

CHAMBER ACTION

1 The Education Council recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to education; amending s. 11.90, F.S.;
7 authorizing the Legislative Budget Commission to review a
8 state plan to implement federal requirements; amending s.
9 20.15, F.S.; establishing the Division of Accountability,
10 Research, and Measurement in the Department of Education;
11 amending s. 411.227, F.S.; conforming provisions relating
12 to student progress monitoring plans; amending s. 1000.03,
13 F.S.; revising the mission of the state's K-20 education
14 system; repealing s. 1000.041, F.S., to conform provisions
15 relating to the 2005 repeal of the BEST Florida Teaching
16 salary career ladder program; amending s. 1001.02, F.S.;
17 requiring legislative review of a revised state plan to
18 implement certain federal requirements; amending s.
19 1001.03, F.S.; requiring periodic review of Sunshine State
20 Standards subject areas and an annual status report;
21 requiring rules for certain teachers to earn a reading
22 credential equivalent; requiring the maintenance of a
23 uniform school district personnel classification system;

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24 | amending s. 1001.10, F.S.; requiring legislative review of
25 | a revised state plan to implement certain federal
26 | requirements; creating s. 1001.215, F.S.; creating the
27 | Just Read, Florida! Office in the Department of Education;
28 | providing duties; amending s. 1001.33, F.S.; conforming
29 | provisions relating to the 2005 repeal of the BEST Florida
30 | Teaching salary career ladder program; amending s.
31 | 1001.41, F.S.; requiring district school boards to adopt
32 | standards and policies to provide each student a complete
33 | education program; amending s. 1001.42, F.S.; providing a
34 | district school board requirement relating to the opening
35 | date of the school year; conforming provisions relating to
36 | the 2005 repeal of the BEST Florida Teaching salary career
37 | ladder program; providing requirements for each school
38 | district's system of school improvement and student
39 | progression; revising requirements for school improvement
40 | plans; requiring alignment with the Sunshine State
41 | Standards; revising format and content of public
42 | disclosure reports; conforming provisions relating to
43 | deletion of a rigorous reading requirement and the
44 | designation of school grades; requiring measures for
45 | reducing paperwork, data collection, and reporting
46 | requirements; requiring a school district task force to
47 | reduce paper and electronic reporting requirements;
48 | repealing s. 1001.51(24), F.S., and amending s. 1001.54,
49 | F.S.; conforming provisions relating to the 2005 repeal of
50 | the BEST Florida Teaching salary career ladder program;
51 | revising provisions relating to duties of school

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52 principals; amending s. 1002.20, F.S.; conforming
53 provisions relating to student progress monitoring plans;
54 amending s. 1003.01, F.S.; revising definition of the term
55 "special education services"; amending s. 1003.03, F.S.;
56 authorizing use of co-teaching or team teaching as an
57 option to meet the constitutional class size maximums and
58 to determine the teacher-to-student ratio per classroom
59 under certain circumstances; amending s. 1003.05, F.S.;
60 deleting the requirement that certain children receive
61 preference for admission to special academic programs even
62 if maximum enrollment has been reached; revising programs
63 defined as "special academic programs" for purposes of
64 such preference; amending s. 1003.21, F.S.; requiring
65 student exit interviews prior to terminating school
66 enrollment; creating s. 1003.413, F.S., relating to
67 secondary school reform; providing intent and guiding
68 principles; requiring district school boards to establish
69 policies to implement requirements for middle grades
70 promotion, revised requirements for high school
71 graduation, and requirements for career and professional
72 academies; requiring policy approval and department
73 support for implementation; directing the Commissioner of
74 Education to create and implement the Secondary School
75 Improvement Award Program; repealing s. 1003.415, F.S.,
76 the Middle Grades Reform Act; creating s. 1003.4156, F.S.;
77 providing general course requirements for middle grades
78 promotion; requiring intensive reading and mathematics
79 courses in certain circumstances; authorizing rulemaking

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80 and enforcement; amending s. 1003.42, F.S.; providing for
81 required instruction for middle grades promotion; creating
82 s. 1003.428, F.S.; establishing revised general
83 requirements for high school graduation; providing
84 applicability beginning with 2007-2008 first-year high
85 school students; requiring completion of specified credits
86 or a specified curriculum; requiring strategies for
87 exceptional students to meet graduation requirements;
88 requiring standards for graduation; requiring rules for
89 test accommodations and modifications in certain cases;
90 providing requirements for standard diplomas and
91 certificates of completion with exceptions; authorizing
92 rulemaking and enforcement; amending s. 1003.437, F.S.;
93 including middle grades in the uniform grading system;
94 repealing s. 1003.492(3) and (4), F.S., relating to
95 department studies of student performance in industry-
96 certified career education programs; creating s. 1003.493,
97 F.S.; defining career and professional academies and
98 specifying goals of the academies; providing requirements
99 of academies relating to curriculum, partnerships,
100 instruction, career education certification, and
101 evaluation; amending s. 1003.51, F.S.; conforming
102 provisions relating to student progress monitoring plans;
103 amending s. 1003.52, F.S.; conforming provisions relating
104 to student progress monitoring plans; amending s. 1003.57,
105 F.S.; providing guidelines for determining the residency
106 of a student who receives instruction as an exceptional
107 student with a disability; requiring the student's placing

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108 authority or parent to pay the cost of such instruction,
109 facilities, and services; providing responsibilities of
110 the department; providing responsibilities of residential
111 facilities that educate exceptional students with
112 disabilities; providing applicability; creating s.
113 1003.576, F.S.; requiring the department to develop an
114 individual education plan form for use in developing and
115 implementing individual education plans for exceptional
116 students; requiring school districts to use the form;
117 amending s. 1003.58, F.S.; correcting a cross-reference;
118 amending s. 1003.62, F.S.; conforming provisions relating
119 to the designation of school grades and differentiated pay
120 for school administrators and instructional personnel;
121 creating s. 1004.99, F.S., the Florida Ready to Work
122 Certification Program to enhance student workplace skills;
123 providing for program implementation and requirements;
124 authorizing rulemaking; amending s. 1006.09, F.S.;
125 conforming provisions relating to differentiated pay;
126 amending s. 1007.2615, F.S.; revising provisions for
127 certification of American Sign Language teachers; amending
128 s. 1008.22, F.S.; specifying FCAT grade level and subject
129 area testing requirements; requiring documentation of
130 procedures that ensure test difficulty under certain
131 circumstances; providing that FCAT nonallowable
132 accommodations may be used as instructional accommodations
133 during classroom instruction if included in the individual
134 education plan of a student with a disability; authorizing
135 waiver of the FCAT under certain circumstances; requiring

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136 certain opportunities for demonstrating student
137 performance; requiring the development of assessments for
138 measuring the academic competency of students with
139 disabilities; requiring the Commissioner of Education to
140 adopt scores concordant to FCAT scores required for high
141 school graduation; authorizing use of concordant scores
142 for additional purposes; clarifying eligibility to use
143 such scores to satisfy requirements for a diploma;
144 requiring an annual report on student performance;
145 repealing s. 1008.221, F.S., relating to alternative
146 assessments for dependent children of military personnel,
147 to conform; amending s. 1008.25, F.S.; replacing student
148 academic improvement plans with progress monitoring plans;
149 authorizing district school boards to require low-
150 performing students to attend remediation programs outside
151 of regular school hours or during the summer; requiring
152 the department to establish a uniform format for reporting
153 information relating to student progression; requiring an
154 annual report; repealing s. 1008.301, F.S., relating to a
155 concordance study of FCAT equivalencies for high school
156 graduation; amending s. 1008.31, F.S.; revising intent,
157 goals, and measures of the K-20 performance accountability
158 system and requiring data quality improvements; requiring
159 adoption of rules; amending s. 1008.33, F.S.; conforming a
160 cross-reference and provisions relating to the designation
161 of school grades; authorizing principals to recommend
162 corrective actions for low-performing faculty and staff at
163 "F" graded schools and publication of a school's grade;

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164 amending s. 1008.34, F.S.; revising terminology and
165 provisions relating to designation and determination of
166 school grades; providing for school grading of feeder
167 pattern schools; defining a feeder pattern school;
168 providing for school grading for alternative schools and
169 specifying requirements related thereto; defining the term
170 "home school" for purposes of assessment; requiring an
171 annual school report card to be published by the
172 department and distributed by school districts; creating
173 s. 1008.341, F.S.; providing for school improvement
174 ratings for certain alternative schools; providing the
175 basis for such ratings and requiring annual performance
176 reports; providing for determination of school improvement
177 ratings, identification of student learning gains, and
178 eligibility for school recognition awards; requiring the
179 development and distribution of an annual school report
180 card; authorizing adoption of rules; amending s. 1008.345,
181 F.S.; conforming a cross-reference and provisions relating
182 to the designation of school grades; providing conditions
183 for determination of a school district or a governing
184 board with a school in a state of educational emergency;
185 providing procedures to resolve the educational emergency,
186 including state assistance; authorizing establishment of
187 an educational emergency board and providing duties
188 thereof; providing for an action plan to implement
189 recommendations; amending s. 1008.36, F.S.; authorizing
190 certain feeder pattern schools and alternative schools to
191 participate in the Florida School Recognition Program;

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192 modifying procedures for determination and use of school
193 recognition awards; amending s. 1011.62, F.S.; providing
194 FTE funding for juveniles enrolled in specified education
195 programs; conforming cross-references and provisions
196 relating to the designation of school grades; establishing
197 a research-based reading instruction allocation to provide
198 funds for a comprehensive reading instruction system;
199 requiring school district plans for use of the allocation
200 and approval thereof; including the allocation in the
201 total amount allocated to each school district for current
202 operation; amending s. 1011.64, F.S.; conforming
203 terminology and a cross-reference; amending s. 1011.67,
204 F.S.; requiring district school board approval of a staff
205 development plan relating to use of instructional
206 materials; amending s. 1011.685, F.S.; conforming
207 provisions relating to the 2005 repeal of the BEST Florida
208 Teaching salary career ladder program and implementation
209 of differentiated pay; amending s. 1011.71, F.S.;
210 correcting a cross-reference; amending s. 1012.21, F.S.;
211 requiring department reporting relating to school district
212 collectively bargained contracts and the salary and
213 benefits of certain personnel; amending s. 1012.22, F.S.;
214 revising a district school board deadline for acting on
215 certain personnel nominations; requiring each district
216 school board to adopt a salary schedule with
217 differentiated pay for instructional personnel and school-
218 based administrators beginning with the 2007-2008 academic
219 year; creating s. 1012.2315, F.S.; providing school

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220 district requirements for the assignment of teachers and
221 providing procedures for noncompliance; amending s.
222 1012.27, F.S.; conforming provisions relating to the 2005
223 repeal of the BEST Florida Teaching salary career ladder
224 program and implementation of differentiated pay; amending
225 s. 1012.28, F.S.; conforming provisions relating to
226 differentiated pay; amending s. 1012.34, F.S.; conforming
227 provisions relating to deletion of a rigorous reading
228 requirement; amending s. 1012.56, F.S.; encouraging school
229 districts to provide mechanisms for teachers to obtain
230 subject area coverage for middle grades; creating s.
231 1012.986, F.S.; establishing the William Cecil Golden
232 Professional Development Program for School Leaders;
233 defining the term "school leader"; providing for school
234 leader designations; providing program requirements and
235 delivery systems; requiring adoption of rules; repealing
236 s. 1012.987, F.S., which requires the State Board of
237 Education to adopt rules through which school principals
238 may earn a leadership designation; providing an effective
239 date.

240
241 WHEREAS, students will have the best opportunity to obtain
242 a high-quality education in the public education system of this
243 state and that system can best be enhanced when resources are
244 allocated efficiently and are concentrated in a rigorous and
245 relevant classroom learning environment, when teachers and
246 principals are supported, when high-quality educational
247 opportunity is reinforced through shared high academic and

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248 | career expectations, when accurate data is consistently
 249 | maintained and used to drive systemwide decisionmaking, and when
 250 | successes are rewarded, failures are identified, and the public
 251 | is apprised of both successes and failures, NOW, THEREFORE,

252 |

253 | Be It Enacted by the Legislature of the State of Florida:

254 |

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

257 | 11.90 Legislative Budget Commission.--

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

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

264 | 20.15 Department of Education.--There is created a
 265 | Department of Education.

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

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

269 | Section 3. Paragraph (b) of subsection (3) of section
 270 | 411.227, Florida Statutes, is amended to read:

271 | 411.227 Components of the Learning Gateway.--The Learning
 272 | Gateway system consists of the following components:

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

274 | (b) Demonstration projects shall develop strategies to
 275 | increase the use of appropriate intervention practices with

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276 | children who have learning problems and learning disabilities
 277 | within public and private early care and education programs and
 278 | K-3 public and private school settings. Strategies may include
 279 | training and technical assistance teams. Intervention must be
 280 | coordinated and must focus on providing effective supports to
 281 | children and their families within their regular education and
 282 | community environment. These strategies must incorporate, as
 283 | appropriate, school and district activities related to the
 284 | student's progress monitoring ~~academic improvement~~ plan and must
 285 | provide parents with greater access to community-based services
 286 | that should be available beyond the traditional school day.
 287 | Academic expectations for public school students in grades K-3
 288 | must be based upon the local school board's adopted proficiency
 289 | levels. When appropriate, school personnel shall consult with
 290 | the local Learning Gateway to identify other community resources
 291 | for supporting the child and the family.

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

294 | 1000.03 Function, mission, and goals of the Florida K-20
 295 | education system.--

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

302 | Section 5. Section 1000.041, Florida Statutes, is
 303 | repealed.

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304 Section 6. Paragraph (g) of subsection (2) of section
305 1001.02, Florida Statutes, is amended to read:

306 1001.02 General powers of State Board of Education.--

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

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

313 Section 7. Subsections (1), (3), and (14) of section
314 1001.03, Florida Statutes, are amended to read:

315 1001.03 Specific powers of State Board of Education.--

316 (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The State
317 Board of Education shall approve the student performance
318 standards known as the Sunshine State Standards in key academic
319 subject areas and grade levels. The state board shall establish
320 a schedule to facilitate the periodic review of each subject
321 area to maintain rigor, relevance, integration, and
322 reinforcement for student achievement and articulation and
323 evaluate how the standards are taught at each grade level. The
324 review teams for each Sunshine State Standards subject area must
325 include representatives from each other Sunshine State Standards
326 subject area to support valid integration of content and to
327 address the learning styles and instructional needs of all
328 students. Each review team must address the following:

329 (a) Rigor, relevance, logical student progression,
330 articulation from grade to grade, and integration of reading,
331 writing, and mathematics.

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332 (b) Timelines for revision of course descriptions,
333 adoption of instructional materials, modifications to the
334 statewide assessment, and enhancements to professional
335 development.

336 (c) Input from parents, classroom teachers, school and
337 district administrators, community college and university
338 faculty, and business representatives, in collaboration with
339 local education foundations.

340
341 The review schedule and an annual status report must be
342 submitted to the Governor, the President of the Senate, and the
343 Speaker of the House of Representatives annually not later than
344 January 1.

345 (3) PROFESSIONAL CERTIFICATES.--The State Board of
346 Education shall classify school services, designate the
347 certification subject areas, establish competencies, including
348 the use of technology to enhance student learning, and
349 certification requirements for all school-based personnel, and
350 prescribe rules in accordance with which the professional,
351 temporary, and part-time certificates shall be issued by the
352 Department of Education to applicants who meet the standards
353 prescribed by such rules for their class of service, as
354 described in chapter 1012. The state board shall adopt rules
355 that give part-time and full-time nondegreed teachers of career
356 programs, pursuant to s. 1012.39(1)(c), the opportunity to earn
357 a reading credential equivalent to a reading endorsement.

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

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360 Education shall maintain ~~recommend to the Legislature by~~
361 ~~February 1, 2003,~~ a uniform classification system for school
362 district administrative and management personnel that will
363 facilitate the uniform coding of administrative and management
364 personnel to total district employees.

365 Section 8. Section 1001.10, Florida Statutes, is amended
366 to read:

367 1001.10 Commissioner of Education; general powers and
368 duties.--The Commissioner of Education is the chief educational
369 officer of the state and the sole custodian of the K-20 data
370 warehouse, and is responsible for giving full assistance to the
371 State Board of Education in enforcing compliance with the
372 mission and goals of the seamless K-20 education system. To
373 facilitate innovative practices and to allow local selection of
374 educational methods, the State Board of Education may authorize
375 the commissioner to waive, upon the request of a district school
376 board, State Board of Education rules that relate to district
377 school instruction and school operations, except those rules
378 pertaining to civil rights, and student health, safety, and
379 welfare. The Commissioner of Education is not authorized to
380 grant waivers for any provisions in rule pertaining to the
381 allocation and appropriation of state and local funds for public
382 education; the election, compensation, and organization of
383 school board members and superintendents; graduation and state
384 accountability standards; financial reporting requirements;
385 reporting of out-of-field teaching assignments under s. 1012.42;
386 public meetings; public records; or due process hearings
387 governed by chapter 120. No later than January 1 of each year,

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388 the commissioner shall report to the Legislature and the State
389 Board of Education all approved waiver requests in the preceding
390 year. Additionally, the commissioner has the following general
391 powers and duties:

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

394 (2) To advise and counsel with the State Board of
395 Education on all matters pertaining to education; to recommend
396 to the State Board of Education actions and policies as, in the
397 commissioner's opinion, should be acted upon or adopted; and to
398 execute or provide for the execution of all acts and policies as
399 are approved.

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

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

406 (5) To recommend to the State Board of Education policies
407 and steps designed to protect and preserve the principal of the
408 State School Fund; to provide an assured and stable income from
409 the fund; to execute such policies and actions as are approved;
410 and to administer the State School Fund.

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

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

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416 K-20 education budget that estimates the expenditures for the
 417 State Board of Education, including the Department of Education,
 418 the Commissioner of Education, and all of the boards,
 419 institutions, agencies, and services under the general
 420 supervision of the State Board of Education for the ensuing
 421 fiscal year. Any program recommended to the State Board of
 422 Education that will require increases in state funding for more
 423 than 1 year must be presented in a multiyear budget plan.

424 (8) To develop and implement a plan for cooperating with
 425 the Federal Government in carrying out any or all phases of the
 426 educational program and to recommend policies for administering
 427 funds that are appropriated by Congress and apportioned to the
 428 state for any or all educational purposes. Upon the 2007
 429 reauthorization of the federal No Child Left Behind Act of 2001,
 430 the commissioner shall seek public input and secure legislative
 431 review of the revised state plan prior to submission.

432 (9) To develop and implement policies for cooperating with
 433 other public agencies in carrying out those phases of the
 434 program in which such cooperation is required by law or is
 435 deemed by the commissioner to be desirable and to cooperate with
 436 public and nonpublic agencies in planning and bringing about
 437 improvements in the educational program.

438 (10) To prepare forms and procedures as are necessary to
 439 be used by district school boards and all other educational
 440 agencies to assure uniformity, accuracy, and efficiency in the
 441 keeping of records, the execution of contracts, the preparation
 442 of budgets, or the submission of reports; and to furnish at

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443 state expense, when deemed advisable by the commissioner, those
444 forms that can more economically and efficiently be provided.

445 (11) To implement a program of school improvement and
446 education accountability designed to provide all students the
447 opportunity to make adequate learning gains in each year of
448 school as provided by statute and State Board of Education rule
449 based upon the achievement of the state education goals,
450 recognizing the following:

451 (a) The State Board of Education is the body corporate
452 responsible for the supervision of the system of public
453 education.

454 (b) The district school board is responsible for school
455 and student performance.

456 (c) The individual school is the unit for education
457 accountability.

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

460 (e) The university board of trustees is responsible for
461 university performance and student performance.

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

465 (13) To prepare and publish annually reports giving
466 statistics and other useful information pertaining to the
467 Opportunity Scholarship Program.

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

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471 (15) To develop criteria for use by state instructional
472 materials committees in evaluating materials submitted for
473 adoption consideration. The criteria shall, as appropriate, be
474 based on instructional expectations reflected in curriculum
475 frameworks and student performance standards. The criteria for
476 each subject or course shall be made available to publishers of
477 instructional materials pursuant to the requirements of chapter
478 1006.

479 (16) To prescribe procedures for evaluating instructional
480 materials submitted by publishers and manufacturers in each
481 adoption.

482
483 The commissioner's office shall operate all statewide functions
484 necessary to support the State Board of Education and the K-20
485 education system, including strategic planning and budget
486 development, general administration, and assessment and
487 accountability.

488 Section 9. Section 1001.215, Florida Statutes, is created
489 to read:

490 1001.215 Just Read, Florida! Office.--There is created in
491 the Department of Education the Just Read, Florida! Office. The
492 office shall be fully accountable to the Commissioner of
493 Education and shall:

494 (1) Train highly effective reading coaches.

