passing scores in reading and mathematics established by the~~
 1647 ~~State Board of Education for the March 2001 test administration.~~
 1648 ~~Such students who did not earn the established passing scores~~
 1649 ~~and must repeat the grade 10 FCAT are required to earn the~~
 1650 ~~passing scores established for the March 2001 test~~
 1651 ~~administration. All students who take the grade 10 FCAT for the~~
 1652 ~~first time in March 2002 shall be required to earn the passing~~
 1653 ~~scores in reading and mathematics established by the State Board~~
 1654 ~~of Education for the March 2002 test administration. The State~~
 1655 Board of Education shall adopt rules which specify the passing
 1656 scores for the grade 10 FCAT. Any such rules, which have the
 1657 effect of raising the required passing scores, shall only apply
 1658 to students taking the grade 10 FCAT for the first time after
 1659 such rules are adopted by the State Board of Education.

1660 6. Participation in the testing program is mandatory for
 1661 all students attending public school, including students served
 1662 in Department of Juvenile Justice programs, except as otherwise
 1663 prescribed by the commissioner. If a student does not
 1664 participate in the statewide assessment, the district must
 1665 notify the student's parent and provide the parent with
 1666 information regarding the implications of such nonparticipation.
 1667 If modifications are made in the student's instruction to
 1668 provide accommodations that would not be permitted on the
 1669 statewide assessment tests, the district must notify the
 1670 student's parent of the implications of such instructional
 1671 modifications. A parent must provide signed consent for a
 1672 student to receive instructional modifications that would not be

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1673 permitted on the statewide assessments and must acknowledge in
1674 writing that he or she understands the implications of such
1675 accommodations. The State Board of Education shall adopt rules,
1676 based upon recommendations of the commissioner, for the
1677 provision of test accommodations and modifications of procedures
1678 as necessary for students in exceptional education programs and
1679 for students who have limited English proficiency.
1680 Accommodations that negate the validity of a statewide
1681 assessment are not allowable.

1682 7. A student seeking an adult high school diploma must
1683 meet the same testing requirements that a regular high school
1684 student must meet.

1685 8. District school boards must provide instruction to
1686 prepare students to demonstrate proficiency in the skills and
1687 competencies necessary for successful grade-to-grade progression
1688 and high school graduation. If a student is provided with
1689 accommodations or modifications that are not allowable in the
1690 statewide assessment program, as described in the test manuals,
1691 the district must inform the parent in writing and must provide
1692 the parent with information regarding the impact on the
1693 student's ability to meet expected proficiency levels in
1694 reading, writing, and math. The commissioner shall conduct
1695 studies as necessary to verify that the required skills and
1696 competencies are part of the district instructional programs.

1697 9. District school boards must provide opportunities for
1698 students to demonstrate an acceptable level of performance on an
1699 alternative standardized assessment approved by the State Board
1700 of Education following enrollment in summer academies.

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1701 10.9. The Department of Education must develop, or select,
 1702 and implement a common battery of assessment tools that will be
 1703 used in all juvenile justice programs in the state. These tools
 1704 must accurately measure the skills and competencies established
 1705 in the ~~Florida~~ Sunshine State Standards.

1706
 1707 The commissioner may design and implement student testing
 1708 programs, for any grade level and subject area, necessary to
 1709 effectively monitor educational achievement in the state.

1710 (e) Conduct ongoing research and analysis of student
 1711 achievement data, including, without limitation, monitoring
 1712 trends in student achievement by grade level and overall student
 1713 achievement, identifying school programs that are successful,
 1714 and analyzing correlates of school achievement.

1715 (g) Study the cost and student achievement impact of
 1716 secondary end-of-course assessments, including web-based and
 1717 performance formats, and report to the Legislature prior to
 1718 implementation.

1719 (9) CONCORDANT SCORES FOR THE FCAT ~~EQUIVALENCIES FOR~~
 1720 ~~STANDARDIZED TESTS.~~ --

1721 (a) The State Board of Education shall analyze the content
 1722 and concordant data sets for widely used high school achievement
 1723 tests, including, but not limited to, the PSAT, PLAN, SAT, ACT,
 1724 and College Placement Test, to assess if concordant scores can
 1725 be determined that correspond to those required on the FCAT for
 1726 high school graduation. In cases where concordant scores can be
 1727 determined, the Commissioner of Education shall adopt those
 1728 scores as meeting the graduation requirement in lieu of

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1729 achieving the FCAT passing score. Each time that test content or
1730 scoring procedures are changed for either the FCAT or one of the
1731 identified tests, new concordant scores must be determined. The
1732 use of concordant scores shall take effect for students who are
1733 eligible to graduate beginning in the 2003-2004 academic year
1734 and thereafter. The Commissioner of Education shall approve the
1735 use of the SAT and ACT tests as alternative assessments to the
1736 grade 10 FCAT for the 2003-2004 school year.

1737 (b) Students who attain concordant scores pursuant to this
1738 subsection on the SAT or ACT which equate to the passing scores
1739 on the grade 10 FCAT for purposes of high school graduation
1740 shall satisfy the assessment requirement for a standard high
1741 school diploma as provided in s. 1003.429(6) (a) or s.
1742 1003.43 (5) (a) for the 2003-2004 school year if the students meet
1743 the requirement in paragraph (c) ~~(b)~~.

1744 ~~(c) (b)~~ A student shall be required to take each subject
1745 area of the grade 10 FCAT a total of three times without earning
1746 a passing score in order to use the concordant subject area
1747 scores on an alternative assessment pursuant to this subsection
1748 paragraph ~~(a)~~. This requirement shall not apply to a new student
1749 who enters the Florida is a new student to the public school
1750 system in grade 12, who may either take the FCAT or use approved
1751 concordant scores to fulfill the graduation requirement.

1752 (10) REPORTS.--The Department of Education shall annually
1753 provide a report to the Governor, the President of the Senate,
1754 and the Speaker of the House of Representatives on the
1755 following:

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1756 (a) Longitudinal performance of students in mathematics
 1757 and reading.

1758 (b) Longitudinal performance of students by grade level in
 1759 mathematics and reading.

1760 (c) Longitudinal performance regarding efforts to close
 1761 the achievement gap.

1762 (d) Longitudinal performance of students on the norm-
 1763 referenced component of the FCAT.

1764 (e) Other student performance data based on national norm-
 1765 referenced and criterion-referenced tests, when available, and
 1766 numbers of students who after 8th grade enroll in adult
 1767 education rather than other secondary education.

1768 Section 33. Section 1008.221, Florida Statutes, is
 1769 repealed.

1770 Section 34. Paragraph (b) of subsection (4) and paragraph
 1771 (b) of subsection (8) of section 1008.25, Florida Statutes, are
 1772 amended, and paragraph (c) is added to subsection (8) of that
 1773 section, to read:

1774 1008.25 Public school student progression; remedial
 1775 instruction; reporting requirements.--

1776 (4) ASSESSMENT AND REMEDIATION.--

1777 (b) The school in which the student is enrolled must
 1778 develop, in consultation with the student's parent, and must
 1779 implement an academic improvement plan designed to assist the
 1780 student in meeting state and district expectations for
 1781 proficiency. ~~For a student for whom a personalized middle school~~
 1782 ~~success plan is required pursuant to s. 1003.415, the middle~~
 1783 ~~school success plan must be incorporated in the student's~~

1784 ~~academic improvement plan.~~ Beginning with the 2002-2003 school
 1785 year, if the student has been identified as having a deficiency
 1786 in reading, the academic improvement plan shall identify the
 1787 student's specific areas of deficiency in phonemic awareness,
 1788 phonics, fluency, comprehension, and vocabulary; the desired
 1789 levels of performance in these areas; and the instructional and
 1790 support services to be provided to meet the desired levels of
 1791 performance. Schools shall also provide for the frequent
 1792 monitoring of the student's progress in meeting the desired
 1793 levels of performance. District school boards may require low-
 1794 performing students to attend remediation programs held before
 1795 or after regular school hours or during the summer, upon the
 1796 request of the school principal, and shall assist schools and
 1797 teachers to implement research-based reading activities that
 1798 have been shown to be successful in teaching reading to low-
 1799 performing students. Remedial instruction provided during high
 1800 school may not be in lieu of English and mathematics credits
 1801 required for graduation.

1802 (8) ANNUAL REPORT.--

1803 (b) ~~Beginning with the 2001-2002 school year,~~ Each
 1804 district school board must annually publish in the local
 1805 newspaper, and report in writing to the State Board of Education
 1806 by September 1 of each year, the following information on the
 1807 prior school year:

1808 1. The provisions of this section relating to public
 1809 school student progression and the district school board's
 1810 policies and procedures on student retention and promotion.

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1811 2. By grade, the number and percentage of all students in
1812 grades 3 through 10 performing at Levels 1 and 2 on the reading
1813 portion of the FCAT.

1814 3. By grade, the number and percentage of all students
1815 retained in grades 3 through 10.

1816 4. Information on the total number of students who were
1817 promoted for good cause, by each category of good cause as
1818 specified in paragraph (6) (b).

1819 5. Any revisions to the district school board's policy on
1820 student retention and promotion from the prior year.

1821 (c) The Department of Education shall establish a uniform
1822 format for school districts to report the information required
1823 in paragraph (b). The format shall be developed with input from
1824 district school boards and shall be provided not later than 90
1825 days prior to the annual due date. The department shall annually
1826 compile the information required in subparagraphs (b)2., 3., and
1827 4., along with state-level summary information, and report such
1828 information to the Governor, the President of the Senate, and
1829 the Speaker of the House of Representatives.

