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HB 7087, Engrossed 3

2006 Legislature

1 A bill to be entitled
2 An act relating to education; amending s. 20.15, F.S.;
3 establishing the Division of Accountability, Research, and
4 Measurement in the Department of Education; amending s.
5 411.227, F.S.; conforming provisions relating to student
6 progress monitoring plans; repealing s. 446.609, F.S.,
7 relating to the "Jobs for Florida's Graduates Act";
8 amending s. 1000.03, F.S.; specifying that the mission of
9 the state's K-20 education system is to provide rigorous
10 and relevant learning opportunities for students;
11 repealing s. 1000.041, F.S., to conform provisions
12 relating to the 2005 repeal of the BEST Florida Teaching
13 salary career ladder program; amending s. 1001.03, F.S.;
14 requiring periodic review of Sunshine State Standards
15 subject areas and an annual status report; requiring rules
16 for certain teachers to earn a reading credential
17 equivalent; requiring the maintenance of a uniform school
18 district personnel classification system; amending s.
19 1001.10, F.S.; specifying that the Commissioner of
20 Education is the sole custodian of the K-20 data
21 warehouse; requiring the Commissioner of Education to
22 submit the proposed plan for the reauthorization of the No
23 Child Left Behind Act to the Legislature before it is
24 submitted to federal agencies; requiring legislative
25 leaders to appoint members of a select legislative
26 committee to review the proposed plan; creating s.
27 1001.215, F.S.; creating the Just Read, Florida! Office in

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28 | the Department of Education; providing duties; amending s.
29 | 1001.33, F.S.; conforming provisions relating to the 2005
30 | repeal of the BEST Florida Teaching salary career ladder
31 | program; amending s. 1001.41, F.S.; requiring district
32 | school boards to adopt standards and policies to provide
33 | to each student a complete education program; amending s.
34 | 1001.42, F.S., relating to requirements of district plans
35 | for school improvement; providing requirements for
36 | district school boards in developing the plans; providing
37 | that the opening date for the school year may not be
38 | earlier than a specified date; requiring each district
39 | school board to appoint a classroom teacher to serve as
40 | the teacher representative to speak on behalf of the
41 | district's teachers regarding paperwork and data
42 | collection reduction; requiring the teacher designee to
43 | report his or her findings and potential solutions to the
44 | school board; requiring each school board to submit its
45 | findings and potential solutions to the State Board of
46 | Education by a specified date; requiring the State Board
47 | of Education to prepare a report of the statewide
48 | paperwork and data collection findings and potential
49 | solutions and submit the report to the Governor and the
50 | Legislature; repealing s. 1001.51(24), F.S., and amending
51 | s. 1001.54, F.S.; conforming provisions relating to the
52 | 2005 repeal of the BEST Florida Teaching salary career
53 | ladder program; requiring each secondary school principal
54 | to implement a school redesign component; amending s.

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55 | 1002.20, F.S.; conforming provisions relating to student
56 | progress monitoring plans; amending s. 1003.01, F.S.;
57 | revising the definition of the terms "special education
58 | services" and "career education"; amending s. 1003.03,
59 | F.S.; requiring that each teacher assigned to any
60 | classroom be included in the calculation for compliance
61 | with constitutional class-size limits; providing criteria
62 | for teaching strategies that involve assigning more than
63 | one teacher to a classroom; providing for retroactive
64 | application; prohibiting the imposition of penalties for
65 | the use of any legal strategy relating to the
66 | implementation of class-size reduction; amending s.
67 | 1003.05, F.S.; deleting the requirement that certain
68 | children receive preference for admission to special
69 | academic programs; revising programs defined as "special
70 | academic programs" for purposes of such preference;
71 | amending s. 1003.21, F.S.; requiring student exit
72 | interviews prior to terminating school enrollment;
73 | creating s. 1003.413, F.S., relating to secondary school
74 | redesign; providing intent and guiding principles;
75 | requiring district school boards to establish policies to
76 | implement requirements for middle grades promotion,
77 | revised requirements for high school graduation, and
78 | requirements for career and professional academies;
79 | directing the Commissioner of Education to create and
80 | implement the Secondary School Improvement Award Program;
81 | repealing s. 1003.415, F.S., the Middle Grades Reform Act;

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82 | creating s. 1003.4156, F.S.; providing general course
83 | requirements for middle grades promotion; requiring
84 | intensive reading and remediation mathematics courses in
85 | certain circumstances; authorizing rulemaking and
86 | enforcement; amending s. 1003.42, F.S., relating to
87 | required instruction; revising the requirements for
88 | studying U.S. history and free enterprise; creating s.
89 | 1003.428, F.S.; providing revised requirements for high
90 | school graduation; specifying the required courses;
91 | requiring that certain courses be based on the student's
92 | performance on the FCAT; requiring that district school
93 | boards establish policies for implementing secondary
94 | school reform; requiring the Department of Education to
95 | increase the number of courses that are available to
96 | school districts; requiring strategies for exceptional
97 | students to meet graduation requirements; requiring
98 | standards for graduation; requiring rules for test
99 | accommodations and modifications in certain cases;
100 | providing requirements for standard diplomas and
101 | certificates of completion with exceptions; authorizing
102 | rulemaking and enforcement; amending s. 1003.429, F.S.;
103 | revising requirements applicable to selecting an option
104 | for accelerated high school graduation; revising required
105 | courses for the 3-year standard college preparatory
106 | program; revising requirements for grades that must be
107 | earned to participate in the accelerated program;
108 | providing for default to the standard graduation

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109 requirements in certain circumstances; amending s.
110 1003.437, F.S.; including middle grades in the uniform
111 grading system; amending s. 1003.491, F.S.; including
112 within career education personal and career plans;
113 creating s. 1003.493, F.S.; defining the term "career and
114 professional academy"; providing academy goals and duties;
115 providing types of career and professional academies;
116 providing for the approval of career education courses as
117 core curricula courses under certain circumstances;
118 amending s. 1003.51, F.S.; modifying guidelines for
119 funding requirements that must be included in a rule
120 adopted by the State Board of Education and relating to
121 education programs for youth in Department of Juvenile
122 Justice programs; conforming provisions relating to
123 student progress monitoring plans; amending s. 1003.52,
124 F.S.; conforming provisions relating to student
125 recognition awards; requiring the development and
126 distribution of an annual school report card; authorizing
127 adoption of rules; amending s. 1003.57, F.S.; providing
128 guidelines for determining the residency of a student who
129 receives instruction as an exceptional student with a
130 disability; requiring the student's placing authority or
131 parent to pay the cost of such instruction, facilities,
132 and services; providing responsibilities of the Department
133 of Education; providing responsibilities of residential
134 facilities that educate exceptional students with
135 disabilities; providing applicability; creating s.