495 (2) Create multiple designations of effective reading
496 instruction, with accompanying endorsement credentials, which
497 encourage all teachers to integrate reading instruction into
498 their content areas.

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499 (3) Train K-12 teachers, school principals, and parents on
500 research-based reading instructional strategies and secondary
501 teachers on effective instructional strategies for teaching
502 reading in the content areas with an emphasis on reading for
503 information.

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

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

511 (6) Provide information on research-based reading programs
512 and effective instructional strategies for teaching reading in
513 the content areas and support for reading for information.

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

516 (8) Periodically review teacher certification examinations
517 to ascertain whether the examinations measure the skills needed
518 for research-based reading, instructional strategies for
519 teaching reading in the content areas, and support for reading
520 for information.

521 (9) Work with teacher preparation programs approved
522 pursuant to s. 1004.04 to integrate into teacher preparation
523 programs research-based reading instructional strategies and
524 instructional strategies for teaching reading in the content
525 areas.

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526 (10) Administer grants and perform other functions as
527 necessary to meet the goal that all students read at grade
528 level.

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

531 1001.33 Schools under control of district school board and
532 district school superintendent.--

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

537 ~~(2) Each district school board, each district school~~
538 ~~superintendent, and each district and school based administrator~~
539 ~~shall cooperate to apply the following guiding principles of~~
540 ~~Better Educated Students and Teachers (BEST) Florida Teaching:~~

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

542 ~~(b) Teachers maintain orderly, disciplined classrooms~~
543 ~~conducive to student learning.~~

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

546 ~~(d) Teachers are well rewarded for their students' high~~
547 ~~performance.~~

548 ~~(e) Teachers are most effective when served by exemplary~~
549 ~~school administrators.~~

550 Section 11. Subsection (3) of section 1001.41, Florida
551 Statutes, is amended to read:

552 1001.41 General powers of district school board.--The
553 district school board, after considering recommendations

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554 submitted by the district school superintendent, shall exercise
555 the following general powers:

556 (3) Prescribe and adopt standards and policies to provide
557 each student the opportunity to receive a complete education
558 program, including language arts, mathematics, science, social
559 studies, health, physical education, foreign languages, and the
560 arts, as defined by the Sunshine State Standards. The standards
561 and policies must emphasize integration and reinforcement of
562 reading, writing, and mathematics skills in a rigorous and
563 relevant context across all subjects, including career and
564 technical education ~~as are considered desirable by it for~~
565 ~~improving the district school system.~~

566 Section 12. Paragraph (f) of subsection (4), paragraph (c)
567 of subsection (5), subsection (16), paragraph (d) of subsection
568 (17), and subsection (18) of section 1001.42, Florida Statutes,
569 are amended, subsection (22) is renumbered as subsection (23),
570 and a new subsection (22) is added to that section, to read:

571 1001.42 Powers and duties of district school board.--The
572 district school board, acting as a board, shall exercise all
573 powers and perform all duties listed below:

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

578 (f) Opening and closing of schools; fixing uniform
579 date.--Adopt policies for the opening and closing of schools and
580 fix uniform dates. The opening date of the school year for
581 schools in the district shall be no earlier than 7 days before

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582 Labor Day each year; however, the district school board may,
583 with a supermajority vote after a public hearing, establish an
584 earlier opening date which shall be no earlier than August 8 or
585 establish a different opening date for a school on a year-round
586 or an extended calendar.

587 (5) PERSONNEL.--

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

591 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
592 ACCOUNTABILITY.--Maintain a system of school improvement and
593 education accountability as provided by statute and State Board
594 of Education rule. This system of school improvement and
595 education accountability shall be consistent with, and
596 implemented through, the district's continuing system of
597 planning and budgeting required by this section and ss.
598 1008.385, 1010.01, and 1011.01. This system of school
599 improvement and education accountability shall include, but is
600 not limited to, the following:

601 (a) School improvement plans.--Annually approve and
602 require implementation of a new, amended, or continuation school
603 improvement plan for each school in the district, except that a
604 district school board may establish a district school
605 improvement plan that includes all schools in the district
606 operating for the purpose of providing educational services to
607 youth in Department of Juvenile Justice programs. The school
608 improvement ~~Such~~ plan shall be designed to achieve the state
609 education priorities pursuant to s. 1000.03(5) and student

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610 proficiency on the Sunshine State Standards pursuant to s.
611 1003.41 performance standards. In addition, any school required
612 to implement a rigorous reading requirement pursuant to s.
613 1003.415 must include such component in its school improvement
614 plan. Each plan shall address student achievement goals and
615 strategies based on state and school district proficiency
616 standards. The plan may also address issues relative to other
617 academic-related matters budget, training, instructional
618 materials, technology, staffing, student support services,
619 specific school safety and discipline strategies, student health
620 and fitness, including physical fitness, parental information on
621 student health and fitness, and indoor environmental air
622 quality, and other matters of resource allocation, as determined
623 by district school board policy, and shall include be based on
624 an accurate, data-based analysis of student achievement and
625 other school performance data. For each school in the district
626 that earns a school grade of "C" or below, or is required to
627 have a school improvement plan under federal law, the school
628 improvement plan shall, at a minimum, also include:

629 1. A needs assessment, based on disaggregated student
630 achievement data related to student performance on the FCAT,
631 which is used to identify each individual student subgroup's
632 strengths and weaknesses and to determine the effectiveness of
633 the teaching and learning strategies that are being used in the
634 classroom.

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

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638 3. A Sunshine State Standards instructional calendar and
639 timeline based on the needs assessment for each grade and in
640 each of the subject areas of language arts, mathematics, and
641 science to focus and integrate instruction, manage instructional
642 time, and allocate resources.

643 4. The following strategies:

644 a. Mini-assessments of targeted Sunshine State Standards
645 benchmarks that provide ongoing progress monitoring of students
646 and generate data to redesign instruction.

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

651 c. A student performance monitoring plan and clearly
652 assigned school personnel monitoring responsibilities.

653 5. Professional development that supports enhanced
654 instructional strategies, improves teaching and learning, and
655 addresses skill gaps.

656 6. If the school is a high school, annual publication of
657 the school's graduation rate calculated without GED tests for
658 the past 3 years, disaggregated by student ethnicity.

659
660 For each school district with a school designated with a grade
661 of "D" or "F," the district school board shall cooperate with
662 the community assessment team assigned by the commissioner in
663 accordance with s. 1008.345(6)(d).

664 (b) Alignment with Sunshine State Standards.--Design the
665 school district's system of school improvement and student

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666 progression to provide frequent and accurate information to the
667 teacher and student regarding each student's progress toward
668 mastering the Sunshine State Standards. The system must support
669 the alignment of the Sunshine State Standards, monitoring of
670 individual student progress, and enhanced instructional
671 strategies, assessment, and professional development.

672 (c)~~(b)~~ Approval process.--Develop a process for approval
673 of a school improvement plan presented by an individual school
674 and its advisory council. In the event a district school board
675 does not approve a school improvement plan after exhausting this
676 process, the Department of Education shall be notified of the
677 need for assistance.

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

679 1. Develop a 2-year plan of increasing individualized
680 assistance and intervention for each school in danger of not
681 meeting state standards or making adequate progress, as defined
682 pursuant to statute and State Board of Education rule, toward
683 meeting the goals and standards of its approved school
684 improvement plan.

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

688 3. Develop a plan to encourage teachers with demonstrated
689 mastery in improving student performance to remain at or
690 transfer to a school designated with a ~~as~~ performance grade of
691 ~~category~~ "D" or "F" or to an alternative school that serves
692 disruptive or violent youths. If a classroom teacher, as defined
693 by s. 1012.01(2)(a), who meets the definition of teaching

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694 mastery developed according to the provisions of this paragraph,
695 requests assignment to a school designated with a ~~as performance~~
696 grade of category "D" or "F" or to an alternative school that
697 serves disruptive or violent youths, the district school board
698 shall make every practical effort to grant the request.

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

704 (e) ~~(d)~~ After 2 years.--Notify the Commissioner of
705 Education and the State Board of Education in the event any
706 school does not make adequate progress toward meeting the goals
707 and standards of a school improvement plan by the end of 2 years
708 of failing to make adequate progress and proceed according to
709 guidelines developed pursuant to statute and State Board of
710 Education rule. School districts shall provide intervention and
711 assistance to schools in danger of being designated with a ~~as~~
712 ~~performance grade of category~~ "F," failing to make adequate
713 progress.

714 (f) ~~(e)~~ Public disclosure.--Provide information regarding
715 performance of students and educational programs as required
716 pursuant to ss. 1008.22 and 1008.385 and implement a system of
717 school reports as required by statute and State Board of
718 Education rule that shall include schools operating for the
719 purpose of providing educational services to youth in Department
720 of Juvenile Justice programs, and for those schools, report on
721 the elements specified in s. 1003.52(19). Annual public

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722 disclosure reports shall be in an understandable and easy-to-
 723 read report card format, shall use multiple media such as
 724 electronic mail, websites, public service announcements, or
 725 print or electronic advertising, and shall include the school's
 726 student and school ~~performance~~ grade, high school graduation
 727 rate calculated without GED tests, disaggregated by student
 728 ethnicity, ~~category designation~~ and other performance data as
 729 specified in state board rule.

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

734 (17) LOCAL-LEVEL DECISIONMAKING.--

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

740 (18) OPPORTUNITY SCHOLARSHIPS.--Adopt policies allowing
 741 students attending schools that have been designated with a ~~as~~
 742 ~~performance~~ grade of category "F," failing to make adequate
 743 progress, for 2 school years in a 4-year period to attend a
 744 higher performing school in the district or an adjoining
 745 district or be granted a state opportunity scholarship to a
 746 private school, in conformance with s. 1002.38 and State Board
 747 of Education rule.

748 (22) REDUCE PAPERWORK AND DATA COLLECTION AND REPORTING
 749 REQUIREMENTS.--

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750 (a) Paperwork and data collection.--Hold extensive public
751 hearings and provide detailed analysis of burden hours needed to
752 complete paperwork, hard copies, and electronic copies required
753 under a state mandate if the district school board will exceed
754 paperwork and data collection requirements of the state mandate.
755 "Burden hours" are defined as the amount of time required to
756 gather, compile, complete, transmit, and report information.

757 (b) Task force.--Establish a task force to reduce the
758 paper and electronic reporting requirements that impact the
759 school district, which may include the duties specified in s.
760 1008.385(2)(b). A majority of the task force members must be
761 classroom teachers with additional members to include, but not
762 be limited to, one exceptional student education teacher, school
763 administrators, district-level personnel, and the district
764 school superintendent. The task force must seek to reduce the
765 burden hours required of school district staff by making
766 recommendations to the district school board on ways to reduce,
767 eliminate, revise, or consolidate requirements relating to, but
768 not limited to, student attendance, student behavior, and
769 teacher lesson plans. The task force must annually report its
770 actions and recommendations to the Department of Education. The
771 department shall review the annual reports and progress of each
772 school district task force and, based on such information,
773 provide its recommendations to school districts for reduction,
774 elimination, revision, or consolidation of paper and electronic
775 reporting requirements.

776 Section 13. Subsection (24) of section 1001.51, Florida
777 Statutes, is repealed.

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778 Section 14. Paragraphs (c) and (d) of subsection (1) and
779 subsection (2) of section 1001.54, Florida Statutes, are amended
780 to read:

781 1001.54 Duties of school principals.--

782 (1)

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

786 (c) ~~(d)~~ The school principal shall fully support the
787 authority of each teacher and school bus driver to remove
788 disobedient, disrespectful, violent, abusive, uncontrollable, or
789 disruptive students from the classroom and the school bus and,
790 when appropriate and available, place such students in an
791 alternative educational setting.

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

795 Section 15. Subsection (11) of section 1002.20, Florida
796 Statutes, is amended to read:

797 1002.20 K-12 student and parent rights.--Parents of public
798 school students must receive accurate and timely information
799 regarding their child's academic progress and must be informed
800 of ways they can help their child to succeed in school. K-12
801 students and their parents are afforded numerous statutory
802 rights including, but not limited to, the following:

803 (11) STUDENTS WITH READING DEFICIENCIES.--Each elementary
804 school shall regularly assess the reading ability of each K-3
805 student. The parent of any K-3 student who exhibits a reading

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806 deficiency shall be immediately notified of the student's
807 deficiency with a description and explanation, in terms
808 understandable to the parent, of the exact nature of the
809 student's difficulty in learning and lack of achievement in
810 reading; shall be consulted in the development of a progress
811 monitoring ~~detailed academic improvement~~ plan, as described in
812 s. 1008.25(4)(b); and shall be informed that the student will be
813 given intensive reading instruction until the deficiency is
814 corrected. This subsection operates in addition to the
815 remediation and notification provisions contained in s. 1008.25
816 and in no way reduces the rights of a parent or the
817 responsibilities of a school district under that section.

818 Section 16. Paragraph (b) of subsection (3) of section
819 1003.01, Florida Statutes, is amended to read:

820 1003.01 Definitions.--As used in this chapter, the term:

821 (3)

822 (b) "Special education services" means specially designed
823 instruction and such related services as are necessary for an
824 exceptional student to benefit from education. Such services may
825 include: transportation; diagnostic and evaluation services;
826 social services; physical and occupational therapy; speech and
827 language pathology services; job placement; orientation and
828 mobility training; braillists, typists, and readers for the
829 blind; interpreters and auditory amplification; rehabilitation
830 counseling; transition services; mental health services;
831 guidance and career counseling; specified materials, assistive
832 technology devices, and other specialized equipment; and other
833 such services as approved by rules of the state board.

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834 Section 17. Paragraphs (e) through (l) of subsection (3)
835 of section 1003.03, Florida Statutes, are redesignated as
836 paragraphs (f) through (m), respectively, and a new paragraph
837 (e) is added to that subsection to read:

838 1003.03 Maximum class size.--

839 (3) IMPLEMENTATION OPTIONS.--District school boards must
840 consider, but are not limited to, implementing the following
841 items in order to meet the constitutional class size maximums
842 described in subsection (1) and the two-student-per-year
843 reduction required in subsection (2):

844 (e) Use co-teaching or team teaching in determining the
845 teacher-to-student ratio for purpose of compliance with the
846 class size requirements of this section during the
847 implementation period upon approval of a phase-down plan by the
848 State Board of Education and passage by the Legislature of House
849 Joint Resolution 447 or similar legislation during the 2006
850 Regular Session.

851 Section 18. Subsection (3) of section 1003.05, Florida
852 Statutes, is amended to read:

853 1003.05 Assistance to transitioning students from military
854 families.--

855 (3) Dependent children of active duty military personnel
856 who otherwise meet the eligibility criteria for special academic
857 programs offered through public schools shall be given first
858 preference for admission to such programs even if the program is
859 being offered through a public school other than the school to
860 which the student would generally be assigned ~~and the school at~~
861 ~~which the program is being offered has reached its maximum~~

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862 ~~enrollment~~. If such a program is offered through a public school
863 other than the school to which the student would generally be
864 assigned, the parent or guardian of the student must assume
865 responsibility for transporting the student to that school. For
866 purposes of this subsection, special academic programs include
867 ~~charter schools~~, magnet schools, advanced studies programs,
868 advanced placement, dual enrollment, Advanced International
869 Certificate of Education, and International Baccalaureate.

870 Section 19. Paragraph (c) of subsection (1) of section
871 1003.21, Florida Statutes, is amended to read:

872 1003.21 School attendance.--

873 (1)

874 (c) A student who attains the age of 16 years during the
875 school year is not subject to compulsory school attendance
876 beyond the date upon which he or she attains that age if the
877 student files a formal declaration of intent to terminate school
878 enrollment with the district school board. The declaration must
879 acknowledge that terminating school enrollment is likely to
880 reduce the student's earning potential and must be signed by the
881 student and the student's parent. The school district must
882 notify the student's parent of receipt of the student's
883 declaration of intent to terminate school enrollment. The
884 student's guidance counselor or other school personnel must
885 conduct an exit interview with the student to determine the
886 reasons for the student's decision to terminate school
887 enrollment and actions that could be taken to keep the student
888 in school. The student must be informed of opportunities to
889 continue his or her education in a different environment,

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890 including, but not limited to, adult education and GED test
891 preparation. Additionally, the student must complete a survey in
892 a format prescribed by the Department of Education to provide
893 data on student reasons for terminating enrollment and actions
894 taken by schools to keep students enrolled.

895 Section 20. Section 1003.413, Florida Statutes, is created
896 to read:

897 1003.413 Secondary school reform.--

898 (1) Secondary schools are schools that primarily serve
899 students in grades 6 through 12. It is the intent of the
900 Legislature to provide for secondary school reform so that
901 students promoted from the 8th grade have the necessary academic
902 skills for success in high school and students graduating from
903 high school have the necessary skills for success in the
904 workplace and postsecondary education.

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

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

909 (b) Every teacher must contribute to every student's
910 reading improvement.

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

913 (d) Small learning communities allow teachers to
914 personalize instruction to better address student learning
915 styles, strengths, and weaknesses.

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

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

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

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

925 (i) Master schedules should not determine instruction and
926 must be designed based on student needs, not adult or
927 institutional needs.

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

931 (3) Based on these guiding principles, district school
932 boards shall establish policies to implement the requirements of
933 ss. 1003.4156, 1003.428, and 1003.493. The policies must
934 address:

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

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

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

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945 (d) Credit recovery courses and intensive reading and
946 mathematics intervention courses based on student performance on
947 the FCAT. These courses should be competency based and offered
948 through innovative delivery systems, including computer-assisted
949 instruction. School districts should use learning gains as well
950 as other appropriate data and provide incentives to identify and
951 reward high-performing teachers who teach credit recovery and
952 intensive intervention courses.

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

956 (f) Summer academies for students to receive intensive
957 reading and mathematics intervention courses or competency-based
958 credit recovery courses. A student's participation in an
959 instructional or remediation program prior to or immediately
960 following entering grade 9 for the first time shall not affect
961 that student's classification as a first-time 9th grader for
962 reporting purposes.

963 (g) Strategies to support teachers' pursuit of the reading
964 endorsement and emphasize reading instruction professional
965 development for content area teachers.

966 (h) Creative and flexible scheduling designed to meet
967 student needs.

968 (i) Procedures for high school students who have not
969 prepared an electronic personal education plan pursuant to s.
970 1003.4156 to prepare such plan.

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

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973 (k) Additional course requirements for promotion and
974 graduation which may be determined by each school district in
975 the student progression plan and may include additional
976 academic, fine and performing arts, physical education, or
977 career and technical education courses in order to provide a
978 complete education program pursuant to s. 1001.41(3).

979

980 Within 30 days after adoption, the district school board
981 policies shall be submitted to the State Board of Education for
982 approval. The district school board policies shall be deemed
983 approved unless specifically rejected by the State Board of
984 Education within 60 days after receipt.

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

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

990 (b) Make available a professional development package
991 designed to provide the information that content area teachers
992 need to become proficient in applying scientifically based
993 reading strategies through their content areas.

994 (c) Share best practices for providing a complete
995 education program to students enrolled in course recovery,
996 credit recovery, intensive reading intervention, or intensive
997 mathematics intervention.

998 (d) Expedite assistance and decisions and coordinate
999 policies throughout all divisions within the department to
1000 provide school districts with support to implement this section.

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1001 (e) Use data to provide the Legislature with an annual
 1002 longitudinal analysis of the success of this reform effort,
 1003 including the progress of 6th grade students and 9th grade
 1004 students scoring at Level 1 on FCAT Reading or FCAT Mathematics.

1005 (5) The Commissioner of Education shall create and
 1006 implement the Secondary School Improvement Award Program to
 1007 reward public secondary schools that demonstrate continuous
 1008 student academic improvement and show the greatest gains in
 1009 student academic achievement in reading and mathematics.

1010 Section 21. Section 1003.415, Florida Statutes, is
 1011 repealed.

1012 Section 22. Section 1003.4156, Florida Statutes, is
 1013 created to read:

1014 1003.4156 General requirements for middle grades
 1015 promotion.--

1016 (1) Beginning with students entering grade 6 in the 2006-
 1017 2007 school year, promotion from a school composed of middle
 1018 grades 6, 7, and 8 requires that:

1019 (a) The student must successfully complete academic
 1020 courses as follows:

1021 1. Three middle school or higher year-long courses in
 1022 English. These courses shall emphasize literature, composition,
 1023 and reading for information.

1024 2. Three middle school or higher year-long courses in
 1025 mathematics. Each middle school must offer at least one high-
 1026 school-level mathematics course for which students may earn high
 1027 school credit.

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1028 3. Three middle school or higher year-long courses in
1029 social studies, including American history and world history.

1030 4. Three middle school or higher year-long courses in
1031 science.

1032 5. One year-long course, to be taken in grade 6, that
1033 exposes the student to elective areas of the curriculum. The
1034 course must be comprised of 9 weeks of instruction in each of
1035 the following areas: career and technical education, art, music,
1036 and physical education.