1830 Section 35. Section 1008.301, Florida Statutes, is
1831 repealed.

1832 Section 36. Paragraphs (d) and (e) of subsection (1),
1833 paragraphs (b) and (c) of subsection (2), and subsection (3) of
1834 section 1008.31, Florida Statutes, are amended, and subsection
1835 (4) is added to that section, to read:

1836 1008.31 Florida's K-20 education performance
1837 accountability system; legislative intent; ~~performance-based~~

1838 ~~funding~~, mission, goals, and systemwide measures; data quality
 1839 improvements.--

1840 (1) LEGISLATIVE INTENT.--It is the intent of the
 1841 Legislature that:

1842 (d) The State Board of Education and the Board of
 1843 Governors of the State University System recommend to the
 1844 Legislature systemwide performance standards; the Legislature
 1845 establish systemwide performance measures and standards; and the
 1846 systemwide measures and standards provide Floridians with
 1847 information on what the public is receiving in return for the
 1848 funds it invests in education and how well the K-20 system
 1849 educates its students.

1850 (e)1. The State Board of Education establish performance
 1851 measures and set performance standards for individual ~~components~~
 1852 ~~of the public education system, including individual schools and~~
 1853 community colleges ~~postsecondary educational institutions~~, with
 1854 measures and standards based primarily on student achievement.

1855 2. The Board of Governors of the State University System
 1856 establish performance measures and set performance standards for
 1857 individual state universities.

1858 (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.--

1859 (b) The process ~~State Board of Education shall adopt~~
 1860 ~~guiding principles~~ for establishing state and sector-specific
 1861 standards and measures must be:

- 1862 1. Focused on student success.
- 1863 2. Addressable through policy and program changes.
- 1864 3. Efficient and of high quality.
- 1865 4. Measurable over time.

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5. Simple to explain and display to the public.

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

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

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

2. Seamless articulation and maximum access, as measured by evidence of progression, readiness, and access by targeted groups of students identified by the Commissioner of Education ~~the percentage of students who demonstrate readiness for the educational level they are entering, from kindergarten through postsecondary education and into the workforce; the number and percentage of students needing remediation; the percentage of Floridians who complete associate, baccalaureate, graduate, professional, and postgraduate degrees; the number and percentage of credits that articulate; the extent to which each set of exit point requirements matches the next set of entrance point requirements; the degree to which underserved populations access educational opportunity; the extent to which access is~~

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1893 ~~provided through innovative educational delivery strategies; and~~
 1894 ~~other measures identified in law or rule.~~

1895 3. Skilled workforce and economic development, as measured
 1896 by evidence of employment and earnings: ~~the number and~~
 1897 ~~percentage of graduates employed in their areas of preparation,~~
 1898 ~~the percentage of Floridians with high school diplomas and~~
 1899 ~~postsecondary education credentials; the percentage of business~~
 1900 ~~and community members who find that Florida's graduates possess~~
 1901 ~~the skills they need; national rankings; and other measures~~
 1902 ~~identified in law or rule.~~

1903 4. Quality efficient services, as measured by evidence of
 1904 return on investment: ~~cost per completer or graduate; average~~
 1905 ~~cost per noncompleter at each educational level; cost disparity~~
 1906 ~~across institutions offering the same degrees; the percentage of~~
 1907 ~~education customers at each educational level who are satisfied~~
 1908 ~~with the education provided; and other measures identified in~~
 1909 ~~law or rule.~~

1910 5. Other goals as identified by law or rule.

1911 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS SYSTEMWIDE
 1912 DATA COLLECTION.--To provide data required to implement
 1913 education performance accountability measures in state and
 1914 federal law, the Commissioner of Education shall initiate and
 1915 maintain strategies to improve data quality and timeliness. All
 1916 data collected from state universities shall, as determined by
 1917 the commissioner, be integrated into the K-20 data warehouse.
 1918 The commissioner shall have unlimited access to such data solely
 1919 for the purposes of conducting studies, reporting annual and
 1920 longitudinal student outcomes, and improving college readiness

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1921 and articulation. All public educational institutions shall
1922 provide data to the K-20 data warehouse in a format specified by
1923 the commissioner.

1924 (a) School districts and public postsecondary educational
1925 institutions shall maintain information systems that will
1926 provide the State Board of Education, the Board of Governors of
1927 the State University System, and the Legislature with
1928 information and reports necessary to address the specifications
1929 of the accountability system. ~~The State Board of Education shall~~
1930 ~~determine the standards for the required data.~~ The level of
1931 comprehensiveness and quality shall be no less than that which
1932 was available as of June 30, 2001.

1933 (b) The Commissioner of Education shall determine the
1934 standards for the required data, monitor data quality, and
1935 measure improvements. The commissioner shall report annually to
1936 the State Board of Education, the Board of Governors of the
1937 State University System, the President of the Senate, and the
1938 Speaker of the House of Representatives data quality indicators
1939 and ratings for all school districts and public postsecondary
1940 educational institutions.

1941 (c) Before establishing any new reporting or data
1942 collection requirements, the Commissioner of Education shall
1943 utilize existing data being collected to reduce duplication and
1944 minimize paperwork.

1945 (4) RULES.--The State Board of Education shall adopt rules
1946 pursuant to ss. 120.536(1) and 120.54 to implement the
1947 provisions of this section relating to the K-20 data warehouse.

1948 Section 37. Subsections (1), (2), and (4) of section
 1949 1008.33, Florida Statutes, are amended to read:
 1950 1008.33 Authority to enforce public school
 1951 improvement.--It is the intent of the Legislature that all
 1952 public schools be held accountable for students performing at
 1953 acceptable levels. A system of school improvement and
 1954 accountability that assesses student performance by school,
 1955 identifies schools in which students are not making adequate
 1956 progress toward state standards, institutes appropriate measures
 1957 for enforcing improvement, and provides rewards and sanctions
 1958 based on performance shall be the responsibility of the State
 1959 Board of Education.

1960 (1) Pursuant to Art. IX of the State Constitution
 1961 prescribing the duty of the State Board of Education to
 1962 supervise Florida's public school system and notwithstanding any
 1963 other statutory provisions to the contrary, the State Board of
 1964 Education shall intervene in the operation of a district school
 1965 system when one or more schools in the school district have
 1966 failed to make adequate progress for 2 school years in a 4-year
 1967 period. For purposes of determining when a school is eligible
 1968 for state board action and opportunity scholarships for its
 1969 students, the terms "2 years in any 4-year period" and "2 years
 1970 in a 4-year period" mean that in any year that a school has a
 1971 grade of "F," the school is eligible for state board action and
 1972 opportunity scholarships for its students if it also has had a
 1973 grade of "F" in any of the previous 3 school years. The State
 1974 Board of Education may determine that the school district or
 1975 school has not taken steps sufficient for students in the school

1976 to be academically well served. Considering recommendations of
 1977 the Commissioner of Education, the State Board of Education
 1978 shall recommend action to a district school board intended to
 1979 improve educational services to students in each school that is
 1980 designated with a ~~as performance~~ grade of category "F."
 1981 Recommendations for actions to be taken in the school district
 1982 shall be made only after thorough consideration of the unique
 1983 characteristics of a school, which shall include student
 1984 mobility rates, the number and type of exceptional students
 1985 enrolled in the school, and the availability of options for
 1986 improved educational services. The state board shall adopt by
 1987 rule steps to follow in this process. Such steps shall provide
 1988 school districts sufficient time to improve student performance
 1989 in schools and the opportunity to present evidence of assistance
 1990 and interventions that the district school board has
 1991 implemented.

1992 (2) The State Board of Education may recommend one or more
 1993 of the following actions to district school boards to enable
 1994 students in schools designated with a ~~as performance~~ grade of
 1995 ~~category~~ "F" to be academically well served by the public school
 1996 system:

1997 (a) Provide additional resources, change certain
 1998 practices, and provide additional assistance if the state board
 1999 determines the causes of inadequate progress to be related to
 2000 school district policy or practice;

2001 (b) Implement a plan that satisfactorily resolves the
 2002 education equity problems in the school;

2003 (c) Contract for the educational services of the school,
 2004 or reorganize the school at the end of the school year under a
 2005 new school principal who is authorized to hire new staff and
 2006 implement a plan that addresses the causes of inadequate
 2007 progress;

2008 (d) Authorize the school principal to recommend corrective
 2009 actions for low-performing faculty and staff as necessary to
 2010 improve educational opportunities and the performance of
 2011 students;

2012 (e)~~(d)~~ Allow parents of students in the school to send
 2013 their children to another district school of their choice; or

2014 (f)~~(e)~~ Other action appropriate to improve the school's
 2015 performance, including, if the school is a high school,
 2016 requiring annual publication of the school's graduation rate
 2017 calculated without GEDs for the past 3 years, disaggregated by
 2018 student ethnicity.

2019 (4) The State Board of Education may require the
 2020 Department of Education or Chief Financial Officer to withhold
 2021 any transfer of state funds to the school district if, within
 2022 the timeframe specified in state board action, the school
 2023 district has failed to comply with the action ordered to improve
 2024 the district's low-performing schools. Withholding the transfer
 2025 of funds shall occur only after all other recommended actions
 2026 for school improvement have failed to improve performance. The
 2027 State Board of Education may impose the same penalty on any
 2028 district school board that fails to develop and implement a plan
 2029 for assistance and intervention for low-performing schools as
 2030 specified in s. 1001.42(16) (d)~~(e)~~.