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136 | 1003.576, F.S.; requiring the Department of Education to
137 | develop an individual education plan form for use in
138 | developing and implementing individual education plans for
139 | exceptional students; requiring school districts to use
140 | the form; amending s. 1003.58, F.S.; correcting a cross-
141 | reference; amending s. 1003.62, F.S.; conforming
142 | provisions relating to the designation of school grades
143 | and differentiated-pay polices; creating s. 1004.64, F.S.;
144 | establishing the Florida Center for Reading Research;
145 | specifying the duties of the center; creating s. 1004.99,
146 | F.S., the Florida Ready to Work Certification Program to
147 | enhance student workplace skills; providing for program
148 | implementation and requirements; authorizing rulemaking;
149 | amending s. 1006.09, F.S.; conforming a cross-reference;
150 | amending s. 1007.21, F.S.; revising the readiness
151 | requirements for postsecondary education and the
152 | workplace; amending s. 1007.2615, F.S.; revising the date
153 | by which a teacher of American Sign Language must be
154 | certified; deleting a provision allowing alternative
155 | certification; amending s. 1007.271, F.S.; revising the
156 | weighting systems for certain high school courses;
157 | amending s. 1008.22, F.S.; specifying FCAT grade level and
158 | subject area testing requirements; requiring documentation
159 | of procedures that ensure test difficulty under certain
160 | circumstances; providing that FCAT nonallowable
161 | accommodations may be used as instructional accommodations
162 | during classroom instruction if included in the individual

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163 education plan of a student with a disability; authorizing
164 waiver of the FCAT under certain circumstances; requiring
165 certain opportunities for demonstrating student
166 performance; requiring the development of assessments for
167 measuring the academic competency of students with
168 disabilities; requiring the Commissioner of Education to
169 adopt scores concordant to FCAT scores required for high
170 school graduation; authorizing use of concordant scores
171 for additional purposes; clarifying eligibility to use
172 such scores to satisfy requirements for a diploma;
173 requiring an annual report on student performance;
174 repealing s. 1008.221, F.S., relating to alternative
175 assessments for dependent children of military personnel,
176 to conform; amending s. 1008.25, F.S.; replacing student
177 academic improvement plans with progress monitoring plans;
178 authorizing district school boards to require low-
179 performing students to attend remediation programs outside
180 of regular school hours or during the summer; requiring
181 the department to establish a uniform format for reporting
182 information relating to student progression; requiring an
183 annual report; repealing s. 1008.301, F.S., relating to a
184 concordance study of FCAT equivalencies for high school
185 graduation; amending s. 1008.31, F.S.; revising intent,
186 goals, and measures of the K-20 performance accountability
187 system and requiring data quality improvements; requiring
188 adoption of rules; amending s. 1008.33, F.S.; conforming a
189 cross-reference and provisions relating to the designation

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190 of school grades; prohibiting, in a contract that provides
191 for a private entity to administer an alternative school,
192 a provision that changes certain characteristics of the
193 student population as it existed when the school was a
194 public school; amending s. 1008.34, F.S.; revising
195 terminology and provisions relating to designation and
196 determination of school grades; providing for the
197 designation of school grades for feeder pattern schools
198 under certain circumstances; requiring that a school
199 performance grade category designation include achievement
200 scores and, by a specified deadline, include learning
201 gains for students seeking a special diploma; specifying
202 use of assessment data with respect to alternative
203 schools; defining the term "home school"; requiring an
204 annual school report card to be published by the
205 department and distributed by school districts; creating
206 s. 1008.341, F.S.; requiring improvement ratings for
207 certain alternative schools; providing the basis for such
208 ratings and requiring annual performance reports;
209 providing for determination of school improvement ratings,
210 identification of learning gains, and eligibility for
211 school recognition awards; requiring the development and
212 distribution of an annual school report card; amending s.
213 1008.345, F.S.; conforming cross-references and provisions
214 relating to the designation of school grades; requiring
215 the commissioner to assign a community assessment team to
216 failing schools; amending s. 1009.24, F.S.; providing that

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217 | undergraduate tuition be set annually in the General
218 | Appropriations Act; providing authority, procedures, and
219 | guidelines for determining tuition for graduate and
220 | professional programs and for determining out-of-state
221 | fees for all programs; amending s. 1011.62, F.S.;
222 | providing FTE funding for juveniles enrolled in specified
223 | education programs; providing funding for supplemental
224 | educational programs; providing funding for supplemental
225 | educational services for certain students; conforming
226 | cross-references and provisions relating to the
227 | designation of school grades; establishing a research-
228 | based reading instruction allocation to provide funds for
229 | a comprehensive reading instruction system; requiring
230 | school district plans for use of the allocation and
231 | approval thereof; including the allocation in the total
232 | amount allocated to each school district for current
233 | operation; amending s. 1011.64, F.S.; conforming
234 | terminology and a cross-reference; amending s. 1011.67,
235 | F.S.; requiring district school board approval of a staff
236 | development plan relating to use of instructional
237 | materials; amending s. 1011.685, F.S.; conforming
238 | provisions relating to the 2005 repeal of the BEST Florida
239 | Teaching salary career ladder program and implementation
240 | of a differentiated-pay policy; amending s. 1011.71, F.S.;
241 | correcting a cross-reference; amending s. 1012.21, F.S.;
242 | requiring the department to annually post online school
243 | district collective bargaining contracts and the salary

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244 and benefits of certain personnel; amending s. 1012.22,
245 F.S.; revising the time period in which to nominate
246 principals; requiring that each school district adopt a
247 differentiated-pay policy meeting specified criteria;
248 requiring each district school board to annually provide
249 to the department its negotiated collective bargaining
250 contract and the salary and benefits of certain personnel;
251 creating s. 1012.2315, F.S.; providing school district
252 requirements for the assignment of teachers and
253 authorizing incentives; providing procedures for
254 noncompliance; providing requirements relating to
255 collective bargaining; requiring reporting by certain
256 schools; amending s. 1012.27, F.S.; conforming provisions
257 relating to the 2005 repeal of the BEST Florida Teaching
258 salary career ladder program and implementation of a
259 differentiated-pay policy; amending s. 1012.28, F.S.;
260 conforming a cross-reference; amending s. 1012.34, F.S.;
261 conforming provisions relating to deletion of a rigorous
262 reading requirement; amending s. 1012.56, F.S., relating
263 to middle grades certification; encouraging school
264 districts to provide for additional certification for
265 teachers; amending s. 1012.98, F.S., relating to the
266 School Community Professional Development Act; revising
267 the purpose of the professional development system;
268 providing for additional activities; requiring
269 instructional strategies and methods that support
270 rigorous, relevant, and challenging curriculum; providing

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271 requirements for followup support and the master plan for
 272 inservice activities; providing requirements for the
 273 individual professional development plan for instructional
 274 employees; requiring the department to disseminate best-
 275 practice methods and model professional development
 276 programs; creating s. 1012.986, F.S.; providing for a
 277 statewide system for the professional development of
 278 school leaders consisting of a collaborative network of
 279 professional organizations; providing goals of the
 280 network; repealing s. 1012.987, F.S., which requires the
 281 State Board of Education to adopt rules through which
 282 school principals may earn a leadership designation;
 283 providing an effective date.