1037 6. One half-year course in career exploration and
1038 education planning to be completed in grade 7 or grade 8. The
1039 course may be taught by any member of the instructional staff
1040 and must include, but is not limited to, the following
1041 components:

1042 a. Career exploration.

1043 b. Academic advising from the instructor, with assistance
1044 from guidance counselors, to provide information to each student
1045 about high school programs and courses, including acceleration
1046 mechanisms, career and technical programs, and career and
1047 professional academies pursuant to s. 1003.493, that meet the
1048 student's interests.

1049 c. Educational planning using the online student advising
1050 system Florida Academic Counseling and Tracking for Students at
1051 the Internet website FACTS.org.

1052
1053 Each school must hold a parent meeting either in the evening or
1054 on a weekend to inform parents about the course curriculum and
1055 activities. Each student shall complete an electronic personal

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1056 education plan that must be signed by the student, the student's
1057 instructor or guidance counselor, and the student's parent. By
1058 January 1, 2007, the Department of Education shall develop a
1059 course framework and professional development materials for the
1060 career exploration and education planning course. The
1061 Commissioner of Education shall collect longitudinal high school
1062 course enrollment data by student ethnicity in order to analyze
1063 course-taking patterns.

1064 (b) For each year in which a student scores at Level 1 on
1065 FCAT Reading, the student must be enrolled in and complete an
1066 intensive reading course the following year. Placement of Level
1067 2 readers in either an intensive reading course or a content
1068 area course in which reading strategies are delivered shall be
1069 determined by diagnosis of reading needs. The department shall
1070 provide guidance on appropriate strategies for diagnosing and
1071 meeting the varying instructional needs of students reading
1072 below grade level. Reading courses shall be designed and offered
1073 pursuant to the comprehensive reading plan required by s.
1074 1011.62(8).

1075 (c) For each year in which a student scores at Level 1 on
1076 FCAT Mathematics, the student must complete an intensive
1077 mathematics course the following year, which may be integrated
1078 into the student's required mathematics course. These courses
1079 are subject to approval by the department for inclusion in the
1080 Course Code Directory.

1081 (2) Students in grade 6, grade 7, or grade 8 who are not
1082 enrolled in schools with a middle grades configuration are
1083 subject to the promotion requirements of this section.

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1084 (3) The State Board of Education may adopt rules pursuant
 1085 to ss. 120.536(1) and 120.54 to implement the provisions of this
 1086 section and may enforce the provisions of this section pursuant
 1087 to s. 1008.32.

1088 Section 23. Subsection (1) of section 1003.42, Florida
 1089 Statutes, is amended to read:

1090 1003.42 Required instruction.--

1091 (1) Each district school board shall provide all courses
 1092 required for middle grades promotion, high school graduation,
 1093 and appropriate instruction designed to ensure that all students
 1094 have the opportunity to meet State Board of Education adopted
 1095 standards in the following subject areas: reading and other
 1096 language arts, mathematics, science, social studies, foreign
 1097 languages, health and physical education, and the arts.

1098 Section 24. Section 1003.428, Florida Statutes, is created
 1099 to read:

1100 1003.428 General requirements for high school graduation;
 1101 revised.--

1102 (1) Except as otherwise authorized pursuant to s.
 1103 1003.429, beginning with students entering their first year of
 1104 high school in the 2007-2008 school year, graduation requires
 1105 the successful completion of a minimum of 24 credits, an
 1106 International Baccalaureate curriculum, or an Advanced
 1107 International Certificate of Education curriculum. Students must
 1108 be advised of eligibility requirements for state scholarship
 1109 programs and postsecondary admissions.

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1110 (2) The 24 credits may be earned through applied,
1111 integrated, and combined courses approved by the Department of
1112 Education and shall be distributed as follows:

1113 (a) Fourteen core curriculum credits:

1114 1. Four credits in English, with major concentration in
1115 composition, reading for information, and literature.

1116 2. Four credits in mathematics, one of which must be
1117 Algebra I, a series of courses equivalent to Algebra I, or a
1118 higher-level mathematics course. School districts are encouraged
1119 to set specific goals to increase enrollments in, and successful
1120 completion of, geometry and Algebra II.

1121 3. Three credits in science, two of which must have a
1122 laboratory component.

1123 4. Three credits in social studies as follows: one credit
1124 in American history; one credit in world history; one-half
1125 credit in economics; and one-half credit in American government.

1126 (b) Ten credits in majors, minors, or electives:

1127 1. Four credits in a major area of study, such as
1128 sequential courses in a career and technical program, fine and
1129 performing arts, or academic content area, selected by the
1130 student as part of the education plan required by s. 1003.4156.
1131 Students may revise majors each year as part of annual course
1132 registration processes and should update their education plan to
1133 reflect such revisions. Annually by October 1, the district
1134 school board shall approve major areas of study and submit the
1135 list of majors to the Commissioner of Education for approval.
1136 Each major shall be deemed approved unless specifically rejected
1137 by the commissioner within 60 days. Upon approval, each

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1138 district's majors shall be available for use by all school
1139 districts and shall be posted on the department's website.

1140 2. Six credits in elective courses selected by the student
1141 as part of the education plan required by s. 1003.4156. These
1142 credits may be combined to allow for a second major area of
1143 study pursuant to subparagraph 1., a minor area of study,
1144 elective courses, intensive reading or mathematics intervention
1145 courses, or credit recovery courses as described in this
1146 subparagraph.

1147 a. Minor areas of study are composed of three credits
1148 selected by the student as part of the education plan required
1149 by s. 1003.4156 and approved by the district school board.

1150 b. Elective courses are selected by the student in order
1151 to pursue a complete education program as described in s.
1152 1001.41(3) and to meet eligibility requirements for
1153 scholarships.

1154 c. For each year in which a student scores at Level 1 on
1155 FCAT Reading, the student must be enrolled in and complete an
1156 intensive reading course the following year. Placement of Level
1157 2 readers in either an intensive reading course or a content
1158 area course in which reading strategies are delivered shall be
1159 determined by diagnosis of reading needs. The department shall
1160 provide guidance on appropriate strategies for diagnosing and
1161 meeting the varying instructional needs of students reading
1162 below grade level. Reading courses shall be designed and offered
1163 pursuant to the comprehensive reading plan required by s.
1164 1011.62(8).

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1165 d. For each year in which a student scores at Level 1 on
1166 FCAT Mathematics, the student must complete an intensive
1167 mathematics course the following year. These courses may be
1168 taught through applied, integrated, or combined courses and are
1169 subject to approval by the department for inclusion in the
1170 Course Code Directory.

1171 e. Credit recovery courses shall be offered so that
1172 students can simultaneously earn an elective credit and the
1173 recovered credit.

1174 (3)(a) A district school board may require specific
1175 courses and programs of study within the minimum credit
1176 requirements for high school graduation and shall modify basic
1177 courses, as necessary, to assure exceptional students the
1178 opportunity to meet the graduation requirements for a standard
1179 diploma, using one of the following strategies:

1180 1. Assignment of the exceptional student to an exceptional
1181 education class for instruction in a basic course with the same
1182 student performance standards as those required of
1183 nonexceptional students in the district school board student
1184 progression plan; or

1185 2. Assignment of the exceptional student to a basic
1186 education class for instruction that is modified to accommodate
1187 the student's exceptionality.

1188 (b) The district school board shall determine which of
1189 these strategies to employ based upon an assessment of the
1190 student's needs and shall reflect this decision in the student's
1191 individual education plan.

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1192 (4) Each district school board shall establish standards
1193 for graduation from its schools, which must include:

1194 (a) Successful completion of the academic credit or
1195 curriculum requirements of subsections (1) and (2).

1196 (b) Earning passing scores on the FCAT, as defined in s.
1197 1008.22(3)(c), or scores on a standardized test that are
1198 concordant with passing scores on the FCAT as defined in s.
1199 1008.22(9).

1200 (c) Completion of all other applicable requirements
1201 prescribed by the district school board pursuant to s. 1008.25.

1202 (d) Achievement of a cumulative grade point average of 2.0
1203 on a 4.0 scale, or its equivalent, in the courses required by
1204 this section.

1205 (5) The State Board of Education, after a public hearing
1206 and consideration, shall adopt rules based upon the
1207 recommendations of the commissioner for the provision of test
1208 accommodations and modifications of procedures as necessary for
1209 students with disabilities which will demonstrate the student's
1210 abilities rather than reflect the student's impaired sensory,
1211 manual, speaking, or psychological process skills.

1212 (6) The public hearing and consideration required in
1213 subsection (5) shall not be construed to amend or nullify the
1214 requirements of security relating to the contents of
1215 examinations or assessment instruments and related materials or
1216 data as prescribed in s. 1008.23.

1217 (7) (a) A student who meets all requirements prescribed in
1218 subsections (1), (2), (3), and(4) shall be awarded a standard
1219 diploma in a form prescribed by the State Board of Education.

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1220 (b) A student who completes the minimum number of credits
1221 and other requirements prescribed by subsections (1), (2), and
1222 (3), but who is unable to meet the standards of paragraph
1223 (4) (b), paragraph (4) (c), or paragraph (4) (d), shall be awarded
1224 a certificate of completion in a form prescribed by the State
1225 Board of Education. However, any student who is otherwise
1226 entitled to a certificate of completion may elect to remain in
1227 the secondary school either as a full-time student or a part-
1228 time student for up to 1 additional year and receive special
1229 instruction designed to remedy his or her identified
1230 deficiencies.

1231 (8) (a) Each district school board must provide instruction
1232 to prepare students with disabilities to demonstrate proficiency
1233 in the skills and competencies necessary for successful grade-
1234 to-grade progression and high school graduation.

1235 (b) A student with a disability, as defined in s.
1236 1007.02 (2), for whom the individual education plan (IEP)
1237 committee determines that the FCAT cannot accurately measure the
1238 student's abilities taking into consideration all allowable
1239 accommodations, shall have the FCAT requirement of paragraph
1240 (4) (b) waived for the purpose of receiving a standard high
1241 school diploma, if the student:

1242 1. Completes the minimum number of credits and other
1243 requirements prescribed by subsections (1), (2), and (3).

1244 2. Does not meet the requirements of paragraph (4) (b)
1245 after one opportunity in 10th grade and one opportunity in 11th
1246 grade.

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1247 (9) The Commissioner of Education may award a standard
 1248 high school diploma to honorably discharged veterans who started
 1249 high school between 1937 and 1946 and were scheduled to graduate
 1250 between 1941 and 1950 but were inducted into the United States
 1251 Armed Forces between September 16, 1940, and December 31, 1946,
 1252 prior to completing the necessary high school graduation
 1253 requirements. Upon the recommendation of the commissioner, the
 1254 State Board of Education may develop criteria and guidelines for
 1255 awarding such diplomas.

1256 (10) The Commissioner of Education may award a standard
 1257 high school diploma to honorably discharged veterans who started
 1258 high school between 1946 and 1950 and were scheduled to graduate
 1259 between 1950 and 1954, but were inducted into the United States
 1260 Armed Forces between June 27, 1950, and January 31, 1955, and
 1261 served during the Korean Conflict prior to completing the
 1262 necessary high school graduation requirements. Upon the
 1263 recommendation of the commissioner, the State Board of Education
 1264 may develop criteria and guidelines for awarding such diplomas.

1265 (11) The State Board of Education may adopt rules pursuant
 1266 to ss. 120.536(1) and 120.54 to implement the provisions of this
 1267 section and may enforce the provisions of this section pursuant
 1268 to s. 1008.32.

1269 Section 25. Section 1003.437, Florida Statutes, is amended
 1270 to read:

1271 1003.437 Middle and high school grading system.--The
 1272 grading system and interpretation of letter grades used for
 1273 students in public ~~high~~ schools in grades 6 through 12 shall be
 1274 as follows:

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1275 (1) Grade "A" equals 90 percent through 100 percent, has a
1276 grade point average value of 4, and is defined as "outstanding
1277 progress."

1278 (2) Grade "B" equals 80 percent through 89 percent, has a
1279 grade point average value of 3, and is defined as "above average
1280 progress."

1281 (3) Grade "C" equals 70 percent through 79 percent, has a
1282 grade point average value of 2, and is defined as "average
1283 progress."

1284 (4) Grade "D" equals 60 percent through 69 percent, has a
1285 grade point average value of 1, and is defined as "lowest
1286 acceptable progress."

1287 (5) Grade "F" equals zero percent through 59 percent, has
1288 a grade point average value of zero, and is defined as
1289 "failure."

1290 (6) Grade "I" equals zero percent, has a grade point
1291 average value of zero, and is defined as "incomplete."
1292

1293 For the purposes of class ranking for students in grades 9
1294 through 12, district school boards may exercise a weighted
1295 grading system.

1296 Section 26. Subsections (3) and (4) of section 1003.492,
1297 Florida Statutes, are repealed.

1298 Section 27. Section 1003.493, Florida Statutes, is created
1299 to read:

1300 1003.493 Career and professional academies.--

1301 (1) A career and professional academy is a research-based
1302 program that integrates a rigorous academic curriculum with an

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1303 industry-driven career curriculum. Career and professional
1304 academies may be offered by public schools, school districts, or
1305 the Florida Virtual School. Students completing career and
1306 professional academy programs receive a standard high school
1307 diploma, the highest available industry certification, and
1308 postsecondary credit if the academy partners with a
1309 postsecondary institution.

1310 (2) The goals of career and professional academies are to:

1311 (a) Increase student academic achievement and graduation
1312 rates through integrated academic and career curricula.

1313 (b) Focus on career preparation through rigorous academics
1314 and industry certification.

1315 (c) Raise student aspiration and commitment to academic
1316 achievement and work ethics.

1317 (d) Support the revised graduation requirements pursuant
1318 to s. 1003.428 by providing creative, applied majors.

1319 (e) Promote acceleration mechanisms, such as dual
1320 enrollment, articulated credit, or occupational completion
1321 points, so that students may earn postsecondary credit while in
1322 high school.

1323 (f) Support the state's economy by meeting industry needs
1324 for skilled employees in high-demand occupations.

1325 (3) A career and professional academy may be offered as
1326 one of the following small learning communities:

1327 (a) A school-within-a-school career academy, as part of an
1328 existing high school, that provides courses in one occupational
1329 cluster. Students in the high school are not required to be
1330 students in the academy.

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1331 (b) A total school configuration providing multiple
1332 academies each structured around an occupational cluster. Every
1333 student in the school is in an academy.

1334 (4) Each career and professional academy must:

1335 (a) Provide a rigorous standards-based academic curriculum
1336 integrated with a career curriculum. The curriculum must take
1337 into consideration multiple styles of student learning; promote
1338 learning by doing through application and adaptation; maximize
1339 relevance of the subject matter; enhance each student's capacity
1340 to excel; and include an emphasis on work habits and work
1341 ethics.

1342 (b) Include one or more partnerships with postsecondary
1343 institutions, businesses, industry, employers, economic
1344 development organizations, or other appropriate partners from
1345 the local community. Such partnerships must provide
1346 opportunities for:

- 1347 1. Instruction from highly skilled professionals.
1348 2. Internships, externships, and on-the-job training.
1349 3. A postsecondary degree, diploma, or certificate.
1350 4. The highest available level of industry certification.

1351 Where no national or state certification exists, school
1352 districts may establish a local certification in conjunction
1353 with the local workforce development board, the chamber of
1354 commerce, or the Agency for Workforce Innovation.

1355 5. Maximum articulation of credits pursuant to s. 1007.23
1356 upon program completion.

1357 (c) Provide creative and tailored student advisement,
1358 including parent participation and coordination with middle

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1359 schools to provide career exploration and education planning as
1360 required under s. 1003.4156. Coordination with middle schools
1361 must provide information to middle school students about
1362 secondary and postsecondary career education programs and
1363 academies.

1364 (d) Provide a career education certification on the high
1365 school diploma pursuant to s. 1003.431.

1366 (e) Provide instruction in careers designated as high
1367 growth, high demand, and high pay by the local workforce
1368 development board, the chamber of commerce, or the Agency for
1369 Workforce Innovation.

1370 (f) Deliver academic content through instruction relevant
1371 to the career, including intensive reading and mathematics
1372 intervention required by s. 1003.428, with an emphasis on
1373 strengthening reading for information skills.

1374 (g) Provide instruction resulting in competency,
1375 certification, or credentials in workplace skills, including,
1376 but not limited to, communication skills, interpersonal skills,
1377 decisionmaking skills, the importance of attendance and
1378 timeliness in the work environment, and work ethics.

1379 (h) Provide opportunities for students to obtain the
1380 Florida Ready to Work Certification pursuant to s. 1004.99.

1381 (i) Include an evaluation plan developed jointly with the
1382 Department of Education. The evaluation plan must include a
1383 self-assessment tool based on standards, such as the Career
1384 Academy National Standards of Practice, and outcome measures
1385 including, but not limited to, graduation rates, enrollment in
1386 postsecondary education, business and industry satisfaction,

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1387 employment and earnings, achievement of industry certification,
 1388 awards of postsecondary credit, and FCAT achievement levels and
 1389 learning gains.

1390 Section 28. Paragraph (n) of subsection (2) of section
 1391 1003.51, Florida Statutes, is amended to read:

1392 1003.51 Other public educational services.--

1393 (2) The State Board of Education shall adopt and maintain
 1394 an administrative rule articulating expectations for effective
 1395 education programs for youth in Department of Juvenile Justice
 1396 programs, including, but not limited to, education programs in
 1397 juvenile justice commitment and detention facilities. The rule
 1398 shall articulate policies and standards for education programs
 1399 for youth in Department of Juvenile Justice programs and shall
 1400 include the following:

1401 (n) Performance expectations for providers and district
 1402 school boards, including the provision of a progress monitoring
 1403 ~~an academic improvement~~ plan as required in s. 1008.25.

1404 Section 29. Subsection (7) of section 1003.52, Florida
 1405 Statutes, is amended to read:

1406 1003.52 Educational services in Department of Juvenile
 1407 Justice programs.--

1408 (7) A progress monitoring ~~An academic improvement~~ plan
 1409 shall be developed for students who score below the level
 1410 specified in district school board policy in reading, writing,
 1411 and mathematics or below the level specified by the Commissioner
 1412 of Education on statewide assessments as required by s. 1008.25.
 1413 These plans shall address academic, literacy, and life skills

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1414 and shall include provisions for intensive remedial instruction
1415 in the areas of weakness.

1416 Section 30. Section 1003.57, Florida Statutes, is amended
1417 to read:

1418 1003.57 Exceptional students instruction.--

1419 (1) Each district school board shall provide for an
1420 appropriate program of special instruction, facilities, and
1421 services for exceptional students as prescribed by the State
1422 Board of Education as acceptable, including provisions that:

1423 (a)~~(1)~~ The district school board provide the necessary
1424 professional services for diagnosis and evaluation of
1425 exceptional students.

1426 (b)~~(2)~~ The district school board provide the special
1427 instruction, classes, and services, either within the district
1428 school system, in cooperation with other district school
1429 systems, or through contractual arrangements with approved
1430 private schools or community facilities that meet standards
1431 established by the commissioner.

1432 (c)~~(3)~~ The district school board annually provide
1433 information describing the Florida School for the Deaf and the
1434 Blind and all other programs and methods of instruction
1435 available to the parent of a sensory-impaired student.

1436 (d)~~(4)~~ The district school board, once every 3 years,
1437 submit to the department its proposed procedures for the
1438 provision of special instruction and services for exceptional
1439 students.

1440 (e)~~(5)~~ A ~~No~~ student may not be given special instruction
1441 or services as an exceptional student until after he or she has

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1442 | been properly evaluated, classified, and placed in the manner
1443 | prescribed by rules of the State Board of Education. The parent
1444 | of an exceptional student evaluated and placed or denied
1445 | placement in a program of special education shall be notified of
1446 | each such evaluation and placement or denial. Such notice shall
1447 | contain a statement informing the parent that he or she is
1448 | entitled to a due process hearing on the identification,
1449 | evaluation, and placement, or lack thereof. Such hearings shall
1450 | be exempt from the provisions of ss. 120.569, 120.57, and
1451 | 286.011, except to the extent that the State Board of Education
1452 | adopts rules establishing other procedures and any records
1453 | created as a result of such hearings shall be confidential and
1454 | exempt from the provisions of s. 119.07(1). The hearing must be
1455 | conducted by an administrative law judge from the Division of
1456 | Administrative Hearings of the Department of Management
1457 | Services. The decision of the administrative law judge shall be
1458 | final, except that any party aggrieved by the finding and
1459 | decision rendered by the administrative law judge shall have the
1460 | right to bring a civil action in the circuit court. In such an
1461 | action, the court shall receive the records of the
1462 | administrative hearing and shall hear additional evidence at the
1463 | request of either party. In the alternative, any party aggrieved
1464 | by the finding and decision rendered by the administrative law
1465 | judge shall have the right to request an impartial review of the
1466 | administrative law judge's order by the district court of appeal
1467 | as provided by s. 120.68. Notwithstanding any law to the
1468 | contrary, during the pendency of any proceeding conducted
1469 | pursuant to this section, unless the district school board and

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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1470 the parents otherwise agree, the student shall remain in his or
1471 her then-current educational assignment or, if applying for
1472 initial admission to a public school, shall be assigned, with
1473 the consent of the parents, in the public school program until
1474 all such proceedings have been completed.