2031 Section 38. Section 1008.34, Florida Statutes, is amended
 2032 to read:

2033 1008.34 School grading system; school report cards;
 2034 district ~~performance~~ grade.--

2035 (1) ANNUAL REPORTS.--The Commissioner of Education shall
 2036 prepare annual reports of the results of the statewide
 2037 assessment program which describe student achievement in the
 2038 state, each district, and each school. The commissioner shall
 2039 prescribe the design and content of these reports, which must
 2040 include, without limitation, descriptions of the performance of
 2041 all schools participating in the assessment program and all of
 2042 their major student populations as determined by the
 2043 Commissioner of Education, and must also include the median
 2044 scores of all eligible students who scored at or in the lowest
 2045 25th percentile of the state in the previous school year;
 2046 provided, however, that the provisions of s. 1002.22 pertaining
 2047 to student records apply to this section.

2048 (2) SCHOOL GRADES ~~PERFORMANCE GRADE CATEGORIES~~.--The
 2049 annual report shall identify schools as having one of the
 2050 following grades ~~being in one of the following grade categories~~
 2051 defined according to rules of the State Board of Education:

- 2052 (a) "A," schools making excellent progress.
- 2053 (b) "B," schools making above average progress.
- 2054 (c) "C," schools making satisfactory progress.
- 2055 (d) "D," schools making less than satisfactory progress.
- 2056 (e) "F," schools failing to make adequate progress.

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2058 Each school designated with a ~~in~~ performance grade of category
 2059 "A," making excellent progress, or having improved at least two
 2060 ~~performance grade levels categories,~~ shall have greater
 2061 authority over the allocation of the school's total budget
 2062 generated from the FEFP, state categoricals, lottery funds,
 2063 grants, and local funds, as specified in state board rule. The
 2064 rule must provide that the increased budget authority shall
 2065 remain in effect until the school's ~~performance~~ grade declines.

2066 (3) DESIGNATION OF SCHOOL GRADES ~~PERFORMANCE GRADE~~
 2067 ~~CATEGORIES.~~--School grades ~~performance grade category~~
 2068 ~~designations~~ itemized in subsection (2) shall be based on the
 2069 following:

2070 (a) Criteria Timeframes.--A school's grade shall be based
 2071 on a combination of:

2072 1. Student achievement scores ~~School performance grade~~
 2073 ~~category designations shall be based on the school's current~~
 2074 ~~year performance and the school's annual learning gains.~~

2075 2. ~~A school's performance grade category designation shall~~
 2076 ~~be based on a combination of student achievement scores, Student~~
 2077 ~~learning gains as measured by annual FCAT assessments in grades~~
 2078 ~~3 through 10., and~~

2079 3. Improvement of the lowest 25th percentile of students
 2080 in the school in reading, math, or writing on the FCAT Reading,
 2081 unless these students are exhibiting ~~performing above~~
 2082 satisfactory performance.

2083 (b) Student assessment data.--Student assessment data used
 2084 in determining school grades ~~performance grade categories~~ shall
 2085 include:

2086 1. The aggregate scores of all eligible students enrolled
 2087 in the school who have been assessed on the FCAT.

2088 2. The aggregate scores of all eligible students enrolled
 2089 in the school who have been assessed on the FCAT, including
 2090 Florida Writes, and who have scored at or in the lowest 25th
 2091 percentile of students in the school in reading, math, or
 2092 writing, unless these students are exhibiting ~~performing above~~
 2093 satisfactory performance.

2094
 2095 ~~The Department of Education shall study the effects of mobility~~
 2096 ~~on the performance of highly mobile students and recommend~~
 2097 ~~programs to improve the performance of such students.~~ The State
 2098 Board of Education shall adopt appropriate criteria for each
 2099 school ~~performance~~ grade ~~category~~. The criteria must also give
 2100 added weight to student achievement in reading. Schools
 2101 designated with a ~~as~~ ~~performance~~ grade of ~~category~~ "C," making
 2102 satisfactory progress, shall be required to demonstrate that
 2103 adequate progress has been made by students in the school who
 2104 are in the lowest 25th percentile in reading, math, or writing
 2105 on the FCAT, including Florida Writes, unless these students are
 2106 exhibiting ~~performing~~ above satisfactory performance.

2107 (4) SCHOOL GRADING FOR ALTERNATIVE SCHOOLS.--Alternative
 2108 schools providing dropout prevention and academic intervention
 2109 services may choose to receive a school grade pursuant to
 2110 subsections (2) and (3) or an improvement rating pursuant to s.
 2111 1008.341 according to the following requirements:

2112 (a) If an alternative school chooses to be graded pursuant
 2113 to this section, student performance data as identified in

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2114 subsection (3) shall not be included in the home school's grade
2115 but shall only be included in calculation of the alternative
2116 school's grade unless the Commissioner of Education requires
2117 that the alternative school's student assessment data must be
2118 included in the home school's grade based on a finding of
2119 collusion to avoid the state's accountability system.

2120 (b) If an alternative school chooses to receive an
2121 improvement rating pursuant to s. 1008.341, student performance
2122 data as identified in subsection (3) shall be included in the
2123 home school's grade, except for achievement scores and learning
2124 gains of students attending alternative schools who are subject
2125 to district school board policies for expulsion for repeated or
2126 serious offenses, in dropout retrieval programs serving students
2127 officially designated as dropouts, or in Department of Juvenile
2128 Justice operated and contracted programs.

2129
2130 For purposes of this section and s. 1008.341, "home school"
2131 means the school the student was attending when assigned to an
2132 alternative school or the school to which the student would be
2133 assigned if the student left the alternative school. School
2134 districts must require collaboration between the home school and
2135 the alternative school to promote student success.

2136 (5)-(4) SCHOOL IMPROVEMENT RATINGS.--The annual report
2137 shall identify each school's performance as having improved,
2138 remained the same, or declined. This school improvement rating
2139 shall be based on a comparison of the current year's and
2140 previous year's student and school performance data. Schools

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2141 that improve at least one ~~performance~~ grade level ~~category~~ are
 2142 eligible for school recognition awards pursuant to s. 1008.36.

2143 ~~(6)(5) SCHOOL REPORT CARD PERFORMANCE GRADE CATEGORY AND~~
 2144 ~~IMPROVEMENT RATING REPORTS.--The Department of Education shall~~
 2145 annually develop, in collaboration with the district school
 2146 boards, a school report card to be delivered to parents
 2147 throughout each school district. The report card shall include
 2148 the school's grade, information regarding school improvement, an
 2149 explanation of school performance as evaluated by the federal No
 2150 Child Left Behind Act of 2001, and indicators of return on
 2151 investment. School performance grade category designations and
 2152 improvement ratings shall apply to each school's performance for
 2153 the year in which performance is measured. Each school's report
 2154 card designation and rating shall be published annually by the
 2155 department on its website, of Education and the school district
 2156 shall provide the school report card to each parent. Parents
 2157 shall be entitled to an easy to read report card about the
 2158 designation and rating of the school in which their child is
 2159 enrolled.

2160 (7) PERFORMANCE-BASED FUNDING.--The Legislature may factor
 2161 in the performance of schools in calculating any performance-
 2162 based funding policy that is provided for annually in the
 2163 General Appropriations Act.

2164 (8) DISTRICT ~~PERFORMANCE~~ GRADE.--The annual report
 2165 required by subsection (1) shall include district ~~performance~~
 2166 grades, which shall consist of weighted district average grades,
 2167 by level, for all elementary schools, middle schools, and high
 2168 schools in the district. A district's weighted average grade

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2169 shall be calculated by weighting individual school grades
 2170 determined pursuant to subsection (2) by school enrollment.

2171 ~~(9)(6)~~ RULES.--The State Board of Education shall adopt
 2172 rules pursuant to ss. 120.536(1) and 120.54 to implement the
 2173 provisions of this section.

2174 Section 39. Section 1008.341, Florida Statutes, is created
 2175 to read:

2176 1008.341 School improvement rating for alternative
 2177 schools.--

2178 (1) ANNUAL REPORTS.--The Commissioner of Education shall
 2179 prepare an annual report on the performance of each school
 2180 receiving a school improvement rating pursuant to this section
 2181 provided that the provisions of s. 1002.22 pertaining to student
 2182 records shall apply.

2183 (2) SCHOOL IMPROVEMENT RATING.--Alternative schools that
 2184 provide dropout prevention and academic intervention services
 2185 may choose to receive a school improvement rating pursuant to
 2186 this section in lieu of a school grade pursuant to s. 1008.34.
 2187 The school improvement rating shall identify schools as having
 2188 one of the following ratings defined according to rules of the
 2189 State Board of Education:

2190 (a) "Improving," schools with students making more
 2191 academic progress than when the students were served in their
 2192 home schools.

2193 (b) "Maintaining," schools with students making progress
 2194 equivalent to the progress made when the students were served in
 2195 their home schools.

2196 (c) "Declining," schools with students making less

2197 academic progress than when the students were served in their
 2198 home schools.

2199
 2200 The school improvement rating shall be based on a comparison of
 2201 the current year and previous year student performance data.
 2202 Schools that improve at least one level or maintain an
 2203 "improving" rating pursuant to this section are eligible for
 2204 school recognition awards pursuant to s. 1008.36.