284
 285 Be It Enacted by the Legislature of the State of Florida:

286
 287 Section 1. Paragraph (f) is added to subsection (3) of
 288 section 20.15, Florida Statutes, to read:

289 20.15 Department of Education.--There is created a
 290 Department of Education.

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

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

294 Section 2. Paragraph (b) of subsection (3) of section
 295 411.227, Florida Statutes, is amended to read:

296 411.227 Components of the Learning Gateway.--The Learning
 297 Gateway system consists of the following components:

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298 (3) EARLY EDUCATION, SERVICES AND SUPPORTS.--
 299 (b) Demonstration projects shall develop strategies to
 300 increase the use of appropriate intervention practices with
 301 children who have learning problems and learning disabilities
 302 within public and private early care and education programs and
 303 K-3 public and private school settings. Strategies may include
 304 training and technical assistance teams. Intervention must be
 305 coordinated and must focus on providing effective supports to
 306 children and their families within their regular education and
 307 community environment. These strategies must incorporate, as
 308 appropriate, school and district activities related to the
 309 student's progress monitoring ~~academic improvement~~ plan and must
 310 provide parents with greater access to community-based services
 311 that should be available beyond the traditional school day.
 312 Academic expectations for public school students in grades K-3
 313 must be based upon the local school board's adopted proficiency
 314 levels. When appropriate, school personnel shall consult with
 315 the local Learning Gateway to identify other community resources
 316 for supporting the child and the family.

317 Section 3. Section 446.609, Florida Statutes, is repealed.

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

320 1000.03 Function, mission, and goals of the Florida K-20
 321 education system.--

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

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325 through rigorous and relevant ~~adequate~~ learning opportunities,
326 in accordance with the mission statement and accountability
327 requirements of s. 1008.31.

328 Section 5. Section 1000.041, Florida Statutes, is
329 repealed.

330 Section 6. Subsections (1), (3), and (14) of section
331 1001.03, Florida Statutes, are amended to read:

332 1001.03 Specific powers of State Board of Education.--

333 (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The State
334 Board of Education shall approve the student performance
335 standards known as the Sunshine State Standards in key academic
336 subject areas and grade levels. The state board shall establish
337 a schedule to facilitate the periodic review of the standards to
338 ensure adequate rigor, relevance, logical student progression,
339 and integration of reading, writing, and mathematics across all
340 subject areas. The standards review by subject area must include
341 participation of curriculum leaders in other content areas,
342 including the arts, to ensure valid content area integration and
343 to address the instructional requirements of different learning
344 styles. The process for review and proposed revisions must
345 include leadership and input from the state's classroom
346 teachers, school administrators, and community colleges and
347 universities, and from representatives from business and
348 industry who are identified by local education foundations. A
349 report including proposed revisions must be submitted to the
350 Governor, the President of the Senate, and the Speaker of the
351 House of Representatives annually to coincide with the

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352 established review schedule. The review schedule and an annual
 353 status report must be submitted to the Governor, the President
 354 of the Senate, and the Speaker of the House of Representatives
 355 annually not later than January 1.

356 (3) PROFESSIONAL CERTIFICATES.--The State Board of
 357 Education shall classify school services, designate the
 358 certification subject areas, establish competencies, including
 359 the use of technology to enhance student learning, and
 360 certification requirements for all school-based personnel, and
 361 prescribe rules in accordance with which the professional,
 362 temporary, and part-time certificates shall be issued by the
 363 Department of Education to applicants who meet the standards
 364 prescribed by such rules for their class of service, as
 365 described in chapter 1012. The state board shall adopt rules
 366 that give part-time and full-time nondegreed teachers of career
 367 programs, pursuant to s. 1012.39(1)(c), the opportunity to earn
 368 a reading credential equivalent to a content-area-specific
 369 reading endorsement.

370 (14) UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT
 371 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.--The State Board of
 372 Education shall maintain ~~recommend to the Legislature by~~
 373 ~~February 1, 2003,~~ a uniform classification system for school
 374 district administrative and management personnel that will
 375 facilitate the uniform coding of administrative and management
 376 personnel to total district employees.

377 Section 7. Section 1001.10, Florida Statutes, is amended
 378 to read:

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379 | 1001.10 Commissioner of Education; general powers and
380 | duties.--The Commissioner of Education is the chief educational
381 | officer of the state and the sole custodian of the K-20 data
382 | warehouse, and is responsible for giving full assistance to the
383 | State Board of Education in enforcing compliance with the
384 | mission and goals of the seamless K-20 education system. To
385 | facilitate innovative practices and to allow local selection of
386 | educational methods, the State Board of Education may authorize
387 | the commissioner to waive, upon the request of a district school
388 | board, State Board of Education rules that relate to district
389 | school instruction and school operations, except those rules
390 | pertaining to civil rights, and student health, safety, and
391 | welfare. The Commissioner of Education is not authorized to
392 | grant waivers for any provisions in rule pertaining to the
393 | allocation and appropriation of state and local funds for public
394 | education; the election, compensation, and organization of
395 | school board members and superintendents; graduation and state
396 | accountability standards; financial reporting requirements;
397 | reporting of out-of-field teaching assignments under s. 1012.42;
398 | public meetings; public records; or due process hearings
399 | governed by chapter 120. No later than January 1 of each year,
400 | the commissioner shall report to the Legislature and the State
401 | Board of Education all approved waiver requests in the preceding
402 | year. Additionally, the commissioner has the following general
403 | powers and duties:

404 | (1) To appoint staff necessary to carry out his or her
405 | powers and duties.

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406 (2) To advise and counsel with the State Board of
407 Education on all matters pertaining to education; to recommend
408 to the State Board of Education actions and policies as, in the
409 commissioner's opinion, should be acted upon or adopted; and to
410 execute or provide for the execution of all acts and policies as
411 are approved.

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

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

418 (5) To recommend to the State Board of Education policies
419 and steps designed to protect and preserve the principal of the
420 State School Fund; to provide an assured and stable income from
421 the fund; to execute such policies and actions as are approved;
422 and to administer the State School Fund.

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

426 (7) To submit to the State Board of Education, on or
427 before August 1 of each year, recommendations for a coordinated
428 K-20 education budget that estimates the expenditures for the
429 State Board of Education, including the Department of Education,
430 the Commissioner of Education, and all of the boards,
431 institutions, agencies, and services under the general
432 supervision of the State Board of Education for the ensuing

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433 | fiscal year. Any program recommended to the State Board of
434 | Education that will require increases in state funding for more
435 | than 1 year must be presented in a multiyear budget plan.