1475 ~~(f)(6)~~ In providing for the education of exceptional
1476 students, the district school superintendent, principals, and
1477 teachers shall utilize the regular school facilities and adapt
1478 them to the needs of exceptional students to the maximum extent
1479 appropriate. Segregation of exceptional students shall occur
1480 only if the nature or severity of the exceptionality is such
1481 that education in regular classes with the use of supplementary
1482 aids and services cannot be achieved satisfactorily.

1483 ~~(g)(7)~~ In addition to the services agreed to in a
1484 student's individual education plan, the district school
1485 superintendent shall fully inform the parent of a student having
1486 a physical or developmental disability of all available services
1487 that are appropriate for the student's disability. The
1488 superintendent shall provide the student's parent with a summary
1489 of the student's rights.

1490 (2)(a) An exceptional student with a disability who
1491 resides in a residential facility and receives special
1492 instruction or services is considered a resident of the state in
1493 which the student's parent is a resident. The cost of such
1494 instruction, facilities, and services for a nonresident student
1495 with a disability shall be provided by the placing authority in
1496 the student's state of residence, such as a public school
1497 entity, other placing authority, or parent. A nonresident

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1498 student with a disability may not be reported by any school
1499 district for FTE funding in the Florida Education Finance
1500 Program.

1501 (b) The Department of Education shall provide to each
1502 school district a statement of the specific limitations of the
1503 district's financial obligation for exceptional students with
1504 disabilities under federal and state law. The department shall
1505 also provide to each school district technical assistance as
1506 necessary for developing a local plan to impose on a student's
1507 home state the fiscal responsibility for educating a nonresident
1508 exceptional student with a disability.

1509 (c) The Department of Education shall develop a process by
1510 which a school district must, before providing services to an
1511 exceptional student with a disability who resides in a
1512 residential facility in this state, review the residency of the
1513 student. The residential facility, not the district, is
1514 responsible for billing and collecting from a nonresidential
1515 student's home state payment for the student's educational and
1516 related services.

1517 (d) This subsection applies to any nonresident student
1518 with a disability who resides in a residential facility and who
1519 receives instruction as an exceptional student with a disability
1520 in any type of residential facility in this state, including,
1521 but not limited to, a public school, a private school, a group
1522 home facility as defined in s. 393.063, an intensive residential
1523 treatment program for children and adolescents as defined in s.
1524 395.002, a facility as defined in s. 394.455, an intermediate
1525 care facility for the developmentally disabled or ICF/DD as

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1526 defined in s. 393.063 or s. 400.960, or a community residential
 1527 home as defined in s. 419.001.

1528 Section 31. Section 1003.576, Florida Statutes, is created
 1529 to read:

1530 1003.576 Individual education plans for exceptional
 1531 students.--The Department of Education shall develop an
 1532 individual education plan (IEP) form for use in developing and
 1533 implementing individual education plans for exceptional
 1534 students. The IEP form must be available electronically, include
 1535 notice of testing accommodations pursuant to s. 1008.22(3), and
 1536 have a streamlined format. To provide for the use of an existing
 1537 IEP form when a student transfers from one school district to
 1538 another, the IEP form developed by the department must be used
 1539 in each school district in the state.

1540 Section 32. Subsection (3) of section 1003.58, Florida
 1541 Statutes, is amended to read:

1542 1003.58 Students in residential care facilities.--Each
 1543 district school board shall provide educational programs
 1544 according to rules of the State Board of Education to students
 1545 who reside in residential care facilities operated by the
 1546 Department of Children and Family Services.

1547 (3) The district school board shall have full and complete
 1548 authority in the matter of the assignment and placement of such
 1549 students in educational programs. The parent of an exceptional
 1550 student shall have the same due process rights as are provided
 1551 under s. 1003.57(1)(e)~~(5)~~.

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1553 Notwithstanding the provisions herein, the educational program
1554 at the Marianna Sunland Center in Jackson County shall be
1555 operated by the Department of Education, either directly or
1556 through grants or contractual agreements with other public or
1557 duly accredited educational agencies approved by the Department
1558 of Education.

1559 Section 33. Paragraph (a) of subsection (1) and paragraph
1560 (a) of subsection (2) of section 1003.62, Florida Statutes, are
1561 amended to read:

1562 1003.62 Academic performance-based charter school
1563 districts.--The State Board of Education may enter into a
1564 performance contract with district school boards as authorized
1565 in this section for the purpose of establishing them as academic
1566 performance-based charter school districts. The purpose of this
1567 section is to examine a new relationship between the State Board
1568 of Education and district school boards that will produce
1569 significant improvements in student achievement, while complying
1570 with constitutional and statutory requirements assigned to each
1571 entity.

1572 (1) ACADEMIC PERFORMANCE-BASED CHARTER SCHOOL DISTRICT.--

1573 (a) A school district shall be eligible for designation as
1574 an academic performance-based charter school district if it is a
1575 high-performing school district in which a minimum of 50 percent
1576 of the schools earn a ~~performance grade of category~~ of category "A" or "B"
1577 and in which no school earns a ~~performance grade of category~~ of category "D"
1578 or "F" for 2 consecutive years pursuant to s. 1008.34. Schools
1579 that receive a ~~performance grade of category~~ of category "I" or "N" shall
1580 not be included in this calculation. The performance contract

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1581 for a school district that earns a charter based on school
1582 ~~performance~~ grades shall be predicated on maintenance of at
1583 least 50 percent of the schools in the school district earning a
1584 ~~performance~~ grade of category "A" or "B" with no school in the
1585 school district earning a ~~performance~~ grade of category "D" or
1586 "F" for 2 consecutive years. A school district in which the
1587 number of schools that earn a ~~performance~~ grade of "A" or "B" is
1588 less than 50 percent may have its charter renewed for 1 year;
1589 however, if the percentage of "A" or "B" schools is less than 50
1590 percent for 2 consecutive years, the charter shall not be
1591 renewed.

1592 (2) EXEMPTION FROM STATUTES AND RULES.--

1593 (a) An academic performance-based charter school district
1594 shall operate in accordance with its charter and shall be exempt
1595 from certain State Board of Education rules and statutes if the
1596 State Board of Education determines such an exemption will
1597 assist the district in maintaining or improving its high-
1598 performing status pursuant to paragraph (1)(a). However, the
1599 State Board of Education may not exempt an academic performance-
1600 based charter school district from any of the following
1601 statutes:

1602 1. Those statutes pertaining to the provision of services
1603 to students with disabilities.

1604 2. Those statutes pertaining to civil rights, including s.
1605 1000.05, relating to discrimination.

1606 3. Those statutes pertaining to student health, safety,
1607 and welfare.

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1608 4. Those statutes governing the election or compensation
1609 of district school board members.

1610 5. Those statutes pertaining to the student assessment
1611 program and the school grading system, including chapter 1008.

1612 6. Those statutes pertaining to financial matters,
1613 including chapter 1010.

1614 7. Those statutes pertaining to planning and budgeting,
1615 including chapter 1011, except that ss. 1011.64 and 1011.69
1616 shall be eligible for exemption.

1617 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
1618 performance-pay policies and differentiated pay for school
1619 administrators and instructional personnel. Professional service
1620 contracts shall be subject to the provisions of ss. 1012.33 and
1621 1012.34.

1622 9. Those statutes pertaining to educational facilities,
1623 including chapter 1013, except as specified under contract with
1624 the State Board of Education. However, no contractual provision
1625 that could have the effect of requiring the appropriation of
1626 additional capital outlay funds to the academic performance-
1627 based charter school district shall be valid.

1628 Section 34. Section 1004.99, Florida Statutes, is created
1629 to read:

1630 1004.99 Florida Ready to Work Certification Program.--

1631 (1) There is created the Florida Ready to Work
1632 Certification Program to enhance the workplace skills of
1633 Florida's students to better prepare them for successful
1634 employment in specific occupations.

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1635 (2) The Florida Ready to Work Certification Program may be
1636 conducted in public middle and high schools, community colleges,
1637 technical centers, one-stop career centers, vocational
1638 rehabilitation centers, and Department of Juvenile Justice
1639 educational facilities. The program may be made available to
1640 other entities that provide job training. The Department of
1641 Education shall establish institutional readiness criteria for
1642 program implementation.

1643 (3) The Florida Ready to Work Certification Program shall
1644 be composed of:

1645 (a) A comprehensive identification of workplace skills for
1646 each occupation identified for inclusion in the program by the
1647 Agency for Workforce Innovation and the Department of Education.

1648 (b) A preinstructional assessment that delineates the
1649 student's mastery level on the specific workplace skills
1650 identified for that occupation.

1651 (c) A targeted instructional program limited to those
1652 identified workplace skills in which the student is not
1653 proficient as measured by the preinstructional assessment.
1654 Instruction must utilize a web-based program and be customized
1655 to meet identified specific needs of local employers.

1656 (d) A certificate and portfolio awarded to students upon
1657 successful completion of the instruction. Each portfolio must
1658 delineate the skills demonstrated by the student as evidence of
1659 the student's preparation for employment.

1660 (4) The State Board of Education, in consultation with the
1661 Agency for Workforce Innovation, may adopt rules pursuant to ss.

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1662 | 120.536(1) and 120.54 to implement the provisions of this
 1663 | section.

1664 | Section 35. Subsection (4) of section 1006.09, Florida
 1665 | Statutes, is amended to read:

1666 | 1006.09 Duties of school principal relating to student
 1667 | discipline and school safety.--

1668 | (4) When a student has been the victim of a violent crime
 1669 | perpetrated by another student who attends the same school, the
 1670 | school principal shall make full and effective use of the
 1671 | provisions of subsection (2) and s. 1006.13(5). A school
 1672 | principal who fails to comply with this subsection shall be
 1673 | ineligible for any portion of the performance-pay ~~performanee~~
 1674 | ~~pay~~ policy incentive or the differentiated pay under s.
 1675 | 1012.22(1)(c). However, if any party responsible for
 1676 | notification fails to properly notify the school, the school
 1677 | principal shall be eligible for the incentive or differentiated
 1678 | pay.

1679 | Section 36. Paragraph (c) of subsection (3) of section
 1680 | 1007.2615, Florida Statutes, is amended to read:

1681 | 1007.2615 American Sign Language; findings; foreign-
 1682 | language credits authorized; teacher licensing.--

1683 | (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF
 1684 | EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN
 1685 | FOR POSTSECONDARY EDUCATION PROVIDERS.--

1686 | (c) An ASL teacher must be certified by the Department of
 1687 | Education by July 1, 2009 ~~January 1, 2008,~~ and must obtain
 1688 | ~~current certification through the Florida American Sign Language~~
 1689 | ~~Teachers' Association (FASLTA) by January 1, 2006. New FASLTA~~

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1690 ~~certification may be used by current ASL teachers as an~~
 1691 ~~alternative certification track.~~

1692 Section 37. Paragraph (f) of subsection (1), paragraphs
 1693 (c) and (e) of subsection (3), and subsection (9) of section
 1694 1008.22, Florida Statutes, are amended, paragraph (g) is added
 1695 to subsection (3), subsection (10) is renumbered as subsection
 1696 (11), and a new subsection (10) is added to that section, to
 1697 read:

1698 1008.22 Student assessment program for public schools.--

1699 (1) PURPOSE.--The primary purposes of the student
 1700 assessment program are to provide information needed to improve
 1701 the public schools by enhancing the learning gains of all
 1702 students and to inform parents of the educational progress of
 1703 their public school children. The program must be designed to:

1704 (f) Provide information on the performance of Florida
 1705 students compared with that of other students ~~others~~ across the
 1706 United States.

1707 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
 1708 design and implement a statewide program of educational
 1709 assessment that provides information for the improvement of the
 1710 operation and management of the public schools, including
 1711 schools operating for the purpose of providing educational
 1712 services to youth in Department of Juvenile Justice programs.
 1713 The commissioner may enter into contracts for the continued
 1714 administration of the assessment, testing, and evaluation
 1715 programs authorized and funded by the Legislature. Contracts may
 1716 be initiated in 1 fiscal year and continue into the next and may
 1717 be paid from the appropriations of either or both fiscal years.

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1718 The commissioner is authorized to negotiate for the sale or
1719 lease of tests, scoring protocols, test scoring services, and
1720 related materials developed pursuant to law. Pursuant to the
1721 statewide assessment program, the commissioner shall:

1722 (c) Develop and implement a student achievement testing
1723 program known as the Florida Comprehensive Assessment Test
1724 (FCAT) as part of the statewide assessment program, ~~to be~~
1725 ~~administered annually in grades 3 through 10~~ to measure reading,
1726 writing, science, and mathematics. Other content areas may be
1727 included as directed by the commissioner. The assessment of
1728 reading and mathematics shall be administered annually in grades
1729 3 through 10. The assessment of writing and science shall be
1730 administered at least once at the elementary, middle, and high
1731 school levels. The commissioner must document the procedures
1732 that ensure that the versions of the FCAT taken by students
1733 retaking the grade 10 FCAT are as equally challenging and
1734 difficult as the tests taken by students in grade 10 that
1735 contain performance tasks. The testing program must be designed
1736 so that:

1737 1. The tests measure student skills and competencies
1738 adopted by the State Board of Education as specified in
1739 paragraph (a). The tests must measure and report student
1740 proficiency levels of all students assessed in reading, writing,
1741 mathematics, and science. The commissioner shall provide for the
1742 tests to be developed or obtained, as appropriate, through
1743 contracts and project agreements with private vendors, public
1744 vendors, public agencies, postsecondary educational
1745 institutions, or school districts. The commissioner shall obtain

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1746 input with respect to the design and implementation of the
1747 testing program from state educators, assistive technology
1748 experts, and the public.

1749 2. The testing program will include a combination of norm-
1750 referenced and criterion-referenced tests and include, to the
1751 extent determined by the commissioner, questions that require
1752 the student to produce information or perform tasks in such a
1753 way that the skills and competencies he or she uses can be
1754 measured.

1755 3. Each testing program, whether at the elementary,
1756 middle, or high school level, includes a test of writing in
1757 which students are required to produce writings that are then
1758 scored by appropriate and timely methods.

1759 4. A score is designated for each subject area tested,
1760 below which score a student's performance is deemed inadequate.
1761 The school districts shall provide appropriate remedial
1762 instruction to students who score below these levels.

1763 5. Except as provided in s. 1003.428(8)(b) or s.
1764 1003.43(11)(b), students must earn a passing score on the grade
1765 10 assessment test described in this paragraph or attain
1766 concordant scores ~~on an alternate assessment~~ as described in
1767 subsection (9) in reading, writing, and mathematics to qualify
1768 for a standard ~~regular~~ high school diploma. The State Board of
1769 Education shall designate a passing score for each part of the
1770 grade 10 assessment test. In establishing passing scores, the
1771 state board shall consider any possible negative impact of the
1772 test on minority students. ~~All students who took the grade 10~~
1773 ~~FCAT during the 2000-2001 school year shall be required to earn~~

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1774 ~~the passing scores in reading and mathematics established by the~~
1775 ~~State Board of Education for the March 2001 test administration.~~
1776 ~~Such students who did not earn the established passing scores~~
1777 ~~and must repeat the grade 10 FCAT are required to earn the~~
1778 ~~passing scores established for the March 2001 test~~
1779 ~~administration. All students who take the grade 10 FCAT for the~~
1780 ~~first time in March 2002 shall be required to earn the passing~~
1781 ~~scores in reading and mathematics established by the State Board~~
1782 ~~of Education for the March 2002 test administration. The State~~
1783 Board of Education shall adopt rules which specify the passing
1784 scores for the grade 10 FCAT. Any such rules, which have the
1785 effect of raising the required passing scores, shall only apply
1786 to students taking the grade 10 FCAT for the first time after
1787 such rules are adopted by the State Board of Education.

1788 6. Participation in the testing program is mandatory for
1789 all students attending public school, including students served
1790 in Department of Juvenile Justice programs, except as otherwise
1791 prescribed by the commissioner. If a student does not
1792 participate in the statewide assessment, the district must
1793 notify the student's parent and provide the parent with
1794 information regarding the implications of such nonparticipation.
1795 ~~If modifications are made in the student's instruction to~~
1796 ~~provide accommodations that would not be permitted on the~~
1797 ~~statewide assessment tests, the district must notify the~~
1798 ~~student's parent of the implications of such instructional~~
1799 ~~modifications. A parent must provide signed consent for a~~
1800 student to receive classroom instructional accommodations
1801 ~~modifications~~ that would not be available or permitted on the

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1802 statewide assessments and must acknowledge in writing that he or
1803 she understands the implications of such instructional
1804 accommodations. The State Board of Education shall adopt rules,
1805 based upon recommendations of the commissioner, for the
1806 provision of test accommodations ~~and modifications of procedures~~
1807 ~~as necessary~~ for students in exceptional education programs and
1808 for students who have limited English proficiency.
1809 Accommodations that negate the validity of a statewide
1810 assessment are not allowable in the administration of the FCAT.
1811 However, instructional accommodations are allowable in the
1812 classroom if included in a student's individual education plan.
1813 Students using instructional accommodations in the classroom
1814 that are not allowable as accommodations on the FCAT may have
1815 the FCAT requirement waived pursuant to the requirements of s.
1816 1003.428(8)(b) or s. 1003.43(11)(b).

1817 7. A student seeking an adult high school diploma must
1818 meet the same testing requirements that a regular high school
1819 student must meet.

1820 8. District school boards must provide instruction to
1821 prepare students to demonstrate proficiency in the skills and
1822 competencies necessary for successful grade-to-grade progression
1823 and high school graduation. If a student is provided with
1824 instructional accommodations in the classroom ~~or modifications~~
1825 that are not allowable as accommodations in the statewide
1826 assessment program, as described in the test manuals, the
1827 district must inform the parent in writing and must provide the
1828 parent with information regarding the impact on the student's
1829 ability to meet expected proficiency levels in reading, writing,

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1830 and math. The commissioner shall conduct studies as necessary to
1831 verify that the required skills and competencies are part of the
1832 district instructional programs.

1833 9. District school boards must provide opportunities for
1834 students to demonstrate an acceptable level of performance on an
1835 alternative standardized assessment approved by the State Board
1836 of Education following enrollment in summer academies.

1837 10.9- The Department of Education must develop, or select,
1838 and implement a common battery of assessment tools that will be
1839 used in all juvenile justice programs in the state. These tools
1840 must accurately measure the skills and competencies established
1841 in the ~~Florida~~ Sunshine State Standards.

1842 11. For students seeking a special diploma pursuant to s.
1843 1003.438, the Department of Education must develop or select and
1844 implement an alternate assessment tool that accurately measures
1845 the skills and competencies established in the Sunshine State
1846 Standards for students with disabilities under s. 1003.438.

1847
1848 The commissioner may design and implement student testing
1849 programs, for any grade level and subject area, necessary to
1850 effectively monitor educational achievement in the state,
1851 including the measurement of educational achievement of the
1852 Sunshine State Standards for students with disabilities.
1853 Development and refinement of assessments shall include
1854 universal design principles and accessibility standards that
1855 will prevent any unintended obstacles for students with
1856 disabilities while ensuring the validity and reliability of the
1857 test. These principles should be applicable to all technology

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1858 platforms and assistive devices available for the assessments.
1859 The field testing process and psychometric analyses for the
1860 statewide assessment program must include an appropriate
1861 percentage of students with disabilities and an evaluation or
1862 determination of the effect of test items on such students.

1863 (e) Conduct ongoing research and analysis of student
1864 achievement data, including, without limitation, monitoring
1865 trends in student achievement by grade level and overall student
1866 achievement, identifying school programs that are successful,
1867 and analyzing correlates of school achievement.

1868 (g) Study the cost and student achievement impact of
1869 secondary end-of-course assessments, including web-based and
1870 performance formats, and report to the Legislature prior to
1871 implementation.

1872 (9) CONCORDANT SCORES FOR THE FCAT EQUIVALENCIES FOR
1873 STANDARDIZED TESTS.--

1874 (a) The State Board of Education shall analyze the content
1875 and concordant data sets for widely used high school achievement
1876 tests, including, but not limited to, the PSAT, PLAN, SAT, ACT,
1877 and College Placement Test, to assess if concordant scores for
1878 FCAT scores can be determined for high school graduation,
1879 college placement, and scholarship awards. In cases where
1880 content alignment and concordant scores can be determined, the
1881 Commissioner of Education shall adopt those scores as meeting
1882 the graduation requirement in lieu of achieving the FCAT passing
1883 score and may adopt those scores as being sufficient to achieve
1884 additional purposes as determined by rule. Each time that test
1885 content or scoring procedures are changed for the FCAT or one of

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1886 the identified tests, new concordant scores must be determined.