2205 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.--Student
 2206 data used in determining an alternative school's school
 2207 improvement rating shall include:

2208 (a) The aggregate scores of all students who were assigned
 2209 to and enrolled in the school during the October or February FTE
 2210 count, who have been assessed on the FCAT, and who have FCAT or
 2211 comparable scores for the preceding school year.

2212 (b) The aggregate scores of all students who were assigned
 2213 to and enrolled in the school during the October or February FTE
 2214 count, who have been assessed on the FCAT, including Florida
 2215 Writes, and who have scored in the lowest 25th percentile of
 2216 students in the state on FCAT Reading.

2217 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.--For each
 2218 alternative school receiving a school improvement rating, the
 2219 Department of Education shall annually identify the percentage
 2220 of students making learning gains as compared to the percentage
 2221 of the same students making learning gains in their home schools
 2222 in the year prior to being assigned to the alternative school.

2223 (5) SCHOOL REPORT CARD.--The Department of Education shall
 2224 annually develop, in collaboration with the school districts, a

2225 school report card for alternative schools to be delivered to
 2226 parents throughout each school district. The report card shall
 2227 include the school improvement rating, identification of student
 2228 learning gains, information regarding school improvement, an
 2229 explanation of school performance as evaluated by the federal No
 2230 Child Left Behind Act of 2001, and indicators of return on
 2231 investment.

2232 (6) RULES.--The State Board of Education may adopt rules
 2233 pursuant to ss. 120.536(1) and 120.54 to implement the
 2234 provisions of this section.

2235 Section 40. Subsection (5), paragraphs (b) and (d) of
 2236 subsection (6), and subsection (7) of section 1008.345, Florida
 2237 Statutes, are amended to read:

2238 1008.345 Implementation of state system of school
 2239 improvement and education accountability.--

2240 (5) The commissioner shall report to the Legislature and
 2241 recommend changes in state policy necessary to foster school
 2242 improvement and education accountability. Included in the report
 2243 shall be a list of the schools, including schools operating for
 2244 the purpose of providing educational services to youth in
 2245 Department of Juvenile Justice programs, for which district
 2246 school boards have developed assistance and intervention plans
 2247 and an analysis of the various strategies used by the school
 2248 boards. School reports shall be distributed pursuant to this
 2249 subsection and s. 1001.42(16) (f) ~~(e)~~ and according to rules
 2250 adopted by the State Board of Education.

2251 (6)

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2252 (b) Upon request, the department shall provide technical
2253 assistance and training to any school, including any school
2254 operating for the purpose of providing educational services to
2255 youth in Department of Juvenile Justice programs, school
2256 advisory council, district, or district school board for
2257 conducting needs assessments, developing and implementing school
2258 improvement plans, developing and implementing assistance and
2259 intervention plans, or implementing other components of school
2260 improvement and accountability. Priority for these services
2261 shall be given to schools designated with a as ~~performance~~ grade
2262 of category "D" or "F" and school districts in rural and
2263 sparsely populated areas of the state.

2264 (d)1. The commissioner ~~department~~ shall assign a community
2265 assessment team to each school district with a school designated
2266 with a as ~~performance~~ grade of category "D" or "F" to review the
2267 school performance data, including, for a high school graded "D"
2268 or "F," the school's graduation rate calculated without GEDs for
2269 the past 3 years, disaggregated by student ethnicity, and
2270 determine causes for the low performance. The team shall make
2271 recommendations to the school board, to the department, and to
2272 the State Board of Education for implementing an assistance and
2273 intervention plan that will address the causes of the school's
2274 low performance. The assessment team shall include, but not be
2275 limited to, a department representative, parents, business
2276 representatives, educators, and community activists, and shall
2277 represent the demographics of the community from which they are
2278 appointed.

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2279 2. Each school district that has a school designated with
2280 a grade of "F" for a second consecutive year after the community
2281 assessment team's recommendations to the school board for
2282 implementing an assistance and intervention plan shall be
2283 subject to review and oversight by the Governor and the
2284 Commissioner of Education as a school district in a state of
2285 educational emergency.

2286 3. For each school district in a state of educational
2287 emergency, the Governor and the Commissioner of Education shall
2288 contact the district school board to determine what actions have
2289 been taken by the district school board to address the
2290 recommendations of the community assessment team and to resolve
2291 the educational emergency. The Governor and the Commissioner of
2292 Education shall determine whether the district school board
2293 needs state assistance to resolve the educational emergency. If
2294 state assistance is needed, the Governor and the Commissioner of
2295 Education have the authority to implement measures as set forth
2296 in this subparagraph to assist the district school board in
2297 resolving the educational emergency. Such measures may include,
2298 but are not limited to:

2299 a. Requiring approval of the school district's budget by
2300 the Governor and the Commissioner of Education.

2301 b. Authorizing a state loan and providing for its
2302 repayment by the district school board.

2303 c. Requiring the district school board to reallocate funds
2304 as necessary until such time as the school district is no longer
2305 in a state of educational emergency.

2306 d. Making inspections and reviews of records, information,
 2307 reports, and assets of the school district. The appropriate
 2308 school district officials shall cooperate in such inspections
 2309 and reviews.

2310 e. Consulting with officials and auditors of the school
 2311 district and the appropriate state officials regarding any steps
 2312 necessary to bring the books of account, accounting systems,
 2313 financial procedures, personnel, and personnel systems into
 2314 compliance with state requirements.

2315 f. Providing technical assistance to the district school
 2316 board.

2317 g. Establishing an educational emergency board to oversee
 2318 the activities of the district school board. If an educational
 2319 emergency board is established, the Governor and Commissioner of
 2320 Education shall appoint board members and select a chair. The
 2321 school district's community assessment team shall serve in an
 2322 advisory capacity to the educational emergency board. The
 2323 educational emergency board shall adopt such rules as are
 2324 necessary for conducting board business. The board may review
 2325 all of the educational operations, including, but not limited
 2326 to, graduation and dropout rates, personnel, management,
 2327 efficiency, curriculum, instructional materials, productivity,
 2328 and financing of functions and operations, of the school
 2329 district. The recommendations and reports made by the
 2330 educational emergency board must be submitted to the Governor,
 2331 the Commissioner of Education, and the State Board of Education
 2332 for appropriate action. Upon receipt of the educational
 2333 emergency board's recommendations and report, the Governor, the

2334 Commissioner of Education, and the State Board of Education
 2335 shall require an action plan to implement the educational
 2336 emergency board's recommendations, to be prepared by officials
 2337 of the school district in consultation with the appropriate
 2338 state officials, so as to cause the school district to no longer
 2339 be in a state of educational emergency.

2340 4. The Governor and the Commissioner of Education may
 2341 terminate all state actions pursuant to this paragraph upon
 2342 determination that the school district is no longer in a state
 2343 of educational emergency and has successfully established and is
 2344 operating an effective educational system for all students in
 2345 the district.

2346 (7) (a) Schools designated with a in-performance grade of
 2347 ~~category~~ "A," making excellent progress, shall, if requested by
 2348 the school, be given deregulated status as specified in s.
 2349 1003.63(5), (7), (8), (9), and (10).

2350 (b) Schools that have improved at least two grades
 2351 ~~performance-grade-categories~~ and that meet the criteria of the
 2352 Florida School Recognition Program pursuant to s. 1008.36 may be
 2353 given deregulated status as specified in s. 1003.63(5), (7),
 2354 (8), (9), and (10).

2355 Section 41. Subsections (3), (4), and (5) of section
 2356 1008.36, Florida Statutes, are amended to read:

2357 1008.36 Florida School Recognition Program.--

2358 (3) All public schools, including charter schools, that
 2359 receive a school grade pursuant to s. 1008.34 or a school
 2360 improvement rating pursuant to s. 1008.341 are eligible to
 2361 participate in the program.

2362 (4) All selected schools shall receive financial awards
 2363 depending on the availability of funds appropriated and the
 2364 number and size of schools selected to receive an award. Funds
 2365 must be distributed to the school's fiscal agent and placed in
 2366 the school's account and must be used for purposes listed in
 2367 subsection (5) as determined by the staff and school advisory
 2368 council pursuant to s. 1001.452 in the annual school improvement
 2369 plan required under s. 1001.42(16)(a). If such a determination
 2370 is not included in the school improvement plan at the time of
 2371 its annual approval by the district school board, the school
 2372 shall not be eligible to receive a financial award jointly by
 2373 ~~the school's staff and school advisory council. If school staff~~
 2374 ~~and the school advisory council cannot reach agreement by~~
 2375 ~~November 1, the awards must be equally distributed to all~~
 2376 ~~classroom teachers currently teaching in the school.~~

2377 (5) School recognition awards must be used for the
 2378 following:

2379 (a) Nonrecurring bonuses to the faculty and staff who
 2380 worked at the school during the year of improved performance and
 2381 additional employees as determined in the school improvement
 2382 plan;

2383 (b) Nonrecurring expenditures for educational equipment,
 2384 ~~or~~ materials, or student incentives to assist in maintaining and
 2385 improving student performance; or

2386 (c) Temporary personnel for the school to assist in
 2387 maintaining and improving student performance.

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2389 Notwithstanding statutory provisions to the contrary, incentive
 2390 awards are not subject to collective bargaining.