436 | (8) To develop and implement a plan for cooperating with
437 | the Federal Government in carrying out any or all phases of the
438 | educational program and to recommend policies for administering
439 | funds that are appropriated by Congress and apportioned to the
440 | state for any or all educational purposes. The Commissioner of
441 | Education shall submit to the Legislature the proposed state
442 | plan for the reauthorization of the No Child Left Behind Act
443 | before the proposed plan is submitted to federal agencies. The
444 | President of the Senate and the Speaker of the House of
445 | Representatives shall appoint members of the appropriate
446 | education and appropriations committees to serve as a select
447 | committee to review the proposed plan.

448 | (9) To develop and implement policies for cooperating with
449 | other public agencies in carrying out those phases of the
450 | program in which such cooperation is required by law or is
451 | deemed by the commissioner to be desirable and to cooperate with
452 | public and nonpublic agencies in planning and bringing about
453 | improvements in the educational program.

454 | (10) To prepare forms and procedures as are necessary to
455 | be used by district school boards and all other educational
456 | agencies to assure uniformity, accuracy, and efficiency in the
457 | keeping of records, the execution of contracts, the preparation
458 | of budgets, or the submission of reports; and to furnish at

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

461 (11) To implement a program of school improvement and
 462 education accountability designed to provide all students the
 463 opportunity to make adequate learning gains in each year of
 464 school as provided by statute and State Board of Education rule
 465 based upon the achievement of the state education goals,
 466 recognizing the following:

467 (a) The State Board of Education is the body corporate
 468 responsible for the supervision of the system of public
 469 education.

470 (b) The district school board is responsible for school
 471 and student performance.

472 (c) The individual school is the unit for education
 473 accountability.

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

476 (e) The university board of trustees is responsible for
 477 university performance and student performance.

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

481 (13) To prepare and publish annually reports giving
 482 statistics and other useful information pertaining to the
 483 Opportunity Scholarship Program.

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

487 (15) To develop criteria for use by state instructional
 488 materials committees in evaluating materials submitted for
 489 adoption consideration. The criteria shall, as appropriate, be
 490 based on instructional expectations reflected in curriculum
 491 frameworks and student performance standards. The criteria for
 492 each subject or course shall be made available to publishers of
 493 instructional materials pursuant to the requirements of chapter
 494 1006.

495 (16) To prescribe procedures for evaluating instructional
 496 materials submitted by publishers and manufacturers in each
 497 adoption.

498
 499 The commissioner's office shall operate all statewide functions
 500 necessary to support the State Board of Education and the K-20
 501 education system, including strategic planning and budget
 502 development, general administration, and assessment and
 503 accountability.

504 Section 8. Section 1001.215, Florida Statutes, is created
 505 to read:

506 1001.215 Just Read, Florida! Office.--There is created in
 507 the Department of Education the Just Read, Florida! office. The
 508 office shall be fully accountable to the Commissioner of
 509 Education and shall:

510 (1) Train highly effective reading coaches.

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511 (2) Create multiple designations of effective reading
512 instruction, with accompanying credentials, which encourage all
513 teachers to integrate reading instruction into their content
514 areas.

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

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

521 (5) Provide technical assistance to school districts in
522 the development and implementation of district plans for use of
523 the research-based reading instruction allocation provided in s.
524 1011.62(8) and annually review and approve such plans.

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

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

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

533 (9) Periodically review teacher certification
534 examinations, including alternative certification exams, to
535 ascertain whether the examinations measure the skills needed for
536 research-based reading instruction and instructional strategies
537 for teaching reading in the content areas.

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538 (10) Work with teacher preparation programs approved
539 pursuant to s. 1004.04 to integrate research-based reading
540 instructional strategies and reading in the content area
541 instructional strategies into teacher preparation programs.

542 (11) Administer grants and perform other functions as
543 necessary to meet the goal that all students read at grade
544 level.

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

547 1001.33 Schools under control of district school board and
548 district school superintendent.--

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

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

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

558 ~~(b) Teachers maintain orderly, disciplined classrooms~~
559 ~~conducive to student learning.~~

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

562 ~~(d) Teachers are well rewarded for their students' high~~
563 ~~performance.~~

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564 ~~(e) Teachers are most effective when served by exemplary~~
 565 ~~school administrators.~~

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

568 1001.41 General powers of district school board.--The
 569 district school board, after considering recommendations
 570 submitted by the district school superintendent, shall exercise
 571 the following general powers:

572 (3) Prescribe and adopt standards and policies to provide
 573 each student the opportunity to receive a complete education
 574 program, including language arts, mathematics, science, social
 575 studies, health, physical education, foreign languages, and the
 576 arts, as defined by the Sunshine State Standards. The standards
 577 and policies must emphasize integration and reinforcement of
 578 reading, writing, and mathematics skills across all subjects,
 579 including career awareness, career exploration, and career and
 580 technical education ~~as are considered desirable by it for~~
 581 ~~improving the district school system.~~

582 Section 11. Paragraph (c) of subsection (5) of section
 583 1001.42, Florida Statutes, is repealed, paragraph (f) of
 584 subsection (4), subsection (16), paragraph (d) of subsection
 585 (17), and subsection (18) of that section are amended, present
 586 subsection (22) is redesignated as subsection (23), and a new
 587 subsection (22) is added to that section, to read:

588 1001.42 Powers and duties of district school board.--The
 589 district school board, acting as a board, shall exercise all
 590 powers and perform all duties listed below:

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

595 (f) Opening and closing of schools; fixing uniform date.--
 596 Adopt policies for the opening and closing of schools and fix
 597 uniform dates; however, beginning with the 2007-2008 school
 598 year, the opening date for schools in the district may not be
 599 earlier than 14 days before Labor Day each year.

600 (5) PERSONNEL.--

601 ~~(e) Fully support and cooperate in the application of the~~
 602 ~~guiding principles of Better Educated Students and Teachers~~
 603 ~~(BEST) Florida Teaching, pursuant to s. 1000.041.~~

604 (16) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.--
 605 Maintain a system of school improvement and education
 606 accountability as provided by statute and State Board of
 607 Education rule. This system of school improvement and education
 608 accountability shall be consistent with, and implemented
 609 through, the district's continuing system of planning and
 610 budgeting required by this section and ss. 1008.385, 1010.01,
 611 and 1011.01. This system of school improvement and education
 612 accountability shall include, but is not limited to, the
 613 following:

614 (a) School improvement plans.--Annually approve and
 615 require implementation of a new, amended, or continuation school
 616 improvement plan for each school in the district, ~~except that A~~
 617 district school board may establish a district school