1887 ~~The Commissioner of Education shall approve the use of the SAT~~
1888 ~~and ACT tests as alternative assessments to the grade 10 FCAT~~
1889 ~~for the 2003-2004 school year.~~

1890 (b) In order to use a concordant subject area score
1891 pursuant to this subsection to ~~Students who attain scores on the~~
1892 ~~SAT or ACT which equate to the passing scores on the grade 10~~
1893 ~~FCAT for purposes of high school graduation shall satisfy the~~
1894 ~~assessment requirement for a standard high school diploma as~~
1895 ~~provided in s. 1003.429(6)(a), or s. 1003.43(5)(a), or s.~~
1896 1003.428, for the 2003-2004 school year if the students meet the
1897 requirement in paragraph (b).

1898 ~~(b) a student must shall be required to take each subject~~
1899 area of the grade 10 FCAT a total of three times without earning
1900 a passing score in order to use the scores on an alternative
1901 assessment pursuant to paragraph (a). The requirements of this
1902 paragraph ~~This requirement shall not apply to a new student who~~
1903 enters the Florida is a new student to the public school system
1904 in grade 12, who may either achieve a passing score on the FCAT
1905 or use an approved subject area concordant score to fulfill the
1906 graduation requirement.

1907 (c) The State Board of Education may define by rule the
1908 allowable uses, other than to satisfy the high school graduation
1909 requirement, for concordant scores as described in this
1910 subsection. Such uses may include, but need not be limited to,
1911 achieving appropriate standardized test scores required for the
1912 awarding of Florida Bright Futures Scholarships and college
1913 placement.

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1914 (10) REPORTS.--The Department of Education shall annually
 1915 provide a report to the Governor, the President of the Senate,
 1916 and the Speaker of the House of Representatives on the
 1917 following:

1918 (a) Longitudinal performance of students in mathematics
 1919 and reading.

1920 (b) Longitudinal performance of students by grade level in
 1921 mathematics and reading.

1922 (c) Longitudinal performance regarding efforts to close
 1923 the achievement gap.

1924 (d) Longitudinal performance of students on the norm-
 1925 referenced component of the FCAT.

1926 (e) Other student performance data based on national norm-
 1927 referenced and criterion-referenced tests, when available, and
 1928 numbers of students who after 8th grade enroll in adult
 1929 education rather than other secondary education.

1930 Section 38. Section 1008.221, Florida Statutes, is
 1931 repealed.

1932 Section 39. Paragraphs (b) and (c) of subsection (4),
 1933 paragraphs (b) and (c) of subsection (6), paragraph (b) of
 1934 subsection (7), and paragraph (b) of subsection (8) of section
 1935 1008.25, Florida Statutes, are amended, and paragraph (c) is
 1936 added to subsection (8) of that section, to read:

1937 1008.25 Public school student progression; remedial
 1938 instruction; reporting requirements.--

1939 (4) ASSESSMENT AND REMEDIATION.--

1940 (b) The school in which the student is enrolled must
 1941 develop, in consultation with the student's parent, and must

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1942 implement a progress monitoring plan. A progress monitoring plan
1943 is intended to provide the school district and the school
1944 flexibility in meeting the academic needs of the student and to
1945 reduce paperwork. A student who is not meeting the school
1946 district or state requirements for proficiency shall be covered
1947 by one of the following plans to target instruction and identify
1948 ways to improve his or her academic achievement:

1949 1. A federally required student plan such as an individual
1950 education plan;

1951 2. A schoolwide system of progress monitoring for all
1952 students; or

1953 3. An individualized progress monitoring plan.

1954
1955 The plan chosen must be an academic improvement plan designed to
1956 assist the student or the school in meeting state and district
1957 expectations for proficiency. For a student for whom a
1958 personalized middle school success plan is required pursuant to
1959 s. 1003.415, the middle school success plan must be incorporated
1960 in the student's academic improvement plan. Beginning with the
1961 2002-2003 school year, If the student has been identified as
1962 having a deficiency in reading, the academic improvement plan
1963 shall identify the student's specific areas of deficiency in
1964 phonemic awareness, phonics, fluency, comprehension, and
1965 vocabulary; the desired levels of performance in these areas;
1966 and the K-12 comprehensive reading plan required by s.
1967 1011.62(8) shall include instructional and support services to
1968 be provided to meet the desired levels of performance. District
1969 school boards may require low-performing students to attend

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1970 remediation programs held before or after regular school hours
 1971 or during the summer upon the request of the school principal.
 1972 ~~Schools shall also provide for the frequent monitoring of the~~
 1973 ~~student's progress in meeting the desired levels of performance.~~
 1974 ~~District school boards shall assist schools and teachers to~~
 1975 ~~implement research-based reading activities that have been shown~~
 1976 ~~to be successful in teaching reading to low performing students.~~
 1977 ~~Remedial instruction provided during high school may not be in~~
 1978 ~~lieu of English and mathematics credits required for graduation.~~

1979 (c) Upon subsequent evaluation, if the documented
 1980 deficiency has not been remediated ~~in accordance with the~~
 1981 ~~academic improvement plan~~, the student may be retained. Each
 1982 student who does not meet the minimum performance expectations
 1983 defined by the Commissioner of Education for the statewide
 1984 assessment tests in reading, writing, science, and mathematics
 1985 must continue to be provided with remedial or supplemental
 1986 instruction until the expectations are met or the student
 1987 graduates from high school or is not subject to compulsory
 1988 school attendance.

1989 (6) ELIMINATION OF SOCIAL PROMOTION.--

1990 (b) The district school board may only exempt students
 1991 from mandatory retention, as provided in paragraph (5)(b), for
 1992 good cause. Good cause exemptions shall be limited to the
 1993 following:

1994 1. Limited English proficient students who have had less
 1995 than 2 years of instruction in an English for Speakers of Other
 1996 Languages program.

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1997 | 2. Students with disabilities whose individual education
1998 | plan indicates that participation in the statewide assessment
1999 | program is not appropriate, consistent with the requirements of
2000 | State Board of Education rule.

2001 | 3. Students who demonstrate an acceptable level of
2002 | performance on an alternative standardized reading assessment
2003 | approved by the State Board of Education.

2004 | 4. Students who demonstrate, through a student portfolio,
2005 | that the student is reading on grade level as evidenced by
2006 | demonstration of mastery of the Sunshine State Standards in
2007 | reading equal to at least a Level 2 performance on the FCAT.

2008 | 5. Students with disabilities who participate in the FCAT
2009 | and who have an individual education plan or a Section 504 plan
2010 | that reflects that the student has received ~~the~~ intensive
2011 | remediation in reading, ~~as required by paragraph (4)(b)~~, for
2012 | more than 2 years but still demonstrates a deficiency in reading
2013 | and was previously retained in kindergarten, grade 1, grade 2,
2014 | or grade 3.

2015 | 6. Students who have received ~~the~~ intensive remediation in
2016 | reading ~~as required by paragraph (4)(b)~~ for 2 or more years but
2017 | still demonstrate a deficiency in reading and who were
2018 | previously retained in kindergarten, grade 1, grade 2, or grade
2019 | 3 for a total of 2 years. Intensive reading instruction for
2020 | students so promoted must include an altered instructional day
2021 | ~~based upon an academic improvement plan~~ that includes
2022 | specialized diagnostic information and specific reading
2023 | strategies for each student. The district school board shall
2024 | assist schools and teachers to implement reading strategies that

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2025 research has shown to be successful in improving reading among
2026 low-performing readers.

2027 (c) Requests for good cause exemptions for students from
2028 the mandatory retention requirement as described in
2029 subparagraphs (b)3. and 4. shall be made consistent with the
2030 following:

2031 1. Documentation shall be submitted from the student's
2032 teacher to the school principal that indicates that the
2033 promotion of the student is appropriate and is based upon the
2034 student's academic record. In order to minimize paperwork
2035 requirements, such documentation shall consist only of the
2036 existing progress monitoring ~~academic improvement~~ plan,
2037 individual educational plan, if applicable, report card, or
2038 student portfolio.

2039 2. The school principal shall review and discuss such
2040 recommendation with the teacher and make the determination as to
2041 whether the student should be promoted or retained. If the
2042 school principal determines that the student should be promoted,
2043 the school principal shall make such recommendation in writing
2044 to the district school superintendent. The district school
2045 superintendent shall accept or reject the school principal's
2046 recommendation in writing.

2047 (7) SUCCESSFUL PROGRESSION FOR RETAINED READERS.--

2048 (b) Beginning with the 2004-2005 school year, each school
2049 district shall:

2050 1. Conduct a review of student progress monitoring
2051 ~~academic improvement~~ plans for all students who did not score
2052 above Level 1 on the reading portion of the FCAT and did not

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2053 meet the criteria for one of the good cause exemptions in
2054 paragraph (6)(b). The review shall address additional supports
2055 and services, as described in this subsection, needed to
2056 remediate the identified areas of reading deficiency. The school
2057 district shall require a student portfolio to be completed for
2058 each such student.

2059 2. Provide students who are retained under the provisions
2060 of paragraph (5)(b) with intensive instructional services and
2061 supports to remediate the identified areas of reading
2062 deficiency, including a minimum of 90 minutes of daily,
2063 uninterrupted, scientifically research-based reading instruction
2064 and other strategies prescribed by the school district, which
2065 may include, but are not limited to:

- 2066 a. Small group instruction.
- 2067 b. Reduced teacher-student ratios.
- 2068 c. More frequent progress monitoring.
- 2069 d. Tutoring or mentoring.
- 2070 e. Transition classes containing 3rd and 4th grade
2071 students.
- 2072 f. Extended school day, week, or year.
- 2073 g. Summer reading camps.

2074 3. Provide written notification to the parent of any
2075 student who is retained under the provisions of paragraph (5)(b)
2076 that his or her child has not met the proficiency level required
2077 for promotion and the reasons the child is not eligible for a
2078 good cause exemption as provided in paragraph (6)(b). The
2079 notification must comply with the provisions of s. 1002.20(14)
2080 and must include a description of proposed interventions and

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2081 supports that will be provided to the child to remediate the
2082 identified areas of reading deficiency.

2083 4. Implement a policy for the midyear promotion of any
2084 student retained under the provisions of paragraph (5)(b) who
2085 can demonstrate that he or she is a successful and independent
2086 reader, reading at or above grade level, and ready to be
2087 promoted to grade 4. Tools that school districts may use in
2088 reevaluating any student retained may include subsequent
2089 assessments, alternative assessments, and portfolio reviews, in
2090 accordance with rules of the State Board of Education. Students
2091 promoted during the school year after November 1 must
2092 demonstrate proficiency above that required to score at Level 2
2093 on the grade 3 FCAT, as determined by the State Board of
2094 Education. The State Board of Education shall adopt standards
2095 that provide a reasonable expectation that the student's
2096 progress is sufficient to master appropriate 4th grade level
2097 reading skills.

2098 5. Provide students who are retained under the provisions
2099 of paragraph (5)(b) with a high-performing teacher as determined
2100 by student performance data and above-satisfactory performance
2101 appraisals.

2102 6. In addition to required reading enhancement and
2103 acceleration strategies, provide parents of students to be
2104 retained with at least one of the following instructional
2105 options:

2106 a. Supplemental tutoring in scientifically research-based
2107 reading services in addition to the regular reading block,
2108 including tutoring before and/or after school.

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2109 b. A "Read at Home" plan outlined in a parental contract,
2110 including participation in "Families Building Better Readers
2111 Workshops" and regular parent-guided home reading.

2112 c. A mentor or tutor with specialized reading training.

2113 7. Establish a Reading Enhancement and Acceleration
2114 Development (READ) Initiative. The focus of the READ Initiative
2115 shall be to prevent the retention of grade 3 students and to
2116 offer intensive accelerated reading instruction to grade 3
2117 students who failed to meet standards for promotion to grade 4
2118 and to each K-3 student who is assessed as exhibiting a reading
2119 deficiency. The READ Initiative shall:

2120 a. Be provided to all K-3 students at risk of retention as
2121 identified by the statewide assessment system used in Reading
2122 First schools. The assessment must measure phonemic awareness,
2123 phonics, fluency, vocabulary, and comprehension.

2124 b. Be provided during regular school hours in addition to
2125 the regular reading instruction.

2126 c. Provide a state-identified reading curriculum that has
2127 been reviewed by the Florida Center for Reading Research at
2128 Florida State University and meets, at a minimum, the following
2129 specifications:

2130 (I) Assists students assessed as exhibiting a reading
2131 deficiency in developing the ability to read at grade level.

2132 (II) Provides skill development in phonemic awareness,
2133 phonics, fluency, vocabulary, and comprehension.

2134 (III) Provides scientifically based and reliable
2135 assessment.

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2136 (IV) Provides initial and ongoing analysis of each
 2137 student's reading progress.

2138 (V) Is implemented during regular school hours.

2139 (VI) Provides a curriculum in core academic subjects to
 2140 assist the student in maintaining or meeting proficiency levels
 2141 for the appropriate grade in all academic subjects.

2142 8. Establish at each school, where applicable, an
 2143 Intensive Acceleration Class for retained grade 3 students who
 2144 subsequently score at Level 1 on the reading portion of the
 2145 FCAT. The focus of the Intensive Acceleration Class shall be to
 2146 increase a child's reading level at least two grade levels in 1
 2147 school year. The Intensive Acceleration Class shall:

2148 a. Be provided to any student in grade 3 who scores at
 2149 Level 1 on the reading portion of the FCAT and who was retained
 2150 in grade 3 the prior year because of scoring at Level 1 on the
 2151 reading portion of the FCAT.

2152 b. Have a reduced teacher-student ratio.

2153 c. Provide uninterrupted reading instruction for the
 2154 majority of student contact time each day and incorporate
 2155 opportunities to master the grade 4 Sunshine State Standards in
 2156 other core subject areas.

2157 d. Use a reading program that is scientifically research-
 2158 based and has proven results in accelerating student reading
 2159 achievement within the same school year.

2160 e. Provide intensive language and vocabulary instruction
 2161 using a scientifically research-based program, including use of
 2162 a speech-language therapist.

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2163 f. Include weekly progress monitoring measures to ensure
2164 progress is being made.

2165 g. Report to the Department of Education, in the manner
2166 described by the department, the progress of students in the
2167 class at the end of the first semester.

2168 9. Report to the State Board of Education, as requested,
2169 on the specific intensive reading interventions and supports
2170 implemented at the school district level. The Commissioner of
2171 Education shall annually prescribe the required components of
2172 requested reports.

2173 10. Provide a student who has been retained in grade 3 and
2174 has received intensive instructional services but is still not
2175 ready for grade promotion, as determined by the school district,
2176 the option of being placed in a transitional instructional
2177 setting. Such setting shall specifically be designed to produce
2178 learning gains sufficient to meet grade 4 performance standards
2179 while continuing to remediate the areas of reading deficiency.

2180 (8) ANNUAL REPORT.--

2181 (b) ~~Beginning with the 2001-2002 school year,~~ Each
2182 district school board must annually publish in the local
2183 newspaper, and report in writing to the State Board of Education
2184 by September 1 of each year, the following information on the
2185 prior school year:

2186 1. The provisions of this section relating to public
2187 school student progression and the district school board's
2188 policies and procedures on student retention and promotion.

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2189 2. By grade, the number and percentage of all students in
2190 grades 3 through 10 performing at Levels 1 and 2 on the reading
2191 portion of the FCAT.

2192 3. By grade, the number and percentage of all students
2193 retained in grades 3 through 10.

2194 4. Information on the total number of students who were
2195 promoted for good cause, by each category of good cause as
2196 specified in paragraph (6)(b).

2197 5. Any revisions to the district school board's policy on
2198 student retention and promotion from the prior year.

2199 (c) The Department of Education shall establish a uniform
2200 format for school districts to report the information required
2201 in paragraph (b). The format shall be developed with input from
2202 district school boards and shall be provided not later than 90
2203 days prior to the annual due date. The department shall annually
2204 compile the information required in subparagraphs (b)2., 3., and
2205 4., along with state-level summary information, and report such
2206 information to the Governor, the President of the Senate, and
2207 the Speaker of the House of Representatives.

2208 Section 40. Section 1008.301, Florida Statutes, is
2209 repealed.

2210 Section 41. Paragraphs (d) and (e) of subsection (1),
2211 paragraphs (b) and (c) of subsection (2), and subsection (3) of
2212 section 1008.31, Florida Statutes, are amended, and subsection
2213 (4) is added to that section, to read:

2214 1008.31 Florida's K-20 education performance
2215 accountability system; legislative intent; ~~performance-based~~

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2216 ~~funding,~~ mission, goals, and systemwide measures; data quality
2217 improvements.--

2218 (1) LEGISLATIVE INTENT.--It is the intent of the
2219 Legislature that:

2220 (d) The State Board of Education and the Board of
2221 Governors of the State University System recommend to the
2222 Legislature systemwide performance standards; the Legislature
2223 establish systemwide performance measures and standards; and the
2224 systemwide measures and standards provide Floridians with
2225 information on what the public is receiving in return for the
2226 funds it invests in education and how well the K-20 system
2227 educates its students.

2228 (e)1. The State Board of Education establish performance
2229 measures and set performance standards for individual ~~components~~
2230 ~~of the public education system, including individual schools and~~
2231 community colleges ~~postsecondary educational institutions,~~ with
2232 measures and standards based primarily on student achievement.

2233 2. The Board of Governors of the State University System
2234 establish performance measures and set performance standards for
2235 individual state universities.

2236 (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.--

2237 (b) The process ~~State Board of Education shall adopt~~
2238 ~~guiding principles~~ for establishing state and sector-specific
2239 standards and measures must be:

2240 1. Focused on student success.

2241 2. Addressable through policy and program changes.

2242 3. Efficient and of high quality.

2243 4. Measurable over time.

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2244 | 5. Simple to explain and display to the public.

2245 | 6. Aligned with other measures and other sectors to
2246 | support a coordinated K-20 education system.

2247 | (c) The Department ~~State Board~~ of Education shall maintain
2248 | an accountability system that measures student progress toward
2249 | the following goals:

2250 | 1. Highest student achievement, as indicated by evidence
2251 | of student learning gains at all levels ~~measured by: student~~
2252 | ~~FCAT performance and annual learning gains; the number and~~
2253 | ~~percentage of schools that improve at least one school~~
2254 | ~~performance grade designation or maintain a school performance~~
2255 | ~~grade designation of "A" pursuant to s. 1008.34; graduation or~~
2256 | ~~completion rates at all learning levels; and other measures~~
2257 | ~~identified in law or rule.~~

2258 | 2. Seamless articulation and maximum access, as measured
2259 | by evidence of progression, readiness, and access by targeted
2260 | groups of students identified by the Commissioner of Education;
2261 | ~~the percentage of students who demonstrate readiness for the~~
2262 | ~~educational level they are entering, from kindergarten through~~
2263 | ~~postsecondary education and into the workforce; the number and~~
2264 | ~~percentage of students needing remediation; the percentage of~~
2265 | ~~Floridians who complete associate, baccalaureate, graduate,~~
2266 | ~~professional, and postgraduate degrees; the number and~~
2267 | ~~percentage of credits that articulate; the extent to which each~~
2268 | ~~set of exit point requirements matches the next set of entrance-~~
2269 | ~~point requirements; the degree to which underserved populations~~
2270 | ~~access educational opportunity; the extent to which access is~~

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2271 ~~provided through innovative educational delivery strategies; and~~
 2272 ~~other measures identified in law or rule.~~

2273 3. Skilled workforce and economic development, as measured
 2274 by evidence of employment and earnings; ~~the number and~~
 2275 ~~percentage of graduates employed in their areas of preparation;~~
 2276 ~~the percentage of Floridians with high school diplomas and~~
 2277 ~~postsecondary education credentials; the percentage of business~~
 2278 ~~and community members who find that Florida's graduates possess~~
 2279 ~~the skills they need; national rankings; and other measures~~
 2280 ~~identified in law or rule.~~

2281 4. Quality efficient services, as measured by evidence of
 2282 return on investment; ~~cost per completer or graduate; average~~
 2283 ~~cost per noncompleter at each educational level; cost disparity~~
 2284 ~~across institutions offering the same degrees; the percentage of~~
 2285 ~~education customers at each educational level who are satisfied~~
 2286 ~~with the education provided; and other measures identified in~~
 2287 ~~law or rule.~~

2288 5. Other goals as identified by law or rule.