2391 Section 42. Paragraphs (f), (h), (l), (m), and (n) of
 2392 subsection (1) and paragraphs (a) and (b) of subsection (4) of
 2393 section 1011.62, Florida Statutes, are amended, subsections (8)
 2394 and (9) are renumbered as subsections (9) and (10),
 2395 respectively, and amended, and a new subsection (8) is added to
 2396 that section, to read:

2397 1011.62 Funds for operation of schools.--If the annual
 2398 allocation from the Florida Education Finance Program to each
 2399 district for operation of schools is not determined in the
 2400 annual appropriations act or the substantive bill implementing
 2401 the annual appropriations act, it shall be determined as
 2402 follows:

2403 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 2404 OPERATION.--The following procedure shall be followed in
 2405 determining the annual allocation to each district for
 2406 operation:

2407 (f) Supplemental academic instruction; categorical fund.--

2408 1. There is created a categorical fund to provide
 2409 supplemental academic instruction to students in kindergarten
 2410 through grade 12. This paragraph may be cited as the
 2411 "Supplemental Academic Instruction Categorical Fund."

2412 2. Categorical funds for supplemental academic instruction
 2413 shall be allocated annually to each school district in the
 2414 amount provided in the General Appropriations Act. These funds
 2415 shall be in addition to the funds appropriated on the basis of
 2416 FTE student membership in the Florida Education Finance Program

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2417 and shall be included in the total potential funds of each
2418 district. These funds shall be used to provide supplemental
2419 academic instruction to students enrolled in the K-12 program.
2420 Supplemental instruction strategies may include, but are not
2421 limited to: modified curriculum, reading instruction, after-
2422 school instruction, tutoring, mentoring, class size reduction,
2423 extended school year, intensive skills development in summer
2424 school, and other methods for improving student achievement.
2425 Supplemental instruction may be provided to a student in any
2426 manner and at any time during or beyond the regular 180-day term
2427 identified by the school as being the most effective and
2428 efficient way to best help that student progress from grade to
2429 grade and to graduate.

2430 3. Effective with the 1999-2000 fiscal year, funding on
2431 the basis of FTE membership beyond the 180-day regular term
2432 shall be provided in the FEFP only for students enrolled in
2433 juvenile justice education programs or in an education program
2434 for juveniles under s. 985.223. Funding for instruction beyond
2435 the regular 180-day school year for all other K-12 students
2436 shall be provided through the supplemental academic instruction
2437 categorical fund and other state, federal, and local fund
2438 sources with ample flexibility for schools to provide
2439 supplemental instruction to assist students in progressing from
2440 grade to grade and graduating.

2441 4. The Florida State University School, as a lab school,
2442 is authorized to expend from its FEFP or Lottery Enhancement
2443 Trust Fund allocation the cost to the student of remediation in

2444 reading, writing, or mathematics for any graduate who requires
 2445 remediation at a postsecondary educational institution.

2446 5. Beginning in the 1999-2000 school year, dropout
 2447 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
 2448 (b), and (c), and 1003.54 shall be included in group 1 programs
 2449 under subparagraph (d)3.

2450 (h) Small, isolated high schools.--Districts which levy
 2451 the maximum nonvoted discretionary millage, exclusive of millage
 2452 for capital outlay purposes levied pursuant to s. 1011.71(2),
 2453 may calculate full-time equivalent students for small, isolated
 2454 high schools by multiplying the number of unweighted full-time
 2455 equivalent students times 2.75; provided the school has attained
 2456 a ~~state accountability performance grade category~~ of "C" or
 2457 better, pursuant to s. 1008.34, for the previous school year.
 2458 For the purpose of this section, the term "small, isolated high
 2459 school" means any high school which is located no less than 28
 2460 miles by the shortest route from another high school; which has
 2461 been serving students primarily in basic studies provided by
 2462 sub-subparagraphs (c)1.b. and c. and may include subparagraph
 2463 (c)4.; and which has a membership of no more than 100 students,
 2464 but no fewer than 28 students, in grades 9 through 12.

2465 (1) Calculation of additional full-time equivalent
 2466 membership based on international baccalaureate examination
 2467 scores of students.--A value of 0.24 full-time equivalent
 2468 student membership shall be calculated for each student enrolled
 2469 in an international baccalaureate course who receives a score of
 2470 4 or higher on a subject examination. A value of 0.3 full-time
 2471 equivalent student membership shall be calculated for each

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2472 student who receives an international baccalaureate diploma.
 2473 Such value shall be added to the total full-time equivalent
 2474 student membership in basic programs for grades 9 through 12 in
 2475 the subsequent fiscal year. The school district shall distribute
 2476 to each classroom teacher who provided international
 2477 baccalaureate instruction:

2478 1. A bonus in the amount of \$50 for each student taught by
 2479 the International Baccalaureate teacher in each international
 2480 baccalaureate course who receives a score of 4 or higher on the
 2481 international baccalaureate examination.

2482 2. An additional bonus of \$500 to each International
 2483 Baccalaureate teacher in a school designated with a performance
 2484 grade of category "D" or "F" who has at least one student
 2485 scoring 4 or higher on the international baccalaureate
 2486 examination, regardless of the number of classes taught or of
 2487 the number of students scoring a 4 or higher on the
 2488 international baccalaureate examination.

2489
 2490 Bonuses awarded to a teacher according to this paragraph shall
 2491 not exceed \$2,000 in any given school year and shall be in
 2492 addition to any regular wage or other bonus the teacher received
 2493 or is scheduled to receive.

2494 (m) Calculation of additional full-time equivalent
 2495 membership based on Advanced International Certificate of
 2496 Education examination scores of students.--A value of 0.24 full-
 2497 time equivalent student membership shall be calculated for each
 2498 student enrolled in a full-credit Advanced International
 2499 Certificate of Education course who receives a score of E or

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2500 higher on a subject examination. A value of 0.12 full-time
2501 equivalent student membership shall be calculated for each
2502 student enrolled in a half-credit Advanced International
2503 Certificate of Education course who receives a score of E or
2504 higher on a subject examination. A value of 0.3 full-time
2505 equivalent student membership shall be calculated for each
2506 student who receives an Advanced International Certificate of
2507 Education diploma. Such value shall be added to the total full-
2508 time equivalent student membership in basic programs for grades
2509 9 through 12 in the subsequent fiscal year. The school district
2510 shall distribute to each classroom teacher who provided Advanced
2511 International Certificate of Education instruction:

2512 1. A bonus in the amount of \$50 for each student taught by
2513 the Advanced International Certificate of Education teacher in
2514 each full-credit Advanced International Certificate of Education
2515 course who receives a score of E or higher on the Advanced
2516 International Certificate of Education examination. A bonus in
2517 the amount of \$25 for each student taught by the Advanced
2518 International Certificate of Education teacher in each half-
2519 credit Advanced International Certificate of Education course
2520 who receives a score of E or higher on the Advanced
2521 International Certificate of Education examination.

2522 2. An additional bonus of \$500 to each Advanced
2523 International Certificate of Education teacher in a school
2524 designated with a ~~performance~~ grade of ~~category~~ "D" or "F" who
2525 has at least one student scoring E or higher on the full-credit
2526 Advanced International Certificate of Education examination,
2527 regardless of the number of classes taught or of the number of

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2528 students scoring an E or higher on the full-credit Advanced
2529 International Certificate of Education examination.

2530 3. Additional bonuses of \$250 each to teachers of half-
2531 credit Advanced International Certificate of Education classes
2532 in a school designated with a performance grade of category "D"
2533 or "F" which has at least one student scoring an E or higher on
2534 the half-credit Advanced International Certificate of Education
2535 examination in that class. The maximum additional bonus for a
2536 teacher awarded in accordance with this subparagraph shall not
2537 exceed \$500 in any given school year. Teachers receiving an
2538 award under subparagraph 2. are not eligible for a bonus under
2539 this subparagraph.

2540
2541 Bonuses awarded to a teacher according to this paragraph shall
2542 not exceed \$2,000 in any given school year and shall be in
2543 addition to any regular wage or other bonus the teacher received
2544 or is scheduled to receive.

2545 (n) Calculation of additional full-time equivalent
2546 membership based on college board advanced placement scores of
2547 students.--A value of 0.24 full-time equivalent student
2548 membership shall be calculated for each student in each advanced
2549 placement course who receives a score of 3 or higher on the
2550 College Board Advanced Placement Examination for the prior year
2551 and added to the total full-time equivalent student membership
2552 in basic programs for grades 9 through 12 in the subsequent
2553 fiscal year. Each district must allocate at least 80 percent of
2554 the funds provided to the district for advanced placement
2555 instruction, in accordance with this paragraph, to the high

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2556 school that generates the funds. The school district shall
2557 distribute to each classroom teacher who provided advanced
2558 placement instruction:

2559 1. A bonus in the amount of \$50 for each student taught by
2560 the Advanced Placement teacher in each advanced placement course
2561 who receives a score of 3 or higher on the College Board
2562 Advanced Placement Examination.

2563 2. An additional bonus of \$500 to each Advanced Placement
2564 teacher in a school designated with a performance grade of
2565 ~~category~~ "D" or "F" who has at least one student scoring 3 or
2566 higher on the College Board Advanced Placement Examination,
2567 regardless of the number of classes taught or of the number of
2568 students scoring a 3 or higher on the College Board Advanced
2569 Placement Examination.

2570
2571 Bonuses awarded to a teacher according to this paragraph shall
2572 not exceed \$2,000 in any given school year and shall be in
2573 addition to any regular wage or other bonus the teacher received
2574 or is scheduled to receive.