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618 improvement plan that includes all schools in the district
619 operating for the purpose of providing educational services to
620 youth in Department of Juvenile Justice programs. The school
621 improvement ~~Such~~ plan shall be designed to achieve the state
622 education priorities pursuant to s. 1000.03(5) and student
623 proficiency on the Sunshine State Standards pursuant to s.
624 1003.41 ~~performance standards. In addition, any school required~~
625 ~~to implement a rigorous reading requirement pursuant to s.~~
626 ~~1003.415 must include such component in its school improvement~~
627 ~~plan.~~ Each plan shall address student achievement goals and
628 strategies based on state and school district proficiency
629 standards. The plan may also address issues relative to other
630 academic-related matters ~~budget, training, instructional~~
631 ~~materials, technology, staffing, student support services,~~
632 ~~specific school safety and discipline strategies, student health~~
633 ~~and fitness, including physical fitness, parental information on~~
634 ~~student health and fitness, and indoor environmental air~~
635 ~~quality, and other matters of resource allocation, as determined~~
636 by district school board policy, and shall include ~~be based on~~
637 an accurate, data-based analysis of student achievement and
638 other school performance data. Beginning with plans approved for
639 implementation in the 2007-2008 school year, each secondary
640 school plan must include a redesign component based on the
641 principles established in s. 1003.413. For each school in the
642 district that earns a school grade of "C" or below, or is
643 required to have a school improvement plan under federal law,
644 the school improvement plan shall, at a minimum, also include:

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645 1. Professional development that supports enhanced and
646 differentiated instructional strategies to improve teaching and
647 learning.

648 2. Continuous use of disaggregated student achievement
649 data to determine effectiveness of instructional strategies.

650 3. Ongoing informal and formal assessments to monitor
651 individual student progress, including progress toward mastery
652 of the Sunshine State Standards, and to redesign instruction if
653 needed.

654 4. Alternative instructional delivery methods to support
655 remediation, acceleration, and enrichment strategies.

656 (b) Approval process.--Develop a process for approval of a
657 school improvement plan presented by an individual school and
658 its advisory council. In the event a district school board does
659 not approve a school improvement plan after exhausting this
660 process, the Department of Education shall be notified of the
661 need for assistance.

662 (c) Assistance and intervention.--

663 1. Develop a 2-year plan of increasing individualized
664 assistance and intervention for each school in danger of not
665 meeting state standards or making adequate progress, as defined
666 pursuant to statute and State Board of Education rule, toward
667 meeting the goals and standards of its approved school
668 improvement plan.

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

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672 3. Develop a plan to encourage teachers with demonstrated
673 mastery in improving student performance to remain at or
674 transfer to a school with a ~~designated as performance~~ grade of
675 ~~category~~ "D" or "F" or to an alternative school that serves
676 disruptive or violent youths. If a classroom teacher, as defined
677 by s. 1012.01(2)(a), who meets the definition of teaching
678 mastery developed according to the provisions of this paragraph,
679 requests assignment to a school designated with a ~~as performance~~
680 grade of ~~category~~ "D" or "F" or to an alternative school that
681 serves disruptive or violent youths, the district school board
682 shall make every practical effort to grant the request.

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

688 (d) After 2 years.--Notify the Commissioner of Education
689 and the State Board of Education in the event any school does
690 not make adequate progress toward meeting the goals and
691 standards of a school improvement plan by the end of 2 years of
692 failing to make adequate progress and proceed according to
693 guidelines developed pursuant to statute and State Board of
694 Education rule. School districts shall provide intervention and
695 assistance to schools in danger of being designated with a ~~as~~
696 ~~performance~~ grade of ~~category~~ "F," failing to make adequate
697 progress.

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698 (e) Public disclosure.--Provide information regarding
699 performance of students and educational programs as required
700 pursuant to ss. 1008.22 and 1008.385 and implement a system of
701 school reports as required by statute and State Board of
702 Education rule that shall include schools operating for the
703 purpose of providing educational services to youth in Department
704 of Juvenile Justice programs, and for those schools, report on
705 the elements specified in s. 1003.52(19). Annual public
706 disclosure reports shall be in an easy-to-read report card
707 format and shall include the school's ~~student and school~~
708 performance grade, high school graduation rate calculated
709 without GED tests, disaggregated by student ethnicity, category
710 ~~designation~~ and performance data as specified in state board
711 rule.

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

716 (17) LOCAL-LEVEL DECISIONMAKING.--

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

722 (18) OPPORTUNITY SCHOLARSHIPS.--Adopt policies allowing
723 students attending schools that have been designated with a ~~as~~
724 ~~performance grade of~~ category "F," failing to make adequate

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725 progress, for 2 school years in a 4-year period to attend a
726 higher performing school in the district or an adjoining
727 district or be granted a state opportunity scholarship to a
728 private school, in conformance with s. 1002.38 and State Board
729 of Education rule.

730 (22) REDUCE PAPERWORK AND DATA COLLECTION AND REPORTING
731 REQUIREMENTS.--Beginning with the 2006-2007 school year:

732 (a) Each district school board shall designate a classroom
733 teacher to serve as the teacher representative to speak on
734 behalf of the district's teachers regarding paperwork and data
735 collection reduction.

736 (b) Each district school board must provide the school
737 community with an efficient method for the school community to
738 communicate with the classroom teacher designee regarding
739 possible paperwork and data collection burdens and potential
740 solutions.

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

743 (d) Each district school board must submit its findings
744 and potential solutions to the State Board of Education by
745 September 1 of each year.

746 (e) The State Board of Education shall prepare a report
747 of the statewide paperwork and data collection findings and
748 potential solutions and submit the report to the Governor, the
749 President of the Senate, and the Speaker of the House of
750 Representatives by October 1 of each year.

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751 Section 12. Subsection (24) of section 1001.51, Florida
 752 Statutes, is repealed.

753 Section 13. Paragraphs (c) and (d) of subsection (1) and
 754 subsection (2) of section 1001.54, Florida Statutes, are amended
 755 to read:

756 1001.54 Duties of school principals.--

757 (1)

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

761 (c)~~(d)~~ The school principal shall fully support the
 762 authority of each teacher and school bus driver to remove
 763 disobedient, disrespectful, violent, abusive, uncontrollable, or
 764 disruptive students from the classroom and the school bus and,
 765 when appropriate and available, place such students in an
 766 alternative educational setting.

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

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

772 1002.20 K-12 student and parent rights.--Parents of public
 773 school students must receive accurate and timely information
 774 regarding their child's academic progress and must be informed
 775 of ways they can help their child to succeed in school. K-12
 776 students and their parents are afforded numerous statutory
 777 rights including, but not limited to, the following:

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778 (11) STUDENTS WITH READING DEFICIENCIES.--Each elementary
 779 school shall regularly assess the reading ability of each K-3
 780 student. The parent of any K-3 student who exhibits a reading
 781 deficiency shall be immediately notified of the student's
 782 deficiency with a description and explanation, in terms
 783 understandable to the parent, of the exact nature of the
 784 student's difficulty in learning and lack of achievement in
 785 reading; shall be consulted in the development of a progress
 786 monitoring ~~detailed academic improvement~~ plan, as described in
 787 s. 1008.25(4)(b); and shall be informed that the student will be
 788 given intensive reading instruction until the deficiency is
 789 corrected. This subsection operates in addition to the
 790 remediation and notification provisions contained in s. 1008.25
 791 and in no way reduces the rights of a parent or the
 792 responsibilities of a school district under that section.