2289 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS SYSTEMWIDE
 2290 DATA COLLECTION.--To provide data required to implement
 2291 education performance accountability measures in state and
 2292 federal law, the Commissioner of Education shall initiate and
 2293 maintain strategies to improve data quality and timeliness. All
 2294 data collected from state universities shall, as determined by
 2295 the commissioner, be integrated into the K-20 data warehouse.
 2296 The commissioner shall have unlimited access to such data solely
 2297 for the purposes of conducting studies, reporting annual and
 2298 longitudinal student outcomes, and improving college readiness

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2299 and articulation. All public educational institutions shall
2300 provide data to the K-20 data warehouse in a format specified by
2301 the commissioner.

2302 (a) School districts and public postsecondary educational
2303 institutions shall maintain information systems that will
2304 provide the State Board of Education, the Board of Governors of
2305 the State University System, and the Legislature with
2306 information and reports necessary to address the specifications
2307 of the accountability system. ~~The State Board of Education shall~~
2308 ~~determine the standards for the required data.~~ The level of
2309 comprehensiveness and quality shall be no less than that which
2310 was available as of June 30, 2001.

2311 (b) The Commissioner of Education shall determine the
2312 standards for the required data, monitor data quality, and
2313 measure improvements. The commissioner shall report annually to
2314 the State Board of Education, the Board of Governors of the
2315 State University System, the President of the Senate, and the
2316 Speaker of the House of Representatives data quality indicators
2317 and ratings for all school districts and public postsecondary
2318 educational institutions.

2319 (c) Before establishing any new reporting or data
2320 collection requirements, the Commissioner of Education shall
2321 utilize existing data being collected to reduce duplication and
2322 minimize paperwork.

2323 (4) RULES.--The State Board of Education shall adopt rules
2324 pursuant to ss. 120.536(1) and 120.54 to implement the
2325 provisions of this section relating to the K-20 data warehouse.

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2326 Section 42. Subsections (1), (2), and (4) of section
2327 1008.33, Florida Statutes, are amended to read:

2328 1008.33 Authority to enforce public school
2329 improvement.--It is the intent of the Legislature that all
2330 public schools be held accountable for students performing at
2331 acceptable levels. A system of school improvement and
2332 accountability that assesses student performance by school,
2333 identifies schools in which students are not making adequate
2334 progress toward state standards, institutes appropriate measures
2335 for enforcing improvement, and provides rewards and sanctions
2336 based on performance shall be the responsibility of the State
2337 Board of Education.

2338 (1) Pursuant to Art. IX of the State Constitution
2339 prescribing the duty of the State Board of Education to
2340 supervise Florida's public school system and notwithstanding any
2341 other statutory provisions to the contrary, the State Board of
2342 Education shall intervene in the operation of a district school
2343 system when one or more schools in the school district have
2344 failed to make adequate progress for 2 school years in a 4-year
2345 period. For purposes of determining when a school is eligible
2346 for state board action and opportunity scholarships for its
2347 students, the terms "2 years in any 4-year period" and "2 years
2348 in a 4-year period" mean that in any year that a school has a
2349 grade of "F," the school is eligible for state board action and
2350 opportunity scholarships for its students if it also has had a
2351 grade of "F" in any of the previous 3 school years. The State
2352 Board of Education may determine that the school district or
2353 school has not taken steps sufficient for students in the school

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2354 to be academically well served. Considering recommendations of
2355 the Commissioner of Education, the State Board of Education
2356 shall recommend action to a district school board intended to
2357 improve educational services to students in each school that is
2358 designated with a ~~as~~ performance grade of ~~category~~ "F."
2359 Recommendations for actions to be taken in the school district
2360 shall be made only after thorough consideration of the unique
2361 characteristics of a school, which shall include student
2362 mobility rates, the number and type of exceptional students
2363 enrolled in the school, and the availability of options for
2364 improved educational services. The state board shall adopt by
2365 rule steps to follow in this process. Such steps shall provide
2366 school districts sufficient time to improve student performance
2367 in schools and the opportunity to present evidence of assistance
2368 and interventions that the district school board has
2369 implemented.

2370 (2) The State Board of Education may recommend one or more
2371 of the following actions to district school boards to enable
2372 students in schools designated with a ~~as~~ performance grade of
2373 ~~category~~ "F" to be academically well served by the public school
2374 system:

2375 (a) Provide additional resources, change certain
2376 practices, and provide additional assistance if the state board
2377 determines the causes of inadequate progress to be related to
2378 school district policy or practice;

2379 (b) Implement a plan that satisfactorily resolves the
2380 education equity problems in the school;

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2381 (c) Contract for the educational services of the school,
2382 or reorganize the school at the end of the school year under a
2383 new school principal who is authorized to hire new staff and
2384 implement a plan that addresses the causes of inadequate
2385 progress;

2386 (d) Authorize the school principal to recommend corrective
2387 actions for low-performing faculty and staff as necessary to
2388 improve educational opportunities and the performance of
2389 students;

2390 (e)~~(d)~~ Allow parents of students in the school to send
2391 their children to another district school of their choice; or

2392 (f)~~(e)~~ Other action appropriate to improve the school's
2393 performance, including, if the school is a high school,
2394 requiring annual publication of the school's graduation rate
2395 calculated without GED tests for the past 3 years, disaggregated
2396 by student ethnicity.

2397 (4) The State Board of Education may require the
2398 Department of Education or Chief Financial Officer to withhold
2399 any transfer of state funds to the school district if, within
2400 the timeframe specified in state board action, the school
2401 district has failed to comply with the action ordered to improve
2402 the district's low-performing schools. Withholding the transfer
2403 of funds shall occur only after all other recommended actions
2404 for school improvement have failed to improve performance. The
2405 State Board of Education may impose the same penalty on any
2406 district school board that fails to develop and implement a plan
2407 for assistance and intervention for low-performing schools as
2408 specified in s. 1001.42(16) (d)~~(e)~~.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2409 Section 43. Section 1008.34, Florida Statutes, is amended
2410 to read:

2411 1008.34 School grading system; school report cards;
2412 district ~~performance~~ grade.--

2413 (1) ANNUAL REPORTS.--The Commissioner of Education shall
2414 prepare annual reports of the results of the statewide
2415 assessment program which describe student achievement in the
2416 state, each district, and each school. The commissioner shall
2417 prescribe the design and content of these reports, which must
2418 include, without limitation, descriptions of the performance of
2419 all schools participating in the assessment program and all of
2420 their major student populations as determined by the
2421 Commissioner of Education, and must also include the median
2422 scores of all eligible students who scored at or in the lowest
2423 25th percentile of the state in the previous school year;
2424 provided, however, that the provisions of s. 1002.22 pertaining
2425 to student records apply to this section.

2426 (2) SCHOOL GRADES ~~PERFORMANCE GRADE CATEGORIES~~.--The
2427 annual report shall identify schools as having one of the
2428 following grades ~~being in one of the following grade categories~~
2429 defined according to rules of the State Board of Education:

- 2430 (a) "A," schools making excellent progress.
- 2431 (b) "B," schools making above average progress.
- 2432 (c) "C," schools making satisfactory progress.
- 2433 (d) "D," schools making less than satisfactory progress.
- 2434 (e) "F," schools failing to make adequate progress.

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2436 Each school designated with a ~~in performance grade of category~~
2437 "A," making excellent progress, or having improved at least two
2438 ~~performance grade levels categories,~~ shall have greater
2439 authority over the allocation of the school's total budget
2440 generated from the FEFP, state categoricals, lottery funds,
2441 grants, and local funds, as specified in state board rule. The
2442 rule must provide that the increased budget authority shall
2443 remain in effect until the school's ~~performance grade declines.~~

2444 (3) DESIGNATION OF SCHOOL GRADES ~~PERFORMANCE GRADE~~
2445 CATEGORIES.--A school that serves any combination of students in
2446 kindergarten through grade 3 that does not receive a school
2447 grade because its students are not tested and included in the
2448 school grading system shall receive the school grade designation
2449 of a feeder pattern school identified by the Department of
2450 Education and verified by the school district. A school feeder
2451 pattern exists if at least 60 percent of the students in the
2452 school serving a combination of students in kindergarten through
2453 grade 3 are scheduled to be assigned to the graded school.
2454 School grades ~~performance grade category designations~~ itemized
2455 in subsection (2) shall be based on the following:

2456 (a) Criteria Timeframes.--A school's grade shall be based
2457 on a combination of:

2458 1. Student achievement scores ~~School performance grade~~
2459 ~~category designations shall be based on the school's current~~
2460 ~~year performance and the school's annual learning gains.~~

2461 2. ~~A school's performance grade category designation shall~~
2462 ~~be based on a combination of student achievement scores, Student~~
2463 ~~learning gains as measured by annual FCAT assessments in grades~~

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2464 | 3 through 10. Learning gains for students seeking a special
 2465 | diploma, as measured by an alternate assessment tool, shall be
 2466 | included not later than the 2009-2010 school year.~~and~~

2467 | 3. Improvement of the lowest 25th percentile of students
 2468 | in the school in reading, math, or writing on the FCAT, unless
 2469 | these students are exhibiting ~~performing above~~ satisfactory
 2470 | performance.

2471 | (b) Student assessment data.--Student assessment data used
 2472 | in determining school grades ~~performance grade categories~~ shall
 2473 | include:

2474 | 1. The aggregate scores of all eligible students enrolled
 2475 | in the school who have been assessed on the FCAT.

2476 | 2. The aggregate scores of all eligible students enrolled
 2477 | in the school who have been assessed on the FCAT, including
 2478 | Florida Writes, and who have scored at or in the lowest 25th
 2479 | percentile of students in the school in reading, math, or
 2480 | writing, unless these students are exhibiting ~~performing above~~
 2481 | satisfactory performance.

2482 |
 2483 | ~~The Department of Education shall study the effects of mobility~~
 2484 | ~~on the performance of highly mobile students and recommend~~
 2485 | ~~programs to improve the performance of such students.~~ The State
 2486 | Board of Education shall adopt appropriate criteria for each
 2487 | school ~~performance grade category~~. The criteria must also give
 2488 | added weight to student achievement in reading. Schools
 2489 | designated with a ~~as performance grade of category~~ "C," making
 2490 | satisfactory progress, shall be required to demonstrate that
 2491 | adequate progress has been made by students in the school who

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2492 are in the lowest 25th percentile in reading, math, or writing
2493 on the FCAT, including Florida Writes, unless these students are
2494 ~~exhibiting performing~~ above satisfactory performance.

2495 (4) SCHOOL GRADING FOR ALTERNATIVE SCHOOLS.--Alternative
2496 schools providing dropout prevention and academic intervention
2497 services may choose to receive a school grade pursuant to
2498 subsections (2) and (3) or an improvement rating pursuant to s.
2499 1008.341 according to the following requirements:

2500 (a) If an alternative school chooses to be graded pursuant
2501 to this section, student performance data as identified in
2502 subsection (3) shall not be included in the home school's grade
2503 but shall only be included in calculation of the alternative
2504 school's grade unless the Commissioner of Education requires
2505 that the alternative school's student assessment data must be
2506 included in the home school's grade based on a finding of
2507 collusion to avoid the state's accountability system.

2508 (b) If an alternative school chooses to receive an
2509 improvement rating pursuant to s. 1008.341, student performance
2510 data as identified in subsection (3) shall be included in the
2511 home school's grade, except for achievement scores and learning
2512 gains of students attending alternative schools who are subject
2513 to district school board policies for expulsion for repeated or
2514 serious offenses, in dropout retrieval programs serving students
2515 officially designated as dropouts, or in Department of Juvenile
2516 Justice operated and contracted programs.

2517
2518 For purposes of this section and s. 1008.341, "home school"
2519 means the school the student was attending when assigned to an

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2520 alternative school or the school to which the student would be
 2521 assigned if the student left the alternative school. School
 2522 districts must require collaboration between the home school and
 2523 the alternative school to promote student success.

2524 (5)~~(4)~~ SCHOOL IMPROVEMENT RATINGS.--The annual report
 2525 shall identify each school's performance as having improved,
 2526 remained the same, or declined. This school improvement rating
 2527 shall be based on a comparison of the current year's and
 2528 previous year's student and school performance data. Schools
 2529 that improve at least one performance grade level category are
 2530 eligible for school recognition awards pursuant to s. 1008.36.

2531 (6)~~(5)~~ SCHOOL REPORT CARD PERFORMANCE GRADE CATEGORY AND
 2532 IMPROVEMENT RATING REPORTS.--The Department of Education shall
 2533 annually develop, in collaboration with the district school
 2534 boards, a school report card to be delivered to parents
 2535 throughout each school district. The report card shall include
 2536 the school's grade, information regarding school improvement, an
 2537 explanation of school performance as evaluated by the federal No
 2538 Child Left Behind Act of 2001, and indicators of return on
 2539 investment. School performance grade category designations and
 2540 improvement ratings shall apply to each school's performance for
 2541 the year in which performance is measured. Each school's report
 2542 card designation and rating shall be published annually by the
 2543 department on its website, of Education and the school district
 2544 shall provide the school report card to each parent. Parents
 2545 shall be entitled to an easy to read report card about the
 2546 designation and rating of the school in which their child is
 2547 enrolled.

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2548 (7) PERFORMANCE-BASED FUNDING.--The Legislature may factor
2549 in the performance of schools in calculating any performance-
2550 based funding policy that is provided for annually in the
2551 General Appropriations Act.

2552 (8) DISTRICT ~~PERFORMANCE~~ GRADE.--The annual report
2553 required by subsection (1) shall include district ~~performance~~
2554 grades, which shall consist of weighted district average grades,
2555 by level, for all elementary schools, middle schools, and high
2556 schools in the district. A district's weighted average grade
2557 shall be calculated by weighting individual school grades
2558 determined pursuant to subsection (2) by school enrollment.

2559 (9)~~(6)~~ RULES.--The State Board of Education shall adopt
2560 rules pursuant to ss. 120.536(1) and 120.54 to implement the
2561 provisions of this section.

2562 Section 44. Section 1008.341, Florida Statutes, is created
2563 to read:

2564 1008.341 School improvement rating for alternative
2565 schools.--

2566 (1) ANNUAL REPORTS.--The Commissioner of Education shall
2567 prepare an annual report on the performance of each school
2568 receiving a school improvement rating pursuant to this section
2569 provided that the provisions of s. 1002.22 pertaining to student
2570 records shall apply.

2571 (2) SCHOOL IMPROVEMENT RATING.--Alternative schools that
2572 provide dropout prevention and academic intervention services
2573 may choose to receive a school improvement rating pursuant to
2574 this section in lieu of a school grade pursuant to s. 1008.34.
2575 The school improvement rating shall identify schools as having

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2576 one of the following ratings defined according to rules of the
2577 State Board of Education:

2578 (a) "Improving," schools with students making more
2579 academic progress than when the students were served in their
2580 home schools.

2581 (b) "Maintaining," schools with students making progress
2582 equivalent to the progress made when the students were served in
2583 their home schools.

2584 (c) "Declining," schools with students making less
2585 academic progress than when the students were served in their
2586 home schools.

2587
2588 The school improvement rating shall be based on a comparison of
2589 the current year and previous year student performance data.
2590 Schools that improve at least one level or maintain an
2591 "improving" rating pursuant to this section are eligible for
2592 school recognition awards pursuant to s. 1008.36.

2593 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.--Student
2594 data used in determining an alternative school's school
2595 improvement rating shall include:

2596 (a) The aggregate scores of all students who were assigned
2597 to and enrolled in the school during the October or February FTE
2598 count, who have been assessed on the FCAT, and who have FCAT or
2599 comparable scores for the preceding school year.

2600 (b) The aggregate scores of all students who were assigned
2601 to and enrolled in the school during the October or February FTE
2602 count, who have been assessed on the FCAT, including Florida

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2603 Writes, and who have scored in the lowest 25th percentile of
2604 students in the state on FCAT Reading.

2605 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.--For each
2606 alternative school receiving a school improvement rating, the
2607 Department of Education shall annually identify the percentage
2608 of students making learning gains as compared to the percentage
2609 of the same students making learning gains in their home schools
2610 in the year prior to being assigned to the alternative school.

2611 (5) SCHOOL REPORT CARD.--The Department of Education shall
2612 annually develop, in collaboration with the school districts, a
2613 school report card for alternative schools to be delivered to
2614 parents throughout each school district. The report card shall
2615 include the school improvement rating, identification of student
2616 learning gains, information regarding school improvement, an
2617 explanation of school performance as evaluated by the federal No
2618 Child Left Behind Act of 2001, and indicators of return on
2619 investment.

2620 (6) RULES.--The State Board of Education may adopt rules
2621 pursuant to ss. 120.536(1) and 120.54 to implement the
2622 provisions of this section.

2623 Section 45. Subsection (5), paragraphs (b) and (d) of
2624 subsection (6), and subsection (7) of section 1008.345, Florida
2625 Statutes, are amended to read:

2626 1008.345 Implementation of state system of school
2627 improvement and education accountability.--

2628 (5) The commissioner shall report to the Legislature and
2629 recommend changes in state policy necessary to foster school
2630 improvement and education accountability. Included in the report

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2631 shall be a list of the schools, including schools operating for
2632 the purpose of providing educational services to youth in
2633 Department of Juvenile Justice programs, for which district
2634 school boards have developed assistance and intervention plans
2635 and an analysis of the various strategies used by the school
2636 boards. School reports shall be distributed pursuant to this
2637 subsection and s. 1001.42(16) (f) ~~(e)~~ and according to rules
2638 adopted by the State Board of Education.

2639 (6)

2640 (b) Upon request, the department shall provide technical
2641 assistance and training to any school, including any school
2642 operating for the purpose of providing educational services to
2643 youth in Department of Juvenile Justice programs, school
2644 advisory council, district, or district school board for
2645 conducting needs assessments, developing and implementing school
2646 improvement plans, developing and implementing assistance and
2647 intervention plans, or implementing other components of school
2648 improvement and accountability. Priority for these services
2649 shall be given to schools designated with a ~~as performance~~ grade
2650 of category "D" or "F" and school districts in rural and
2651 sparsely populated areas of the state.

2652 (d) 1. The commissioner ~~department~~ shall assign a community
2653 assessment team to each school district or governing board with
2654 a school graded ~~designated as performance grade category~~ "D" or
2655 "F" or a school graded "D" for 2 years in a 4-year period to
2656 review the school performance data and determine causes for the
2657 low performance, including the role of school, area, and
2658 district administrative personnel. For a high school graded "F"

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2659 | or a high school graded "D" for 2 years in a 4-year period, the
2660 | community assessment team shall review the school's graduation
2661 | rate calculated without GED tests for the past 3 years,
2662 | disaggregated by student ethnicity. The team shall make
2663 | recommendations to the school board or the governing board, to
2664 | the department, and to the State Board of Education for
2665 | implementing an assistance and intervention plan that will
2666 | address the causes of the school's low performance. The
2667 | assessment team shall include, but not be limited to, a
2668 | department representative, parents, business representatives,
2669 | educators, and community activists, and shall represent the
2670 | demographics of the community from which they are appointed.

2671 | 2. Each school district or governing board that has a
2672 | school designated with a grade of "F" for a second consecutive
2673 | year after the community assessment team's recommendations to
2674 | the school board or the governing board for implementing an
2675 | assistance and intervention plan shall be subject to review and
2676 | oversight by the Governor as a school district or governing
2677 | board with a school in a state of educational emergency.

2678 | 3. For each school district or governing board with a
2679 | school in a state of educational emergency, the Governor shall
2680 | contact the district school board or the governing board to
2681 | determine what actions have been taken by the district school
2682 | board or the governing board to address the recommendations of
2683 | the community assessment team and to resolve the educational
2684 | emergency. The Governor shall determine whether the district
2685 | school board or the governing board needs state assistance to
2686 | resolve the educational emergency. If state assistance is

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2687 needed, the Governor has the authority to implement measures as
2688 set forth in this subparagraph to assist the district school
2689 board or the governing board in resolving the educational
2690 emergency at the school. Such measures may include, but are not
2691 limited to:

2692 a. Requiring the Governor's approval of the school
2693 district's budget or the governing board's budget for the
2694 school.

2695 b. Authorizing a state loan and providing for its
2696 repayment by the district school board or the governing board.

2697 c. Requiring the district school board or the governing
2698 board to reallocate funds as necessary until such time as the
2699 school district or the governing board no longer has a school in
2700 a state of educational emergency.

2701 d. Making inspections and reviews of any records,
2702 information, reports, and assets of the school district or the
2703 governing board for the purpose of improving the school's
2704 performance. The appropriate school district or governing board
2705 officials shall cooperate in such inspections and reviews.

2706 e. Consulting with officials and auditors of the school
2707 district or the governing board and the appropriate state
2708 officials regarding any steps necessary to bring the books of
2709 account, accounting systems, financial procedures, personnel,
2710 and personnel systems into compliance with state requirements
2711 for the purpose of improving the school's performance.