2575 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.--The
2576 Legislature shall prescribe the aggregate required local effort
2577 for all school districts collectively as an item in the General
2578 Appropriations Act for each fiscal year. The amount that each
2579 district shall provide annually toward the cost of the Florida
2580 Education Finance Program for kindergarten through grade 12
2581 programs shall be calculated as follows:

2582 (a) Estimated taxable value calculations.--

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2583 1.a. Not later than 2 working days prior to July 19, the
2584 Department of Revenue shall certify to the Commissioner of
2585 Education its most recent estimate of the taxable value for
2586 school purposes in each school district and the total for all
2587 school districts in the state for the current calendar year
2588 based on the latest available data obtained from the local
2589 property appraisers. Not later than July 19, the Commissioner of
2590 Education shall compute a millage rate, rounded to the next
2591 highest one one-thousandth of a mill, which, when applied to 95
2592 percent of the estimated state total taxable value for school
2593 purposes, would generate the prescribed aggregate required local
2594 effort for that year for all districts. The Commissioner of
2595 Education shall certify to each district school board the
2596 millage rate, computed as prescribed in this subparagraph, as
2597 the minimum millage rate necessary to provide the district
2598 required local effort for that year.

2599 b. The General Appropriations Act shall direct the
2600 computation of the statewide adjusted aggregate amount for
2601 required local effort for all school districts collectively from
2602 ad valorem taxes to ensure that no school district's revenue
2603 from required local effort millage will produce more than 90
2604 percent of the district's total Florida Education Finance
2605 Program calculation, and the adjustment of the required local
2606 effort millage rate of each district that produces more than 90
2607 percent of its total Florida Education Finance Program
2608 entitlement to a level that will produce only 90 percent of its
2609 total Florida Education Finance Program entitlement in the July
2610 calculation.

2611 2. As revised data are received from property appraisers,
 2612 the Department of Revenue shall amend the certification of the
 2613 estimate of the taxable value for school purposes. The
 2614 Commissioner of Education, in administering the provisions of
 2615 subparagraph (10)~~(9)~~(a)2., shall use the most recent taxable
 2616 value for the appropriate year.

2617 (b) Final calculation.--

2618 1. The Department of Revenue shall, upon receipt of the
 2619 official final assessed value of property from each of the
 2620 property appraisers, certify to the Commissioner of Education
 2621 the taxable value total for school purposes in each school
 2622 district, subject to the provisions of paragraph (d). The
 2623 commissioner shall use the official final taxable value for
 2624 school purposes for each school district in the final
 2625 calculation of the annual Florida Education Finance Program
 2626 allocations.

2627 2. For the purposes of this paragraph, the official final
 2628 taxable value for school purposes shall be the taxable value for
 2629 school purposes on which the tax bills are computed and mailed
 2630 to the taxpayers, adjusted to reflect final administrative
 2631 actions of value adjustment boards and judicial decisions
 2632 pursuant to part I of chapter 194. By September 1 of each year,
 2633 the Department of Revenue shall certify to the commissioner the
 2634 official prior year final taxable value for school purposes. For
 2635 each county that has not submitted a revised tax roll reflecting
 2636 final value adjustment board actions and final judicial
 2637 decisions, the Department of Revenue shall certify the most
 2638 recent revision of the official taxable value for school

2639 purposes. The certified value shall be the final taxable value
 2640 for school purposes, and no further adjustments shall be made,
 2641 except those made pursuant to subparagraph (10)~~(9)~~(a)2.

2642 (8) RESEARCH-BASED READING INSTRUCTION ALLOCATION.--

2643 (a) The research-based reading instruction allocation is
 2644 created to provide comprehensive reading instruction to students
 2645 in kindergarten through grade 12.

2646 (b) Funds for comprehensive, research-based reading
 2647 instruction shall be allocated annually to each school district
 2648 in the amount provided in the General Appropriations Act. Each
 2649 eligible school district shall receive the same minimum amount
 2650 as specified in the General Appropriations Act, and any
 2651 remaining funds shall be distributed to eligible school
 2652 districts based on each school district's proportionate share of
 2653 K-12 base funding.

2654 (c) Funds must be used to provide a system of
 2655 comprehensive reading instruction to students enrolled in the K-
 2656 12 programs, which may include the following:

2657 1. The provision of highly qualified reading coaches.

2658 2. Professional development for school district teachers
 2659 and administrators in scientifically based reading instruction.

2660 3. The provision of summer reading camps for students who
 2661 score at Level 1 on FCAT Reading.

2662 4. The provision of supplemental instructional materials
 2663 that are grounded in scientifically based reading research and
 2664 comprehensive training in their use for which teachers shall
 2665 receive inservice credit.

2666 5. The provision of intensive interventions for middle and

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2667 high school students reading below grade level.

2668 (d) Annually, by a date determined by the Department of
2669 Education but before May 1, school districts shall submit a K-12
2670 comprehensive reading plan for the specific use of the research-
2671 based reading instruction allocation in the format prescribed by
2672 the department for review and approval by the Just Read,
2673 Florida! Office created pursuant to s. 1001.215. The plan
2674 annually submitted by school districts shall be deemed approved
2675 unless the department rejects the plan on or before June 1. If a
2676 school district and the Just Read, Florida! Office cannot reach
2677 agreement on the contents of the plan, the school district may
2678 appeal to the State Board of Education for resolution. High-
2679 performing school districts shall be allowed reasonable
2680 flexibility in designing their plans and shall be encouraged to
2681 offer reading intervention through innovative methods. The plan
2682 format shall be developed with input from school district
2683 personnel, including teachers and principals. The plan must
2684 emphasize reading for information at the secondary level and
2685 allow reading intervention through content courses in core,
2686 career, and alternative programs. No later than July 1 annually,
2687 the department shall release the school district's allocation of
2688 appropriated funds to those districts with approved plans. A
2689 school district that spends 100 percent of this allocation on
2690 its approved plan shall be deemed to have been in compliance
2691 with the plan. The department may withhold funds upon a
2692 determination that reading instruction allocation funds are not
2693 being used to implement the approved plan.

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2694 (9)~~(8)~~ QUALITY ASSURANCE GUARANTEE.--The Legislature may
2695 annually in the General Appropriations Act determine a
2696 percentage increase in funds per K-12 unweighted FTE as a
2697 minimum guarantee to each school district. The guarantee shall
2698 be calculated from prior year base funding per unweighted FTE
2699 student which shall include the adjusted FTE dollars as provided
2700 in subsection (10)~~(9)~~, quality guarantee funds, and actual
2701 nonvoted discretionary local effort from taxes. From the base
2702 funding per unweighted FTE, the increase shall be calculated for
2703 the current year. The current year funds from which the
2704 guarantee shall be determined shall include the adjusted FTE
2705 dollars as provided in subsection (10)~~(9)~~ and potential nonvoted
2706 discretionary local effort from taxes. A comparison of current
2707 year funds per unweighted FTE to prior year funds per unweighted
2708 FTE shall be computed. For those school districts which have
2709 less than the legislatively assigned percentage increase, funds
2710 shall be provided to guarantee the assigned percentage increase
2711 in funds per unweighted FTE student. Should appropriated funds
2712 be less than the sum of this calculated amount for all
2713 districts, the commissioner shall prorate each district's
2714 allocation. This provision shall be implemented to the extent
2715 specifically funded.

2716 (10)~~(9)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT
2717 FOR CURRENT OPERATION.--The total annual state allocation to
2718 each district for current operation for the FEFP shall be
2719 distributed periodically in the manner prescribed in the General
2720 Appropriations Act.

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2721 (a) The basic amount for current operation for the FEFP as
2722 determined in subsection (1), multiplied by the district cost
2723 differential factor as determined in subsection (2), plus the
2724 amounts provided for categorical components within the FEFP,
2725 plus the amount for the sparsity supplement as determined in
2726 subsection (6), the decline in full-time equivalent students as
2727 determined in subsection (7), the research-based reading
2728 instruction allocation as determined in subsection (8), and the
2729 quality assurance guarantee as determined in subsection ~~(9)~~,
2730 less the required local effort as determined in subsection (4).
2731 If the funds appropriated for the purpose of funding the total
2732 amount for current operation as provided in this paragraph are
2733 not sufficient to pay the state requirement in full, the
2734 department shall prorate the available state funds to each
2735 district in the following manner:

2736 1. Determine the percentage of proration by dividing the
2737 sum of the total amount for current operation, as provided in
2738 this paragraph for all districts collectively, and the total
2739 district required local effort into the sum of the state funds
2740 available for current operation and the total district required
2741 local effort.

2742 2. Multiply the percentage so determined by the sum of the
2743 total amount for current operation as provided in this paragraph
2744 and the required local effort for each individual district.

2745 3. From the product of such multiplication, subtract the
2746 required local effort of each district; and the remainder shall
2747 be the amount of state funds allocated to the district for
2748 current operation.

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2749 (b) The amount thus obtained shall be the net annual
2750 allocation to each school district. However, if it is determined
2751 that any school district received an underallocation or
2752 overallocation for any prior year because of an arithmetical
2753 error, assessment roll change, full-time equivalent student
2754 membership error, or any allocation error revealed in an audit
2755 report, the allocation to that district shall be appropriately
2756 adjusted. Beginning with audits for the 2001-2002 fiscal year,
2757 if the adjustment is the result of an audit finding in which
2758 group 2 FTE are reclassified to the basic program and the
2759 district weighted FTE are over the weighted enrollment ceiling
2760 for group 2 programs, the adjustment shall not result in a gain
2761 of state funds to the district. If the Department of Education
2762 audit adjustment recommendation is based upon controverted
2763 findings of fact, the Commissioner of Education is authorized to
2764 establish the amount of the adjustment based on the best
2765 interests of the state.