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

795 1003.01 Definitions.--As used in this chapter, the term:

796 (3)

797 (b) "Special education services" means specially designed
 798 instruction and such related services as are necessary for an
 799 exceptional student to benefit from education. Such services may
 800 include: transportation; diagnostic and evaluation services;
 801 social services; physical and occupational therapy; speech and
 802 language pathology services; job placement; orientation and
 803 mobility training; braillists, typists, and readers for the
 804 blind; interpreters and auditory amplification; rehabilitation

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805 counseling; transition services; mental health services;
806 guidance and career counseling; specified materials, assistive
807 technology devices, and other specialized equipment; and other
808 such services as approved by rules of the state board.

809 (4) "Career education" means education that provides
810 instruction for the following purposes:

811 (a) At the elementary, middle, and high ~~secondary~~ school
812 levels, exploratory courses designed to give students initial
813 exposure to a broad range of occupations to assist them in
814 preparing their academic and occupational plans, and practical
815 arts courses that provide generic skills that may apply to many
816 occupations but are not designed to prepare students for entry
817 into a specific occupation. Career education provided before
818 high school completion must be designed to strengthen ~~enhance~~
819 both occupational awareness and academic skills integrated
820 throughout all ~~through integration with~~ academic instruction.

821 (b) At the secondary school level, job-preparatory
822 instruction in the competencies that prepare students for
823 effective entry into an occupation, including diversified
824 cooperative education, work experience, and job-entry programs
825 that coordinate directed study and on-the-job training.

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

829 Section 16. Paragraph (b) of subsection (2) of section
830 1003.03, Florida Statutes, is amended, and subsection (5) is
831 added to that section, to read:

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- 832 | 1003.03 Maximum class size.--
- 833 | (2) IMPLEMENTATION.--
- 834 | (b) Determination of the number of students per classroom
- 835 | in paragraph (a) shall be calculated as follows:
- 836 | 1. For fiscal years 2003-2004 through 2005-2006, the
- 837 | calculation for compliance for each of the 3 grade groupings
- 838 | shall be the average at the district level.
- 839 | 2. For fiscal years 2006-2007 through 2007-2008, the
- 840 | calculation for compliance for each of the 3 grade groupings
- 841 | shall be the average at the school level.
- 842 | 3. For fiscal years 2008-2009, 2009-2010, and thereafter,
- 843 | the calculation for compliance shall be at the individual
- 844 | classroom level.
- 845 | 4. For fiscal years 2006-2007 through 2009-2010 and
- 846 | thereafter, each teacher assigned to any classroom shall be
- 847 | included in the calculation for compliance.
- 848 | (5) TEAM-TEACHING STRATEGIES.--
- 849 | (a) School districts may use teaching strategies that
- 850 | include the assignment of more than one teacher to a classroom
- 851 | of students and that were implemented before July 1, 2005.
- 852 | Effective July 1, 2005, school districts may implement
- 853 | additional teaching strategies that include the assignment of
- 854 | more than one teacher to a classroom of students for the
- 855 | following purposes only:
- 856 | 1. Pairing teachers for the purpose of staff development.
- 857 | 2. Pairing new teachers with veteran teachers.
- 858 | 3. Reducing turnover among new teachers.

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859 4. Pairing teachers who are teaching out-of-field with
860 teachers who are in-field.

861 5. Providing for more flexibility and innovation in the
862 classroom.

863 6. Improving learning opportunities for students,
864 including students who have disabilities.

865 (b) Teaching strategies implemented on or after July 1,
866 2005, pursuant to paragraph (a) may be implemented subject to
867 the following restrictions:

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

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

874 3. At least one member of the team must be teaching in-
875 field.

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

878
879 The use of strategies implemented as outlined in this
880 subsection meets the letter and intent of the Florida
881 Constitution and the Florida Statutes which relate to
882 implementing class-size reduction and this subsection applies
883 retroactively. A school district may not be penalized
884 financially or otherwise as a result of the use of any legal

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885 strategy, including, but not limited to, those set forth in
 886 subsection (3) and this subsection.

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

889 1003.05 Assistance to transitioning students from military
 890 families.--

891 (3) Dependent children of active duty military personnel
 892 who otherwise meet the eligibility criteria for special academic
 893 programs offered through public schools shall be given first
 894 preference for admission to such programs even if the program is
 895 being offered through a public school other than the school to
 896 which the student would generally be assigned ~~and the school at~~
 897 ~~which the program is being offered has reached its maximum~~
 898 ~~enrollment.~~ If such a program is offered through a public school
 899 other than the school to which the student would generally be
 900 assigned, the parent or guardian of the student must assume
 901 responsibility for transporting the student to that school. For
 902 purposes of this subsection, special academic programs include
 903 ~~charter schools,~~ magnet schools, advanced studies programs,
 904 advanced placement, dual enrollment, Advanced International
 905 Certificate of Education, and International Baccalaureate.

906 Section 18. Paragraph (c) of subsection (1) of section
 907 1003.21, Florida Statutes, is amended to read:

908 1003.21 School attendance.--

909 (1)

910 (c) A student who attains the age of 16 years during the
 911 school year is not subject to compulsory school attendance

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912 beyond the date upon which he or she attains that age if the
913 student files a formal declaration of intent to terminate school
914 enrollment with the district school board. The declaration must
915 acknowledge that terminating school enrollment is likely to
916 reduce the student's earning potential and must be signed by the
917 student and the student's parent. The school district must
918 notify the student's parent of receipt of the student's
919 declaration of intent to terminate school enrollment. The
920 student's guidance counselor or other school personnel must
921 conduct an exit interview with the student to determine the
922 reasons for the student's decision to terminate school
923 enrollment and actions that could be taken to keep the student
924 in school. The student must be informed of opportunities to
925 continue his or her education in a different environment,
926 including, but not limited to, adult education and GED test
927 preparation. Additionally, the student must complete a survey in
928 a format prescribed by the Department of Education to provide
929 data on student reasons for terminating enrollment and actions
930 taken by schools to keep students enrolled.

931 Section 19. Section 1003.413, Florida Statutes, is created
932 to read:

933 1003.413 Florida Secondary School Redesign Act.--

934 (1) Secondary schools are schools that primarily serve
935 students in grades 6 through 12. It is the intent of the
936 Legislature to provide for secondary school redesign so that
937 students promoted from the 8th grade have the necessary academic
938 skills for success in high school and students graduating from

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939 | high school have the necessary skills for success in the
940 | workplace and postsecondary education.