2712 f. Providing technical assistance to the district school
2713 board or the governing board.

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2714 g. Establishing an educational emergency board to oversee
2715 the activities of the district school board or the governing
2716 board related to the school. If an educational emergency board
2717 is established, the Governor shall appoint board members and
2718 select a chair. The community assessment team shall serve in an
2719 advisory capacity to the educational emergency board. The
2720 educational emergency board shall adopt such rules as are
2721 necessary for conducting board business. The board may review
2722 all of the educational operations, including, but not limited
2723 to, graduation and dropout rates, personnel, management,
2724 efficiency, curriculum, instructional materials, productivity,
2725 and financing of functions and operations, of the school
2726 district or the governing board related to the school. The
2727 recommendations and reports made by the educational emergency
2728 board must be submitted to the Governor and the State Board of
2729 Education for appropriate action. Upon receipt of the
2730 educational emergency board's recommendations and report, the
2731 Governor and the State Board of Education shall require an
2732 action plan to implement the educational emergency board's
2733 recommendations, to be prepared by officials of the school
2734 district or the governing board in consultation with the
2735 appropriate state officials, so as to cause the school to no
2736 longer be in a state of educational emergency.

2737 4. The Governor may terminate all state actions pursuant
2738 to this paragraph upon determination that the school is no
2739 longer in a state of educational emergency and the school
2740 district or the governing board is operating an effective
2741 educational system for its students.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2742 (7) (a) Schools designated with a in-performance grade of
2743 ~~category~~ "A," making excellent progress, shall, if requested by
2744 the school, be given deregulated status as specified in s.
2745 1003.63(5), (7), (8), (9), and (10).

2746 (b) Schools that have improved at least two grades
2747 ~~performance-grade-categories~~ and that meet the criteria of the
2748 Florida School Recognition Program pursuant to s. 1008.36 may be
2749 given deregulated status as specified in s. 1003.63(5), (7),
2750 (8), (9), and (10).

2751 Section 46. Subsections (3), (4), and (5) of section
2752 1008.36, Florida Statutes, are amended to read:

2753 1008.36 Florida School Recognition Program.--

2754 (3) All public schools, including charter schools and
2755 feeder pattern schools, that receive a school grade pursuant to
2756 s. 1008.34 or a school improvement rating pursuant to s.
2757 1008.341 are eligible to participate in the program.

2758 (4) All selected schools shall receive financial awards
2759 depending on the availability of funds appropriated and the
2760 number and size of schools selected to receive an award. Funds
2761 must be distributed to the school's fiscal agent and placed in
2762 the school's account and must be used for purposes listed in
2763 subsection (5) as determined by the staff and school advisory
2764 council pursuant to s. 1001.452 in the annual school improvement
2765 plan required under s. 1001.42(16)(a). If such a determination
2766 is not included in the school improvement plan at the time of
2767 its annual approval by the district school board, the school
2768 shall not be eligible to receive a financial award jointly by
2769 the school's staff and school advisory council. If school staff

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2770 ~~and the school advisory council cannot reach agreement by~~
2771 ~~November 1, the awards must be equally distributed to all~~
2772 ~~classroom teachers currently teaching in the school.~~

2773 (5) School recognition awards must be used for the
2774 following:

2775 (a) Nonrecurring bonuses to the faculty and staff who
2776 worked at the school during the year of improved performance and
2777 additional employees as determined in the school improvement
2778 plan;

2779 (b) Nonrecurring expenditures for educational equipment,
2780 ~~or~~ materials, or student incentives to assist in maintaining and
2781 improving student performance; or

2782 (c) Temporary personnel for the school to assist in
2783 maintaining and improving student performance.

2784
2785 Notwithstanding statutory provisions to the contrary, incentive
2786 awards are not subject to collective bargaining.

2787 Section 47. Paragraphs (f), (h), (l), (m), and (n) of
2788 subsection (1) and paragraphs (a) and (b) of subsection (4) of
2789 section 1011.62, Florida Statutes, are amended, subsections (8)
2790 and (9) are renumbered as subsections (9) and (10),
2791 respectively, and amended, and a new subsection (8) is added to
2792 that section, to read:

2793 1011.62 Funds for operation of schools.--If the annual
2794 allocation from the Florida Education Finance Program to each
2795 district for operation of schools is not determined in the
2796 annual appropriations act or the substantive bill implementing

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2797 | the annual appropriations act, it shall be determined as
2798 | follows:

2799 | (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
2800 | OPERATION.--The following procedure shall be followed in
2801 | determining the annual allocation to each district for
2802 | operation:

2803 | (f) Supplemental academic instruction; categorical fund.--

2804 | 1. There is created a categorical fund to provide
2805 | supplemental academic instruction to students in kindergarten
2806 | through grade 12. This paragraph may be cited as the
2807 | "Supplemental Academic Instruction Categorical Fund."

2808 | 2. Categorical funds for supplemental academic instruction
2809 | shall be allocated annually to each school district in the
2810 | amount provided in the General Appropriations Act. These funds
2811 | shall be in addition to the funds appropriated on the basis of
2812 | FTE student membership in the Florida Education Finance Program
2813 | and shall be included in the total potential funds of each
2814 | district. These funds shall be used to provide supplemental
2815 | academic instruction to students enrolled in the K-12 program.
2816 | Supplemental instruction strategies may include, but are not
2817 | limited to: modified curriculum, reading instruction, after-
2818 | school instruction, tutoring, mentoring, class size reduction,
2819 | extended school year, intensive skills development in summer
2820 | school, and other methods for improving student achievement.
2821 | Supplemental instruction may be provided to a student in any
2822 | manner and at any time during or beyond the regular 180-day term
2823 | identified by the school as being the most effective and

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2824 efficient way to best help that student progress from grade to
2825 grade and to graduate.

2826 3. Effective with the 1999-2000 fiscal year, funding on
2827 the basis of FTE membership beyond the 180-day regular term
2828 shall be provided in the FEFP only for students enrolled in
2829 juvenile justice education programs or in an education program
2830 for juveniles under s. 985.223. Funding for instruction beyond
2831 the regular 180-day school year for all other K-12 students
2832 shall be provided through the supplemental academic instruction
2833 categorical fund and other state, federal, and local fund
2834 sources with ample flexibility for schools to provide
2835 supplemental instruction to assist students in progressing from
2836 grade to grade and graduating.

2837 4. The Florida State University School, as a lab school,
2838 is authorized to expend from its FEFP or Lottery Enhancement
2839 Trust Fund allocation the cost to the student of remediation in
2840 reading, writing, or mathematics for any graduate who requires
2841 remediation at a postsecondary educational institution.

2842 5. Beginning in the 1999-2000 school year, dropout
2843 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
2844 (b), and (c), and 1003.54 shall be included in group 1 programs
2845 under subparagraph (d)3.

2846 (h) Small, isolated high schools.--Districts which levy
2847 the maximum nonvoted discretionary millage, exclusive of millage
2848 for capital outlay purposes levied pursuant to s. 1011.71(2),
2849 may calculate full-time equivalent students for small, isolated
2850 high schools by multiplying the number of unweighted full-time
2851 equivalent students times 2.75; provided the school has attained

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2852 a ~~state accountability performance~~ grade category of "C" or
2853 better, pursuant to s. 1008.34, for the previous school year.
2854 For the purpose of this section, the term "small, isolated high
2855 school" means any high school which is located no less than 28
2856 miles by the shortest route from another high school; which has
2857 been serving students primarily in basic studies provided by
2858 sub-subparagraphs (c)1.b. and c. and may include subparagraph
2859 (c)4.; and which has a membership of no more than 100 students,
2860 but no fewer than 28 students, in grades 9 through 12.

2861 (1) Calculation of additional full-time equivalent
2862 membership based on international baccalaureate examination
2863 scores of students.--A value of 0.24 full-time equivalent
2864 student membership shall be calculated for each student enrolled
2865 in an international baccalaureate course who receives a score of
2866 4 or higher on a subject examination. A value of 0.3 full-time
2867 equivalent student membership shall be calculated for each
2868 student who receives an international baccalaureate diploma.
2869 Such value shall be added to the total full-time equivalent
2870 student membership in basic programs for grades 9 through 12 in
2871 the subsequent fiscal year. The school district shall distribute
2872 to each classroom teacher who provided international
2873 baccalaureate instruction:

2874 1. A bonus in the amount of \$50 for each student taught by
2875 the International Baccalaureate teacher in each international
2876 baccalaureate course who receives a score of 4 or higher on the
2877 international baccalaureate examination.

2878 2. An additional bonus of \$500 to each International
2879 Baccalaureate teacher in a school designated with a performance

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2880 | grade of category "D" or "F" who has at least one student
2881 | scoring 4 or higher on the international baccalaureate
2882 | examination, regardless of the number of classes taught or of
2883 | the number of students scoring a 4 or higher on the
2884 | international baccalaureate examination.

2885 |
2886 | Bonuses awarded to a teacher according to this paragraph shall
2887 | not exceed \$2,000 in any given school year and shall be in
2888 | addition to any regular wage or other bonus the teacher received
2889 | or is scheduled to receive.

2890 | (m) Calculation of additional full-time equivalent
2891 | membership based on Advanced International Certificate of
2892 | Education examination scores of students.--A value of 0.24 full-
2893 | time equivalent student membership shall be calculated for each
2894 | student enrolled in a full-credit Advanced International
2895 | Certificate of Education course who receives a score of E or
2896 | higher on a subject examination. A value of 0.12 full-time
2897 | equivalent student membership shall be calculated for each
2898 | student enrolled in a half-credit Advanced International
2899 | Certificate of Education course who receives a score of E or
2900 | higher on a subject examination. A value of 0.3 full-time
2901 | equivalent student membership shall be calculated for each
2902 | student who receives an Advanced International Certificate of
2903 | Education diploma. Such value shall be added to the total full-
2904 | time equivalent student membership in basic programs for grades
2905 | 9 through 12 in the subsequent fiscal year. The school district
2906 | shall distribute to each classroom teacher who provided Advanced
2907 | International Certificate of Education instruction:

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2908 | 1. A bonus in the amount of \$50 for each student taught by
2909 | the Advanced International Certificate of Education teacher in
2910 | each full-credit Advanced International Certificate of Education
2911 | course who receives a score of E or higher on the Advanced
2912 | International Certificate of Education examination. A bonus in
2913 | the amount of \$25 for each student taught by the Advanced
2914 | International Certificate of Education teacher in each half-
2915 | credit Advanced International Certificate of Education course
2916 | who receives a score of E or higher on the Advanced
2917 | International Certificate of Education examination.

2918 | 2. An additional bonus of \$500 to each Advanced
2919 | International Certificate of Education teacher in a school
2920 | designated with a performance grade of category "D" or "F" who
2921 | has at least one student scoring E or higher on the full-credit
2922 | Advanced International Certificate of Education examination,
2923 | regardless of the number of classes taught or of the number of
2924 | students scoring an E or higher on the full-credit Advanced
2925 | International Certificate of Education examination.

2926 | 3. Additional bonuses of \$250 each to teachers of half-
2927 | credit Advanced International Certificate of Education classes
2928 | in a school designated with a performance grade of category "D"
2929 | or "F" which has at least one student scoring an E or higher on
2930 | the half-credit Advanced International Certificate of Education
2931 | examination in that class. The maximum additional bonus for a
2932 | teacher awarded in accordance with this subparagraph shall not
2933 | exceed \$500 in any given school year. Teachers receiving an
2934 | award under subparagraph 2. are not eligible for a bonus under
2935 | this subparagraph.

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2936
2937 Bonuses awarded to a teacher according to this paragraph shall
2938 not exceed \$2,000 in any given school year and shall be in
2939 addition to any regular wage or other bonus the teacher received
2940 or is scheduled to receive.

2941 (n) Calculation of additional full-time equivalent
2942 membership based on college board advanced placement scores of
2943 students.--A value of 0.24 full-time equivalent student
2944 membership shall be calculated for each student in each advanced
2945 placement course who receives a score of 3 or higher on the
2946 College Board Advanced Placement Examination for the prior year
2947 and added to the total full-time equivalent student membership
2948 in basic programs for grades 9 through 12 in the subsequent
2949 fiscal year. Each district must allocate at least 80 percent of
2950 the funds provided to the district for advanced placement
2951 instruction, in accordance with this paragraph, to the high
2952 school that generates the funds. The school district shall
2953 distribute to each classroom teacher who provided advanced
2954 placement instruction:

2955 1. A bonus in the amount of \$50 for each student taught by
2956 the Advanced Placement teacher in each advanced placement course
2957 who receives a score of 3 or higher on the College Board
2958 Advanced Placement Examination.

2959 2. An additional bonus of \$500 to each Advanced Placement
2960 teacher in a school designated with a performance grade of
2961 ~~category~~ "D" or "F" who has at least one student scoring 3 or
2962 higher on the College Board Advanced Placement Examination,
2963 regardless of the number of classes taught or of the number of

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2964 students scoring a 3 or higher on the College Board Advanced
2965 Placement Examination.

2966
2967 Bonuses awarded to a teacher according to this paragraph shall
2968 not exceed \$2,000 in any given school year and shall be in
2969 addition to any regular wage or other bonus the teacher received
2970 or is scheduled to receive.

2971 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.--The
2972 Legislature shall prescribe the aggregate required local effort
2973 for all school districts collectively as an item in the General
2974 Appropriations Act for each fiscal year. The amount that each
2975 district shall provide annually toward the cost of the Florida
2976 Education Finance Program for kindergarten through grade 12
2977 programs shall be calculated as follows:

2978 (a) Estimated taxable value calculations.--

2979 1.a. Not later than 2 working days prior to July 19, the
2980 Department of Revenue shall certify to the Commissioner of
2981 Education its most recent estimate of the taxable value for
2982 school purposes in each school district and the total for all
2983 school districts in the state for the current calendar year
2984 based on the latest available data obtained from the local
2985 property appraisers. Not later than July 19, the Commissioner of
2986 Education shall compute a millage rate, rounded to the next
2987 highest one one-thousandth of a mill, which, when applied to 95
2988 percent of the estimated state total taxable value for school
2989 purposes, would generate the prescribed aggregate required local
2990 effort for that year for all districts. The Commissioner of
2991 Education shall certify to each district school board the

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2992 millage rate, computed as prescribed in this subparagraph, as
 2993 the minimum millage rate necessary to provide the district
 2994 required local effort for that year.

2995 b. The General Appropriations Act shall direct the
 2996 computation of the statewide adjusted aggregate amount for
 2997 required local effort for all school districts collectively from
 2998 ad valorem taxes to ensure that no school district's revenue
 2999 from required local effort millage will produce more than 90
 3000 percent of the district's total Florida Education Finance
 3001 Program calculation, and the adjustment of the required local
 3002 effort millage rate of each district that produces more than 90
 3003 percent of its total Florida Education Finance Program
 3004 entitlement to a level that will produce only 90 percent of its
 3005 total Florida Education Finance Program entitlement in the July
 3006 calculation.

3007 2. As revised data are received from property appraisers,
 3008 the Department of Revenue shall amend the certification of the
 3009 estimate of the taxable value for school purposes. The
 3010 Commissioner of Education, in administering the provisions of
 3011 subparagraph (10)~~(9)~~(a)2., shall use the most recent taxable
 3012 value for the appropriate year.

3013 (b) Final calculation.--

3014 1. The Department of Revenue shall, upon receipt of the
 3015 official final assessed value of property from each of the
 3016 property appraisers, certify to the Commissioner of Education
 3017 the taxable value total for school purposes in each school
 3018 district, subject to the provisions of paragraph (d). The
 3019 commissioner shall use the official final taxable value for

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3020 school purposes for each school district in the final
3021 calculation of the annual Florida Education Finance Program
3022 allocations.

3023 2. For the purposes of this paragraph, the official final
3024 taxable value for school purposes shall be the taxable value for
3025 school purposes on which the tax bills are computed and mailed
3026 to the taxpayers, adjusted to reflect final administrative
3027 actions of value adjustment boards and judicial decisions
3028 pursuant to part I of chapter 194. By September 1 of each year,
3029 the Department of Revenue shall certify to the commissioner the
3030 official prior year final taxable value for school purposes. For
3031 each county that has not submitted a revised tax roll reflecting
3032 final value adjustment board actions and final judicial
3033 decisions, the Department of Revenue shall certify the most
3034 recent revision of the official taxable value for school
3035 purposes. The certified value shall be the final taxable value
3036 for school purposes, and no further adjustments shall be made,
3037 except those made pursuant to subparagraph (10)~~(9)~~(a)2.

3038 (8) RESEARCH-BASED READING INSTRUCTION ALLOCATION.--

3039 (a) The research-based reading instruction allocation is
3040 created to provide comprehensive reading instruction to students
3041 in kindergarten through grade 12.

3042 (b) Funds for comprehensive, research-based reading
3043 instruction shall be allocated annually to each school district
3044 in the amount provided in the General Appropriations Act. Each
3045 eligible school district shall receive the same minimum amount
3046 as specified in the General Appropriations Act, and any
3047 remaining funds shall be distributed to eligible school

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3048 districts based on each school district's proportionate share of
3049 K-12 base funding.

3050 (c) Funds must be used to provide a system of
3051 comprehensive reading instruction to students enrolled in the K-
3052 12 programs, which may include the following:

3053 1. The provision of highly qualified reading coaches.

3054 2. Professional development for school district teachers
3055 and administrators in scientifically based reading instruction.

3056 3. The provision of summer reading camps for students who
3057 score at Level 1 on FCAT Reading.

3058 4. The provision of supplemental instructional materials
3059 that are grounded in scientifically based reading research and
3060 comprehensive training in their use for which teachers shall
3061 receive inservice credit.

3062 5. The provision of intensive interventions for middle and
3063 high school students reading below grade level.

3064 (d) Annually, by a date determined by the Department of
3065 Education but before May 1, school districts shall submit a K-12
3066 comprehensive reading plan for the specific use of the research-
3067 based reading instruction allocation in the format prescribed by
3068 the department for review and approval by the Just Read,
3069 Florida! Office created pursuant to s. 1001.215. The plan
3070 annually submitted by school districts shall be deemed approved
3071 unless the department rejects the plan on or before June 1. If a
3072 school district and the Just Read, Florida! Office cannot reach
3073 agreement on the contents of the plan, the school district may
3074 appeal to the State Board of Education for resolution. High-
3075 performing school districts shall be allowed reasonable

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3076 | flexibility in designing their plans and shall be encouraged to
3077 | offer reading intervention through innovative methods. The plan
3078 | format shall be developed with input from school district
3079 | personnel, including teachers and principals. The plan must
3080 | emphasize reading for information at the secondary level and
3081 | allow reading intervention through content courses in core,
3082 | career, and alternative programs. No later than July 1 annually,
3083 | the department shall release the school district's allocation of
3084 | appropriated funds to those districts with approved plans. A
3085 | school district that spends 100 percent of this allocation on
3086 | its approved plan shall be deemed to have been in compliance
3087 | with the plan. The department may withhold funds upon a
3088 | determination that reading instruction allocation funds are not
3089 | being used to implement the approved plan.

3090 | (9)~~(8)~~ QUALITY ASSURANCE GUARANTEE.--The Legislature may
3091 | annually in the General Appropriations Act determine a
3092 | percentage increase in funds per K-12 unweighted FTE as a
3093 | minimum guarantee to each school district. The guarantee shall
3094 | be calculated from prior year base funding per unweighted FTE
3095 | student which shall include the adjusted FTE dollars as provided
3096 | in subsection (10)~~(9)~~, quality guarantee funds, and actual
3097 | nonvoted discretionary local effort from taxes. From the base
3098 | funding per unweighted FTE, the increase shall be calculated for
3099 | the current year. The current year funds from which the
3100 | guarantee shall be determined shall include the adjusted FTE
3101 | dollars as provided in subsection (10)~~(9)~~ and potential nonvoted
3102 | discretionary local effort from taxes. A comparison of current
3103 | year funds per unweighted FTE to prior year funds per unweighted

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3104 FTE shall be computed. For those school districts which have
 3105 less than the legislatively assigned percentage increase, funds
 3106 shall be provided to guarantee the assigned percentage increase
 3107 in funds per unweighted FTE student. Should appropriated funds
 3108 be less than the sum of this calculated amount for all
 3109 districts, the commissioner shall prorate each district's
 3110 allocation. This provision shall be implemented to the extent
 3111 specifically funded.

3112 (10)~~(9)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT
 3113 FOR CURRENT OPERATION.--The total annual state allocation to
 3114 each district for current operation for the FEFP shall be
 3115 distributed periodically in the manner prescribed in the General
 3116 Appropriations Act.