2766 (c) The amount thus obtained shall represent the net
2767 annual state allocation to each district; however,
2768 notwithstanding any of the provisions herein, each district
2769 shall be guaranteed a minimum level of funding in the amount and
2770 manner prescribed in the General Appropriations Act.

2771 Section 43. Paragraph (a) of subsection (2) of section
2772 1011.64, Florida Statutes, is amended to read:

2773 1011.64 School district minimum classroom expenditure
2774 requirements.--

2775 (2) For the purpose of implementing the provisions of this
2776 section, the Legislature shall prescribe minimum academic

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2777 performance standards and minimum classroom expenditure
 2778 requirements for districts not meeting such minimum academic
 2779 performance standards in the General Appropriations Act.

2780 (a) Minimum academic performance standards may be based
 2781 on, but are not limited to, district ~~performance~~ grades
 2782 determined pursuant to s. 1008.34 (7) ~~(8)~~.

2783 Section 44. Section 1011.67, Florida Statutes, is amended
 2784 to read:

2785 1011.67 Funds for instructional materials.--

2786 (1) The department is authorized to allocate and
 2787 distribute to each district an amount as prescribed annually by
 2788 the Legislature for instructional materials for student
 2789 membership in basic and special programs in grades K-12, which
 2790 will provide for growth and maintenance needs. For purposes of
 2791 this subsection ~~section~~, unweighted full-time equivalent
 2792 students enrolled in the lab schools in state universities are
 2793 to be included as school district students and reported as such
 2794 to the department. These funds shall be distributed to school
 2795 districts as follows: 50 percent on or about July 10; 35 percent
 2796 on or about October 10; 10 percent on or about January 10; and 5
 2797 percent on or about June 10. The annual allocation shall be
 2798 determined as follows:

2799 (a) ~~(1)~~ The growth allocation for each school district
 2800 shall be calculated as follows:

2801 1. ~~(a)~~ Subtract from that district's projected full-time
 2802 equivalent membership of students in basic and special programs
 2803 in grades K-12 used in determining the initial allocation of the
 2804 Florida Education Finance Program, the prior year's full-time

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2805 equivalent membership of students in basic and special programs
2806 in grades K-12 for that district.

2807 2.~~(b)~~ Multiply any such increase in full-time equivalent
2808 student membership by the allocation for a set of instructional
2809 materials, as determined by the department, or as provided for
2810 in the General Appropriations Act.

2811 3.~~(e)~~ The amount thus determined shall be that district's
2812 initial allocation for growth for the school year. However, the
2813 department shall recompute and adjust the initial allocation
2814 based on actual full-time equivalent student membership data for
2815 that year.

2816 (b)~~(2)~~ The maintenance of the instructional materials
2817 allocation for each school district shall be calculated by
2818 multiplying each district's prior year full-time equivalent
2819 membership of students in basic and special programs in grades
2820 K-12 by the allocation for maintenance of a set of instructional
2821 materials as provided for in the General Appropriations Act. The
2822 amount thus determined shall be that district's initial
2823 allocation for maintenance for the school year; however, the
2824 department shall recompute and adjust the initial allocation
2825 based on such actual full-time equivalent student membership
2826 data for that year.

2827 (c)~~(3)~~ In the event the funds appropriated are not
2828 sufficient for the purpose of implementing this subsection
2829 ~~section~~ in full, the department shall prorate the funds
2830 available for instructional materials after first funding in
2831 full each district's growth allocation.

2832 (2) Annually by July 1 and prior to the release of
 2833 instructional materials funds, each district school
 2834 superintendent shall certify to the Commissioner of Education
 2835 that the district school board has approved a comprehensive
 2836 staff development plan that requires fidelity of implementation
 2837 of instructional materials that are in the first 2 years of the
 2838 adoption cycle and that the district intends to purchase. The
 2839 staff development plan must provide for training for each
 2840 teacher who will use the materials, provide inservice credit for
 2841 the training, and document satisfactory completion of the
 2842 training by each teacher. The superintendent shall annually
 2843 report to the district school board on the implementation of the
 2844 plan. The report shall include verification that training was
 2845 provided, that teachers satisfactorily completed the training,
 2846 and that the materials are being implemented as designed. The
 2847 district's collective bargaining agreement shall not be used as
 2848 a barrier to compliance with this subsection.

2849 Section 45. Paragraph (b) of subsection (2) of section
 2850 1011.685, Florida Statutes, is amended to read:

2851 1011.685 Class size reduction; operating categorical
 2852 fund.--

2853 (2) Class size reduction operating categorical funds shall
 2854 be used by school districts for the following:

2855 (b) For any lawful operating expenditure, if the district
 2856 has met the constitutional maximums identified in s. 1003.03(1)
 2857 or the reduction of two students per year required by s.
 2858 1003.03(2); however, priority shall be given to increase
 2859 salaries of classroom teachers as defined in s. 1012.01(2)(a)

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2860 and to implement the performance-pay incentive and the
 2861 differentiated pay detailed in s. 1012.22(1)(c) ~~salary career~~
 2862 ~~ladder defined in s. 1012.231.~~

2863 Section 46. Subsection (1) of section 1011.71, Florida
 2864 Statutes, is amended to read:

2865 1011.71 District school tax.--

2866 (1) If the district school tax is not provided in the
 2867 General Appropriations Act or the substantive bill implementing
 2868 the General Appropriations Act, each district school board
 2869 desiring to participate in the state allocation of funds for
 2870 current operation as prescribed by s. 1011.62(10)(9) shall levy
 2871 on the taxable value for school purposes of the district,
 2872 exclusive of millage voted under the provisions of s. 9(b) or s.
 2873 12, Art. VII of the State Constitution, a millage rate not to
 2874 exceed the amount certified by the commissioner as the minimum
 2875 millage rate necessary to provide the district required local
 2876 effort for the current year, pursuant to s. 1011.62(4)(a)1. In
 2877 addition to the required local effort millage levy, each
 2878 district school board may levy a nonvoted current operating
 2879 discretionary millage. The Legislature shall prescribe annually
 2880 in the appropriations act the maximum amount of millage a
 2881 district may levy. The millage rate prescribed shall exceed zero
 2882 mills but shall not exceed the lesser of 1.6 mills or 25 percent
 2883 of the millage which is required pursuant to s. 1011.62(4),
 2884 exclusive of millage levied pursuant to subsection (2).

2885 Section 47. Subsection (6) is added to section 1012.21,
 2886 Florida Statutes, to read:

2887 1012.21 Department of Education duties; K-12 personnel.--

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2888 (6) REPORTING.--The Department of Education shall annually
 2889 post online links to each school district's collectively
 2890 bargained contracts and the salary and benefits of the personnel
 2891 or officers of any educator association that were paid by the
 2892 school district pursuant to s. 1012.22.

2893 Section 48. Paragraph (c) of subsection (1) of section
 2894 1012.22, Florida Statutes, is amended to read:

2895 1012.22 Public school personnel; powers and duties of the
 2896 district school board.--The district school board shall:

2897 (1) Designate positions to be filled, prescribe
 2898 qualifications for those positions, and provide for the
 2899 appointment, compensation, promotion, suspension, and dismissal
 2900 of employees as follows, subject to the requirements of this
 2901 chapter:

2902 (c) Compensation and salary schedules.--

2903 1. The district school board shall adopt a salary schedule
 2904 or salary schedules designed to furnish incentives for
 2905 improvement in training and for continued efficient service to
 2906 be used as a basis for paying all school employees and fix and
 2907 authorize the compensation of school employees on the basis
 2908 thereof.

2909 2. A district school board, in determining the salary
 2910 schedule for instructional personnel, must base a portion of
 2911 each employee's compensation on performance demonstrated under
 2912 s. 1012.34, must consider the prior teaching experience of a
 2913 person who has been designated state teacher of the year by any
 2914 state in the United States, and must consider prior professional
 2915 experience in the field of education gained in positions in

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2916 addition to district level instructional and administrative
2917 positions.

2918 3. In developing the salary schedule, the district school
2919 board shall seek input from parents, teachers, and
2920 representatives of the business community.

2921 4. Beginning with the 2002-2003 fiscal year, each district
2922 school board must adopt a performance-pay policy for school
2923 administrators and instructional personnel. The district's
2924 performance-pay policy is subject to negotiation as provided in
2925 chapter 447; however, the adopted salary schedule must allow
2926 school administrators and instructional personnel who
2927 demonstrate outstanding performance, as measured under s.
2928 1012.34, to earn a 5-percent supplement in addition to their
2929 individual, negotiated salary. The supplements shall be funded
2930 from the performance-pay reserve funds adopted in the salary
2931 schedule. ~~Beginning with the 2004-2005 academic year, the~~
2932 ~~district's 5 percent performance pay policy must provide for the~~
2933 ~~evaluation of classroom teachers within each level of the salary~~
2934 ~~career ladder provided in s. 1012.231.~~ The Commissioner of
2935 Education shall determine whether the district school board's
2936 adopted policy and salary schedule complies with the requirement
2937 for performance-based pay. If the district school board fails to
2938 comply with this section, the commissioner may ~~shall~~ withhold
2939 disbursements from the Educational Enhancement Trust Fund to the
2940 district and take any other measure provided by law necessary to
2941 ensure compliance until compliance is verified.