941 | (2) The following guiding principles for secondary school
942 | redesign shall be used in the annual preparation of each
943 | secondary school's improvement plan required by s. 1001.42(16):

944 | (a) Struggling students, especially those in failing
945 | schools, need the highest quality teachers and dramatically
946 | different, innovative approaches to teaching and learning.

947 | (b) Every teacher must contribute to every student's
948 | reading improvement.

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

951 | (d) Small learning communities allow teachers to
952 | personalize instruction to better address student learning
953 | styles, strengths, and weaknesses.

954 | (e) Intensive intervention in reading and mathematics must
955 | occur early and through innovative delivery systems.

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

959 | (g) Applied and integrated courses help students see the
960 | relationships between subjects and relevance to their futures.

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

963 | (i) Master schedules should not determine instruction and
964 | must be designed based on student needs, not adult or
965 | institutional needs.

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

969 (3) Based on these guiding principles, district school
970 boards shall establish policies to implement the requirements of
971 ss. 1003.4156, 1003.428, and 1003.493. The policies must
972 address:

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

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

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

983 (d) Credit recovery courses and intensive reading and
984 mathematics intervention courses based on student performance on
985 the FCAT. These courses should be competency based and offered
986 through innovative delivery systems, including computer-assisted
987 instruction. School districts should use learning gains as well
988 as other appropriate data and provide incentives to identify and
989 reward high-performing teachers who teach credit recovery and
990 intensive intervention courses.

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- 991 (e) Grade forgiveness policies that replace a grade of "D"
- 992 or "F" with a grade of "C" or higher earned subsequently in the
- 993 same or a comparable course.
- 994 (f) Summer academies for students to receive intensive
- 995 reading and mathematics intervention courses or competency-based
- 996 credit recovery courses. A student's participation in an
- 997 instructional or remediation program prior to or immediately
- 998 following entering grade 9 for the first time shall not affect
- 999 that student's classification as a first-time 9th grader for
- 1000 reporting purposes.
- 1001 (g) Strategies to support teachers' pursuit of the reading
- 1002 endorsement and emphasize reading instruction professional
- 1003 development for content area teachers.
- 1004 (h) Creative and flexible scheduling designed to meet
- 1005 student needs.
- 1006 (i) Procedures for high school students who have not
- 1007 prepared an electronic personal education plan pursuant to s.
- 1008 1003.4156 to prepare such plan.
- 1009 (j) Tools for parents to regularly monitor student
- 1010 progress and communicate with teachers.
- 1011 (k) Additional course requirements for promotion and
- 1012 graduation which may be determined by each school district in
- 1013 the student progression plan and may include additional
- 1014 academic, fine and performing arts, physical education, or
- 1015 career and technical education courses in order to provide a
- 1016 complete education program pursuant to s. 1001.41(3).

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1017 (4) In order to support the successful implementation of
 1018 this section by district school boards, the Department of
 1019 Education shall:

1020 (a) By February 1, 2007, increase the number of approved
 1021 applied, integrated, and combined courses available to school
 1022 districts.

1023 (b) By the beginning of the 2006-2007 school year, make
 1024 available a professional development package designed to provide
 1025 the information that content area teachers need to become
 1026 proficient in applying scientifically based reading strategies
 1027 through their content areas.

1028 (c) Share best practices for providing a complete
 1029 education program to students enrolled in course recovery,
 1030 credit recovery, intensive reading intervention, or intensive
 1031 mathematics intervention.

1032 (d) Expedite assistance and decisions and coordinate
 1033 policies throughout all divisions within the department to
 1034 provide school districts with support to implement this section.

1035 (e) Use data to provide the Legislature with an annual
 1036 longitudinal analysis of the success of this reform effort,
 1037 including the progress of 6th grade students and 9th grade
 1038 students scoring at Level 1 on FCAT Reading or FCAT Mathematics.

1039 (5) The Commissioner of Education shall create and
 1040 implement the Secondary School Improvement Award Program to
 1041 reward public secondary schools that demonstrate continuous
 1042 student academic improvement and show the greatest gains in
 1043 student academic achievement in reading and mathematics.

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1044 Section 20. Section 1003.415, Florida Statutes, is
 1045 repealed.

1046 Section 21. Section 1003.4156, Florida Statutes, is
 1047 created to read:

1048 1003.4156 General requirements for middle grades
 1049 promotion.--

1050 (1) Beginning with students entering grade 6 in the 2006-
 1051 2007 school year, promotion from a school composed of middle
 1052 grades 6, 7, and 8 requires that:

1053 (a) The student must successfully complete academic
 1054 courses as follows:

1055 1. Three middle school or higher courses in English. These
 1056 courses shall emphasize literature, composition, and technical
 1057 text.

1058 2. Three middle school or higher courses in mathematics.
 1059 Each middle school must offer at least one high-school-level
 1060 mathematics course for which students may earn high school
 1061 credit.

1062 3. Three middle school or higher courses in social
 1063 studies, one semester of which must include the study of state
 1064 and federal government and civics education.

1065 4. Three middle school or higher courses in science.

1066 5. One course in career and education planning to be
 1067 completed in 7th or 8th grade. The course may be taught by any
 1068 member of the instructional staff; must include career
 1069 exploration using CHOICES for the 21st Century or a comparable
 1070 cost-effective program; must include educational planning using

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1071 the online student advising system known as Florida Academic
1072 Counseling and Tracking for Students at the Internet website
1073 FACTS.org; and shall result in the completion of a personalized
1074 academic and career plan. Each student's plan must be signed by
1075 the student, the student's guidance counselor or academic
1076 advisor, and the student's parent. By January 1, 2007, the
1077 Department of Education shall develop course frameworks and
1078 professional development materials for the career and education
1079 planning course to be implemented as a stand-alone course or
1080 integrated into another course or courses.

1081
1082 Each school must hold a parent meeting either in the evening or
1083 on a weekend to inform parents about the course curriculum and
1084 activities. Each student shall complete an electronic personal
1085 education plan that must be signed by the student, the student's
1086 instructor or guidance counselor, and the student's parent. By
1087 January 1, 2007, the Department of Education shall develop
1088 course frameworks and professional development materials for the
1089 career exploration and education planning course. The course may
1090 be implemented as a stand-alone course or integrated into
1091 another course. The Commissioner of Education shall collect
1092 longitudinal high school course enrollment data by student
1093 ethnicity in order to analyze course-taking patterns.

1094 (b) For each year in which a student scores at Level 1 on
1095 FCAT Reading, the student must be enrolled in and complete an
1096 intensive reading course the following year. Placement of Level
1097 2 readers in either an intensive reading course or a content

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1098 area course in which reading strategies are delivered shall be
 1099 determined by diagnosis of reading needs. The department shall
 1100 provide guidance on appropriate strategies for diagnosing and
 1101 meeting the varying instructional needs of students reading
 1102 below grade level. Reading courses shall be designed and offered
 1103 pursuant to the comprehensive reading plan required by s.
 1104 1011.62(8).