3117 (a) The basic amount for current operation for the FEFP as
 3118 determined in subsection (1), multiplied by the district cost
 3119 differential factor as determined in subsection (2), plus the
 3120 amounts provided for categorical components within the FEFP,
 3121 plus the amount for the sparsity supplement as determined in
 3122 subsection (6), the decline in full-time equivalent students as
 3123 determined in subsection (7), the research-based reading
 3124 instruction allocation as determined in subsection (8), and the
 3125 quality assurance guarantee as determined in subsection (9)~~(8)~~,
 3126 less the required local effort as determined in subsection (4).
 3127 If the funds appropriated for the purpose of funding the total
 3128 amount for current operation as provided in this paragraph are
 3129 not sufficient to pay the state requirement in full, the
 3130 department shall prorate the available state funds to each
 3131 district in the following manner:

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3132 1. Determine the percentage of proration by dividing the
3133 sum of the total amount for current operation, as provided in
3134 this paragraph for all districts collectively, and the total
3135 district required local effort into the sum of the state funds
3136 available for current operation and the total district required
3137 local effort.

3138 2. Multiply the percentage so determined by the sum of the
3139 total amount for current operation as provided in this paragraph
3140 and the required local effort for each individual district.

3141 3. From the product of such multiplication, subtract the
3142 required local effort of each district; and the remainder shall
3143 be the amount of state funds allocated to the district for
3144 current operation.

3145 (b) The amount thus obtained shall be the net annual
3146 allocation to each school district. However, if it is determined
3147 that any school district received an underallocation or
3148 overallocation for any prior year because of an arithmetical
3149 error, assessment roll change, full-time equivalent student
3150 membership error, or any allocation error revealed in an audit
3151 report, the allocation to that district shall be appropriately
3152 adjusted. Beginning with audits for the 2001-2002 fiscal year,
3153 if the adjustment is the result of an audit finding in which
3154 group 2 FTE are reclassified to the basic program and the
3155 district weighted FTE are over the weighted enrollment ceiling
3156 for group 2 programs, the adjustment shall not result in a gain
3157 of state funds to the district. If the Department of Education
3158 audit adjustment recommendation is based upon controverted
3159 findings of fact, the Commissioner of Education is authorized to

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3160 | establish the amount of the adjustment based on the best
3161 | interests of the state.

3162 | (c) The amount thus obtained shall represent the net
3163 | annual state allocation to each district; however,
3164 | notwithstanding any of the provisions herein, each district
3165 | shall be guaranteed a minimum level of funding in the amount and
3166 | manner prescribed in the General Appropriations Act.

3167 | Section 48. Paragraph (a) of subsection (2) of section
3168 | 1011.64, Florida Statutes, is amended to read:

3169 | 1011.64 School district minimum classroom expenditure
3170 | requirements.--

3171 | (2) For the purpose of implementing the provisions of this
3172 | section, the Legislature shall prescribe minimum academic
3173 | performance standards and minimum classroom expenditure
3174 | requirements for districts not meeting such minimum academic
3175 | performance standards in the General Appropriations Act.

3176 | (a) Minimum academic performance standards may be based
3177 | on, but are not limited to, district ~~performance~~ grades
3178 | determined pursuant to s. 1008.34 (7) ~~(8)~~.

3179 | Section 49. Section 1011.67, Florida Statutes, is amended
3180 | to read:

3181 | 1011.67 Funds for instructional materials.--

3182 | (1) The department is authorized to allocate and
3183 | distribute to each district an amount as prescribed annually by
3184 | the Legislature for instructional materials for student
3185 | membership in basic and special programs in grades K-12, which
3186 | will provide for growth and maintenance needs. For purposes of
3187 | this subsection ~~section~~, unweighted full-time equivalent

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3188 students enrolled in the lab schools in state universities are
3189 to be included as school district students and reported as such
3190 to the department. These funds shall be distributed to school
3191 districts as follows: 50 percent on or about July 10; 35 percent
3192 on or about October 10; 10 percent on or about January 10; and 5
3193 percent on or about June 10. The annual allocation shall be
3194 determined as follows:

3195 (a)~~(1)~~ The growth allocation for each school district
3196 shall be calculated as follows:

3197 1.~~(a)~~ Subtract from that district's projected full-time
3198 equivalent membership of students in basic and special programs
3199 in grades K-12 used in determining the initial allocation of the
3200 Florida Education Finance Program, the prior year's full-time
3201 equivalent membership of students in basic and special programs
3202 in grades K-12 for that district.

3203 2.~~(b)~~ Multiply any such increase in full-time equivalent
3204 student membership by the allocation for a set of instructional
3205 materials, as determined by the department, or as provided for
3206 in the General Appropriations Act.

3207 3.~~(e)~~ The amount thus determined shall be that district's
3208 initial allocation for growth for the school year. However, the
3209 department shall recompute and adjust the initial allocation
3210 based on actual full-time equivalent student membership data for
3211 that year.

3212 (b)~~(2)~~ The maintenance of the instructional materials
3213 allocation for each school district shall be calculated by
3214 multiplying each district's prior year full-time equivalent
3215 membership of students in basic and special programs in grades

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3216 K-12 by the allocation for maintenance of a set of instructional
3217 materials as provided for in the General Appropriations Act. The
3218 amount thus determined shall be that district's initial
3219 allocation for maintenance for the school year; however, the
3220 department shall recompute and adjust the initial allocation
3221 based on such actual full-time equivalent student membership
3222 data for that year.

3223 ~~(c)(3)~~ In the event the funds appropriated are not
3224 sufficient for the purpose of implementing this subsection
3225 ~~section~~ in full, the department shall prorate the funds
3226 available for instructional materials after first funding in
3227 full each district's growth allocation.

3228 (2) Annually by July 1 and prior to the release of
3229 instructional materials funds, each district school
3230 superintendent shall certify to the Commissioner of Education
3231 that the district school board has approved a comprehensive
3232 staff development plan that requires fidelity of implementation
3233 of instructional materials that are in the first 2 years of the
3234 adoption cycle and that the district intends to purchase. The
3235 staff development plan must provide for training for each
3236 teacher who will use the materials, provide inservice credit for
3237 the training, and document satisfactory completion of the
3238 training by each teacher. The superintendent shall annually
3239 report to the district school board on the implementation of the
3240 plan. The report shall include verification that training was
3241 provided, that teachers satisfactorily completed the training,
3242 and that the materials are being implemented as designed.

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3243 Section 50. Paragraph (b) of subsection (2) of section
3244 1011.685, Florida Statutes, is amended to read:

3245 1011.685 Class size reduction; operating categorical
3246 fund.--

3247 (2) Class size reduction operating categorical funds shall
3248 be used by school districts for the following:

3249 (b) For any lawful operating expenditure, if the district
3250 has met the constitutional maximums identified in s. 1003.03(1)
3251 or the reduction of two students per year required by s.
3252 1003.03(2); however, priority shall be given to increase
3253 salaries of classroom teachers as defined in s. 1012.01(2)(a)
3254 and to implement the performance-pay incentive and the
3255 differentiated pay detailed in s. 1012.22(1)(c) ~~salary career~~
3256 ~~ladder defined in s. 1012.231.~~

3257 Section 51. Subsection (1) of section 1011.71, Florida
3258 Statutes, is amended to read:

3259 1011.71 District school tax.--

3260 (1) If the district school tax is not provided in the
3261 General Appropriations Act or the substantive bill implementing
3262 the General Appropriations Act, each district school board
3263 desiring to participate in the state allocation of funds for
3264 current operation as prescribed by s. 1011.62(10)~~(9)~~ shall levy
3265 on the taxable value for school purposes of the district,
3266 exclusive of millage voted under the provisions of s. 9(b) or s.
3267 12, Art. VII of the State Constitution, a millage rate not to
3268 exceed the amount certified by the commissioner as the minimum
3269 millage rate necessary to provide the district required local
3270 effort for the current year, pursuant to s. 1011.62(4)(a)1. In

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3271 addition to the required local effort millage levy, each
 3272 district school board may levy a nonvoted current operating
 3273 discretionary millage. The Legislature shall prescribe annually
 3274 in the appropriations act the maximum amount of millage a
 3275 district may levy. The millage rate prescribed shall exceed zero
 3276 mills but shall not exceed the lesser of 1.6 mills or 25 percent
 3277 of the millage which is required pursuant to s. 1011.62(4),
 3278 exclusive of millage levied pursuant to subsection (2).

3279 Section 52. Subsection (6) is added to section 1012.21,
 3280 Florida Statutes, to read:

3281 1012.21 Department of Education duties; K-12 personnel.--

3282 (6) REPORTING.--The Department of Education shall annually
 3283 post online links to each school district's collectively
 3284 bargained contracts and the salary and benefits of the personnel
 3285 or officers of any educator association that were paid by the
 3286 school district pursuant to s. 1012.22.

3287 Section 53. Paragraphs (b) and (c) of subsection (1) of
 3288 section 1012.22, Florida Statutes, are amended to read:

3289 1012.22 Public school personnel; powers and duties of the
 3290 district school board.--The district school board shall:

3291 (1) Designate positions to be filled, prescribe
 3292 qualifications for those positions, and provide for the
 3293 appointment, compensation, promotion, suspension, and dismissal
 3294 of employees as follows, subject to the requirements of this
 3295 chapter:

3296 (b) Time to act on nominations.--The district school board
 3297 shall act not later than 3 weeks following the receipt of FCAT
 3298 scores and data, including school grades, or June 30 ~~after the~~

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3299 ~~end of the regular legislative session or May 31,~~ whichever is
3300 later, on the district school superintendent's nominations of
3301 supervisors, principals, and members of the instructional staff.

3302 (c) Compensation and salary schedules.--

3303 1. The district school board shall adopt a salary schedule
3304 or salary schedules designed to furnish incentives for
3305 improvement in training and for continued efficient service to
3306 be used as a basis for paying all school employees and fix and
3307 authorize the compensation of school employees on the basis
3308 thereof.

3309 2. A district school board, in determining the salary
3310 schedule for instructional personnel, must base a portion of
3311 each employee's compensation on performance demonstrated under
3312 s. 1012.34, must consider the prior teaching experience of a
3313 person who has been designated state teacher of the year by any
3314 state in the United States, and must consider prior professional
3315 experience in the field of education gained in positions in
3316 addition to district level instructional and administrative
3317 positions.

3318 3. In developing the salary schedule, the district school
3319 board shall seek input from parents, teachers, and
3320 representatives of the business community.

3321 4. Beginning with the 2002-2003 fiscal year, each district
3322 school board must adopt a performance-pay policy for school
3323 administrators and instructional personnel. The district's
3324 performance-pay policy is subject to negotiation as provided in
3325 chapter 447; however, the adopted salary schedule must allow
3326 school administrators and instructional personnel who

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3327 demonstrate outstanding performance, as measured under s.
 3328 1012.34, to earn a 5-percent supplement in addition to their
 3329 individual, negotiated salary. The supplements shall be funded
 3330 from the performance-pay reserve funds adopted in the salary
 3331 schedule. ~~Beginning with the 2004-2005 academic year, the~~
 3332 ~~district's 5-percent performance-pay policy must provide for the~~
 3333 ~~evaluation of classroom teachers within each level of the salary~~
 3334 ~~career ladder provided in s. 1012.231.~~ The Commissioner of
 3335 Education shall determine whether the district school board's
 3336 adopted policy and salary schedule complies with the requirement
 3337 for performance-based pay. If the district school board fails to
 3338 comply with this section, the commissioner may ~~shall~~ withhold
 3339 disbursements from the Educational Enhancement Trust Fund to the
 3340 district and take any other measure provided by law necessary to
 3341 ensure compliance until compliance is verified.

3342 5. Beginning with the 2007-2008 academic year, each
 3343 district school board shall adopt a salary schedule with
 3344 differentiated pay for both instructional personnel and school-
 3345 based administrators. The salary schedule is subject to
 3346 negotiation as provided in chapter 447 and must allow
 3347 differentiated pay based on district-determined factors,
 3348 including, but not limited to, additional responsibilities,
 3349 school demographics, critical shortage areas, and level of job
 3350 performance difficulties.

3351 Section 54. Section 1012.2315, Florida Statutes, is
 3352 created to read:

3353 1012.2315 Assignment of teachers.--

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3354 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
3355 finds disparity between teachers assigned to teach in a majority
3356 of "A" graded schools compared to teachers assigned to teach in
3357 a majority of "F" graded schools. The disparity can be found in
3358 the average years of experience, the median salary, and the
3359 performance of the teachers on teacher certification
3360 examinations. It is the intent of the Legislature that district
3361 school boards have flexibility through the collective bargaining
3362 process to assign teachers more equitably across the schools in
3363 the district.

3364 (2) ASSIGNMENT TO SCHOOLS GRADED "D" OR "F."--School
3365 districts may not assign a higher percentage than the school
3366 district average of first-time teachers, temporarily certified
3367 teachers, teachers in need of improvement, or out-of-field
3368 teachers to schools with above the school district average of
3369 minority and economically disadvantaged students or schools that
3370 are graded "D" or "F." Each school district shall annually
3371 certify to the Commissioner of Education that this requirement
3372 has been met. If the commissioner determines that a school
3373 district is not in compliance with this subsection, the State
3374 Board of Education shall be notified and shall take action
3375 pursuant to s. 1008.32 in the next regularly scheduled meeting
3376 to require compliance.

3377 Section 55. Subsection (2) of section 1012.27, Florida
3378 Statutes, is amended to read:

3379 1012.27 Public school personnel; powers and duties of
3380 district school superintendent.--The district school
3381 superintendent is responsible for directing the work of the

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3382 | personnel, subject to the requirements of this chapter, and in
3383 | addition the district school superintendent shall perform the
3384 | following:

3385 | (2) COMPENSATION AND SALARY SCHEDULES.--Prepare and
3386 | recommend to the district school board for adoption a salary
3387 | schedule or salary schedules. The district school superintendent
3388 | must recommend a salary schedule for instructional personnel
3389 | which bases a portion of each employee's compensation on
3390 | performance demonstrated under s. 1012.34. In developing the
3391 | recommended salary schedule, the district school superintendent
3392 | shall include input from parents, teachers, and representatives
3393 | of the business community. Beginning with the 2006-2007 ~~2004-~~
3394 | ~~2005~~ academic year, the recommended salary schedule for
3395 | classroom teachers shall be consistent with the district's
3396 | performance-pay policy under s. 1012.22(1)(c) and, beginning
3397 | with the 2007-2008 academic year, the district's differentiated
3398 | pay under s. 1012.22(1)(c) ~~career ladder based upon s. 1012.231.~~

3399 | Section 56. Subsection (6) of section 1012.28, Florida
3400 | Statutes, is amended to read:

3401 | 1012.28 Public school personnel; duties of school
3402 | principals.--

3403 | (6) A school principal who fails to comply with this
3404 | section shall be ineligible for any portion of the performance-
3405 | pay ~~performance-pay~~ policy incentive or the differentiated pay
3406 | under s. 1012.22(1)(c).

3407 | Section 57. Paragraph (a) of subsection (3) of section
3408 | 1012.34, Florida Statutes, is amended to read:

3409 | 1012.34 Assessment procedures and criteria.--

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3410 (3) The assessment procedure for instructional personnel
3411 and school administrators must be primarily based on the
3412 performance of students assigned to their classrooms or schools,
3413 as appropriate. Pursuant to this section, a school district's
3414 performance assessment is not limited to basing unsatisfactory
3415 performance of instructional personnel and school administrators
3416 upon student performance, but may include other criteria
3417 approved to assess instructional personnel and school
3418 administrators' performance, or any combination of student
3419 performance and other approved criteria. The procedures must
3420 comply with, but are not limited to, the following requirements:

3421 (a) An assessment must be conducted for each employee at
3422 least once a year. The assessment must be based upon sound
3423 educational principles and contemporary research in effective
3424 educational practices. The assessment must primarily use data
3425 and indicators of improvement in student performance assessed
3426 annually as specified in s. 1008.22 and may consider results of
3427 peer reviews in evaluating the employee's performance. Student
3428 performance must be measured by state assessments required under
3429 s. 1008.22 and by local assessments for subjects and grade
3430 levels not measured by the state assessment program. The
3431 assessment criteria must include, but are not limited to,
3432 indicators that relate to the following:

- 3433 1. Performance of students.
- 3434 2. Ability to maintain appropriate discipline.
- 3435 3. Knowledge of subject matter. The district school board
3436 shall make special provisions for evaluating teachers who are
3437 assigned to teach out-of-field.

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3438 4. Ability to plan and deliver instruction, ~~including~~
 3439 ~~implementation of the rigorous reading requirement pursuant to~~
 3440 ~~s. 1003.415, when applicable,~~ and the use of technology in the
 3441 classroom.

3442 5. Ability to evaluate instructional needs.

3443 6. Ability to establish and maintain a positive
 3444 collaborative relationship with students' families to increase
 3445 student achievement.

3446 7. Other professional competencies, responsibilities, and
 3447 requirements as established by rules of the State Board of
 3448 Education and policies of the district school board.

3449 Section 58. Subsection (4) of section 1012.56, Florida
 3450 Statutes, is amended to read:

3451 1012.56 Educator certification requirements.--

3452 (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable means
 3453 of demonstrating mastery of subject area knowledge are:

3454 (a) Achievement of passing scores on subject area
 3455 examinations required by state board rule;

3456 (b) Completion of the subject area specialization
 3457 requirements specified in state board rule and verification of
 3458 the attainment of the essential subject matter competencies by
 3459 the district school superintendent of the employing school
 3460 district or chief administrative officer of the employing state-
 3461 supported or private school for a subject area for which a
 3462 subject area examination has not been developed and required by
 3463 state board rule;

3464 (c) Completion of the subject area specialization
 3465 requirements specified in state board rule for a subject

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3466 coverage requiring a master's or higher degree and achievement
3467 of a passing score on the subject area examination specified in
3468 state board rule;

3469 (d) A valid professional standard teaching certificate
3470 issued by another state; or

3471 (e) A valid certificate issued by the National Board for
3472 Professional Teaching Standards or a national educator
3473 credentialing board approved by the State Board of Education.

3474

3475 School districts are encouraged to provide mechanisms for those
3476 middle school teachers holding only a K-6 teaching certificate
3477 to obtain a subject area coverage for middle grades through
3478 postsecondary coursework or district subject content
3479 professional development activities to assist in the preparation
3480 for earning a passing score on the subject area examination
3481 required for add-on certification.

3482 Section 59. Section 1012.986, Florida Statutes, is created
3483 to read:

3484 1012.986 William Cecil Golden Professional Development
3485 Program for School Leaders.--

3486 (1) ESTABLISHMENT.--There is established the William Cecil
3487 Golden Professional Development Program for School Leaders, a
3488 high-quality, competency-based, customized, comprehensive, and
3489 coordinated statewide professional development program that is
3490 aligned with the leadership standards for school leaders adopted
3491 by the State Board of Education. The program shall be
3492 administered by the Department of Education and shall provide
3493 leadership training opportunities for school leaders to enable

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3494 them to be more effective instructional leaders, especially in
 3495 the area of reading. The program shall provide school leaders
 3496 with the opportunity to attain a school leadership designation
 3497 pursuant to subsection (3).

3498 (2) DEFINITION.--As used in this section, the term "school
 3499 leader" means a school principal or assistant principal holding
 3500 a valid Florida certificate in educational leadership.

3501 (3) DESIGNATIONS.--The Department of Education shall
 3502 develop criteria for designating high-performing school leaders.
 3503 The criteria must emphasize student learning gains, especially
 3504 in high schools.

3505 (4) PROGRAM REQUIREMENTS.--

3506 (a) The program shall be based upon the leadership
 3507 standards adopted by the State Board of Education, the standards
 3508 of the National Staff Development Council, and the federal
 3509 requirements for high-quality professional development under the
 3510 No Child Left Behind Act of 2001.

3511 (b) The program shall provide a competency-based approach
 3512 that utilizes prediagnostic and postdiagnostic evaluations that
 3513 shall be used to create an individualized professional
 3514 development plan approved by the district school superintendent.
 3515 The plan shall be structured to support the school leader's
 3516 attainment of the leadership standards adopted by the State
 3517 Board of Education.

3518 (c) The program shall incorporate instructional leadership
 3519 training and effective business practices for efficient school
 3520 operations in school leadership training.

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3521 (5) DELIVERY SYSTEMS.--The Department of Education shall
 3522 deliver the program through multiple delivery systems,
 3523 including:

- 3524 (a) Approved school district training programs.
- 3525 (b) Interactive technology-based instruction.
- 3526 (c) Regional consortium service organizations pursuant to
 3527 s. 1001.451.

3528 (6) RULES.--The State Board of Education shall adopt rules
 3529 pursuant to ss. 120.536(1) and 120.54 to implement the
 3530 provisions of this section.

3531 Section 60. Section 1012.987, Florida Statutes, is
 3532 repealed.

3533 Section 61. This act shall take effect upon becoming a
 3534 law.