2942 5. Beginning with the 2007-2008 academic year, each
2943 district school board shall adopt a salary schedule with

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2944 differentiated pay for both instructional personnel and school-
2945 based administrators. The salary schedule is subject to
2946 negotiation as provided in chapter 447 and must allow
2947 differentiated pay based on district-determined factors,
2948 including, but not limited to, additional responsibilities,
2949 school demographics, critical shortage areas, and level of job
2950 performance difficulties.

2951 Section 49. Section 1012.2315, Florida Statutes, is
2952 created to read:

2953 1012.2315 Assignment of teachers.--

2954 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
2955 finds disparity between teachers assigned to teach in a majority
2956 of "A" graded schools compared to teachers assigned to teach in
2957 a majority of "F" graded schools. The disparity can be found in
2958 the average years of experience, the median salary, and the
2959 performance of the teachers on teacher certification
2960 examinations. It is the intent of the Legislature that district
2961 school boards have flexibility through the collective bargaining
2962 process to assign teachers more equitably across the schools in
2963 the district.

2964 (2) ASSIGNMENT TO SCHOOLS GRADED "D" OR "F."--School
2965 districts may not assign a higher percentage than the school
2966 district average of first-time teachers, temporarily certified
2967 teachers, teachers in need of improvement, or out-of-field
2968 teachers to schools with above the school district average of
2969 minority and economically disadvantaged students or schools that
2970 are graded "D" or "F." Each school district shall annually
2971 certify to the Commissioner of Education that this requirement

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2972 has been met. If the commissioner determines that a school
 2973 district is not in compliance with this subsection, the State
 2974 Board of Education shall be notified and shall take action
 2975 pursuant to s. 1008.32 in the next regularly scheduled meeting
 2976 to require compliance.

2977 Section 50. Subsection (2) of section 1012.27, Florida
 2978 Statutes, is amended to read:

2979 1012.27 Public school personnel; powers and duties of
 2980 district school superintendent.--The district school
 2981 superintendent is responsible for directing the work of the
 2982 personnel, subject to the requirements of this chapter, and in
 2983 addition the district school superintendent shall perform the
 2984 following:

2985 (2) COMPENSATION AND SALARY SCHEDULES.--Prepare and
 2986 recommend to the district school board for adoption a salary
 2987 schedule or salary schedules. The district school superintendent
 2988 must recommend a salary schedule for instructional personnel
 2989 which bases a portion of each employee's compensation on
 2990 performance demonstrated under s. 1012.34. In developing the
 2991 recommended salary schedule, the district school superintendent
 2992 shall include input from parents, teachers, and representatives
 2993 of the business community. Beginning with the 2006-2007 ~~2004-~~
 2994 ~~2005~~ academic year, the recommended salary schedule for
 2995 classroom teachers shall be consistent with the district's
 2996 performance-pay policy under s. 1012.22(1)(c) and, beginning
 2997 with the 2007-2008 academic year, the district's differentiated
 2998 pay under s. 1012.22(1)(c) ~~career ladder based upon s. 1012.231.~~

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2999 Section 51. Subsection (6) of section 1012.28, Florida
 3000 Statutes, is amended to read:

3001 1012.28 Public school personnel; duties of school
 3002 principals.--

3003 (6) A school principal who fails to comply with this
 3004 section shall be ineligible for any portion of the performance-
 3005 pay ~~performance pay~~ policy incentive or the differentiated pay
 3006 under s. 1012.22(1)(c).

3007 Section 52. Paragraph (a) of subsection (3) of section
 3008 1012.34, Florida Statutes, is amended to read:

3009 1012.34 Assessment procedures and criteria.--

3010 (3) The assessment procedure for instructional personnel
 3011 and school administrators must be primarily based on the
 3012 performance of students assigned to their classrooms or schools,
 3013 as appropriate. Pursuant to this section, a school district's
 3014 performance assessment is not limited to basing unsatisfactory
 3015 performance of instructional personnel and school administrators
 3016 upon student performance, but may include other criteria
 3017 approved to assess instructional personnel and school
 3018 administrators' performance, or any combination of student
 3019 performance and other approved criteria. The procedures must
 3020 comply with, but are not limited to, the following requirements:

3021 (a) An assessment must be conducted for each employee at
 3022 least once a year. The assessment must be based upon sound
 3023 educational principles and contemporary research in effective
 3024 educational practices. The assessment must primarily use data
 3025 and indicators of improvement in student performance assessed
 3026 annually as specified in s. 1008.22 and may consider results of

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3027 peer reviews in evaluating the employee's performance. Student
 3028 performance must be measured by state assessments required under
 3029 s. 1008.22 and by local assessments for subjects and grade
 3030 levels not measured by the state assessment program. The
 3031 assessment criteria must include, but are not limited to,
 3032 indicators that relate to the following:

- 3033 1. Performance of students.
- 3034 2. Ability to maintain appropriate discipline.
- 3035 3. Knowledge of subject matter. The district school board
 3036 shall make special provisions for evaluating teachers who are
 3037 assigned to teach out-of-field.
- 3038 4. Ability to plan and deliver instruction, ~~including~~
 3039 ~~implementation of the rigorous reading requirement pursuant to~~
 3040 ~~s. 1003.415, when applicable,~~ and the use of technology in the
 3041 classroom.
- 3042 5. Ability to evaluate instructional needs.
- 3043 6. Ability to establish and maintain a positive
 3044 collaborative relationship with students' families to increase
 3045 student achievement.
- 3046 7. Other professional competencies, responsibilities, and
 3047 requirements as established by rules of the State Board of
 3048 Education and policies of the district school board.

3049 Section 53. Subsection (4) of section 1012.56, Florida
 3050 Statutes, is amended to read:

3051 1012.56 Educator certification requirements.--

3052 (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable means
 3053 of demonstrating mastery of subject area knowledge are:

3054 (a) Achievement of passing scores on subject area

3055 examinations required by state board rule;

3056 (b) Completion of the subject area specialization

3057 requirements specified in state board rule and verification of

3058 the attainment of the essential subject matter competencies by

3059 the district school superintendent of the employing school

3060 district or chief administrative officer of the employing state-

3061 supported or private school for a subject area for which a

3062 subject area examination has not been developed and required by

3063 state board rule;

3064 (c) Completion of the subject area specialization

3065 requirements specified in state board rule for a subject

3066 coverage requiring a master's or higher degree and achievement

3067 of a passing score on the subject area examination specified in

3068 state board rule;

3069 (d) A valid professional standard teaching certificate

3070 issued by another state; or

3071 (e) A valid certificate issued by the National Board for

3072 Professional Teaching Standards or a national educator

3073 credentialing board approved by the State Board of Education.

3074

3075 School districts are encouraged to provide mechanisms for those

3076 middle school teachers holding only a K-6 teaching certificate

3077 to obtain a subject area coverage for middle grades through

3078 postsecondary coursework or district subject content

3079 professional development activities to assist in the preparation

3080 for earning a passing score on the subject area examination

3081 required for add-on certification.

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3082 Section 54. Section 1012.986, Florida Statutes, is created
 3083 to read:

3084 1012.986 William Cecil Golden Professional Development
 3085 Program for School Leaders.--

3086 (1) ESTABLISHMENT.--There is established the William Cecil
 3087 Golden Professional Development Program for School Leaders, a
 3088 high-quality, competency-based, customized, comprehensive, and
 3089 coordinated statewide professional development program that is
 3090 aligned with the leadership standards for school leaders adopted
 3091 by the State Board of Education. The program shall be
 3092 administered by the Department of Education and shall provide
 3093 leadership training opportunities for school leaders to enable
 3094 them to be more effective instructional leaders, especially in
 3095 the area of reading. The program shall provide school leaders
 3096 with the opportunity to attain a school leadership designation
 3097 pursuant to subsection (3).

3098 (2) DEFINITION.--As used in this section, the term "school
 3099 leader" means a school principal or assistant principal holding
 3100 a valid Florida certificate in educational leadership.

3101 (3) DESIGNATIONS.--The Department of Education shall
 3102 develop criteria for designating high-performing school leaders.
 3103 The criteria must emphasize student learning gains, especially
 3104 in high schools.

3105 (4) PROGRAM REQUIREMENTS.--

3106 (a) The program shall be based upon the leadership
 3107 standards adopted by the State Board of Education, the standards
 3108 of the National Staff Development Council, and the federal
 3109 requirements for high-quality professional development under the

3110 No Child Left Behind Act of 2001.

3111 (b) The program shall provide a competency-based approach
 3112 that utilizes prediagnostic and postdiagnostic evaluations that
 3113 shall be used to create an individualized professional
 3114 development plan approved by the district school superintendent.
 3115 The plan shall be structured to support the school leader's
 3116 attainment of the leadership standards adopted by the State
 3117 Board of Education.

3118 (c) The program shall incorporate instructional leadership
 3119 training and effective business practices for efficient school
 3120 operations in school leadership training.

3121 (5) DELIVERY SYSTEMS.--The Department of Education shall
 3122 deliver the program through multiple delivery systems,
 3123 including:

3124 (a) Approved school district training programs.

3125 (b) Interactive technology-based instruction.

3126 (c) Regional consortium service organizations pursuant to
 3127 s. 1001.451.

3128 (6) RULES.--The State Board of Education shall adopt rules
 3129 pursuant to ss. 120.536(1) and 120.54 to implement the
 3130 provisions of this section.

3131 Section 55. Section 1012.987, Florida Statutes, is
 3132 repealed.

3133 Section 56. This act shall take effect upon becoming a
 3134 law.