1105 (c) For each year in which a student scores at Level 1 or
 1106 Level 2 on FCAT Mathematics, the student must receive
 1107 remediation the following year, which may be integrated into the
 1108 student's required mathematics course.

1109 (2) Students in grade 6, grade 7, or grade 8 who are not
 1110 enrolled in schools with a middle grades configuration are
 1111 subject to the promotion requirements of this section.

1112 (3) The State Board of Education may adopt rules pursuant
 1113 to ss. 120.536(1) and 120.54 to implement the provisions of this
 1114 section and may enforce the provisions of this section pursuant
 1115 to s. 1008.32.

1116 Section 22. Section 1003.42, Florida Statutes, is amended
 1117 to read:

1118 1003.42 Required instruction.--

1119 (1) Each district school board shall provide all courses
 1120 required for middle grades promotion, high school graduation,
 1121 and appropriate instruction designed to ensure that students
 1122 meet State Board of Education adopted standards in the following
 1123 subject areas: reading and other language arts, mathematics,

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1124 science, social studies, foreign languages, health and physical
 1125 education, and the arts.

1126 (2) Members of the instructional staff of the public
 1127 schools, subject to the rules of the State Board of Education
 1128 and the district school board, shall teach efficiently and
 1129 faithfully, using the books and materials required that meet the
 1130 highest standards for professionalism and historic accuracy,
 1131 following the prescribed courses of study, and employing
 1132 approved methods of instruction, the following:

1133 (a) The history and content of the Declaration of
 1134 Independence, including national sovereignty, natural law, self-
 1135 evident truth, equality of all persons, limited government,
 1136 popular sovereignty, and inalienable rights of life, liberty,
 1137 and property, and how they form ~~it forms~~ the philosophical
 1138 foundation of our government.

1139 (b) The history, meaning, significance, and effect of the
 1140 provisions of the Constitution of the United States and
 1141 amendments thereto, with emphasis on each of the 10 amendments
 1142 that make up the Bill of Rights and how the constitution
 1143 provides the structure of our government.

1144 (c) ~~(b)~~ The arguments in support of adopting our republican
 1145 form of government, as they are embodied in the most important
 1146 of the Federalist Papers.

1147 ~~(c) The essentials of the United States Constitution and~~
 1148 ~~how it provides the structure of our government.~~

1149 (d) Flag education, including proper flag display and flag
 1150 salute.

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1151 (e) The elements of civil government, including the
 1152 primary functions of and interrelationships between the Federal
 1153 Government, the state, and its counties, municipalities, school
 1154 districts, and special districts.

1155 (f) The history of the United States, including the period
 1156 of discovery, early colonies, the War for Independence, the
 1157 Civil War, the expansion of the United States to its present
 1158 boundaries, the world wars, and the civil rights movement to the
 1159 present. American history shall be viewed as factual, not as
 1160 constructed, shall be viewed as knowable, teachable, and
 1161 testable, and shall be defined as the creation of a new nation
 1162 based largely on the universal principles stated in the
 1163 Declaration of Independence.

1164 (g)~~(f)~~ The history of the Holocaust (1933-1945), the
 1165 systematic, planned annihilation of European Jews and other
 1166 groups by Nazi Germany, a watershed event in the history of
 1167 humanity, to be taught in a manner that leads to an
 1168 investigation of human behavior, an understanding of the
 1169 ramifications of prejudice, racism, and stereotyping, and an
 1170 examination of what it means to be a responsible and respectful
 1171 person, for the purposes of encouraging tolerance of diversity
 1172 in a pluralistic society and for nurturing and protecting
 1173 democratic values and institutions.

1174 (h)~~(g)~~ The history of African Americans, including the
 1175 history of African peoples before the political conflicts that
 1176 led to the development of slavery, the passage to America, the

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1177 | enslavement experience, abolition, and the contributions of
 1178 | African Americans to society.

1179 | (i)~~(h)~~ The elementary principles of agriculture.

1180 | (j)~~(i)~~ The true effects of all alcoholic and intoxicating
 1181 | liquors and beverages and narcotics upon the human body and
 1182 | mind.

1183 | (k)~~(j)~~ Kindness to animals.

1184 | (l)~~(k)~~ The history of the state.

1185 | (m)~~(l)~~ The conservation of natural resources.

1186 | (n)~~(m)~~ Comprehensive health education that addresses
 1187 | concepts of community health; consumer health; environmental
 1188 | health; family life, including an awareness of the benefits of
 1189 | sexual abstinence as the expected standard and the consequences
 1190 | of teenage pregnancy; mental and emotional health; injury
 1191 | prevention and safety; nutrition; personal health; prevention
 1192 | and control of disease; and substance use and abuse.

1193 | (o)~~(n)~~ Such additional materials, subjects, courses, or
 1194 | fields in such grades as are prescribed by law or by rules of
 1195 | the State Board of Education and the district school board in
 1196 | fulfilling the requirements of law.

1197 | (p)~~(o)~~ The study of Hispanic contributions to the United
 1198 | States.

1199 | (q)~~(p)~~ The study of women's contributions to the United
 1200 | States.

1201 | (r) The nature and importance of free enterprise to the
 1202 | United States economy.

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1203 ~~(s)~~ ~~(e)~~ A character-development program in the elementary
 1204 schools, similar to Character First or Character Counts, which
 1205 is secular in nature ~~and stresses such character qualities as~~
 1206 ~~attentiveness, patience, and initiative~~. Beginning in school
 1207 year 2004-2005, the character-development program shall be
 1208 required in kindergarten through grade 12. Each district school
 1209 board shall develop or adopt a curriculum for the character-
 1210 development program that shall be submitted to the department
 1211 for approval. The character-development curriculum shall stress
 1212 the qualities of patriotism; responsibility; citizenship;
 1213 kindness; respect for authority, life, liberty, and personal
 1214 property; honesty; charity; self-control; racial, ethnic, and
 1215 religious tolerance; and cooperation.

1216 ~~(t)~~ ~~(r)~~ In order to encourage patriotism, the sacrifices
 1217 that veterans have made in serving our country and protecting
 1218 democratic values worldwide. Such instruction must occur on or
 1219 before Veterans' Day and Memorial Day. Members of the
 1220 instructional staff are encouraged to use the assistance of
 1221 local veterans when practicable.

1222
 1223 The State Board of Education is encouraged to adopt standards
 1224 and pursue assessment of the requirements of this subsection.

1225 (3) Any student whose parent makes written request to the
 1226 school principal shall be exempted from the teaching of
 1227 reproductive health or any disease, including HIV/AIDS, its
 1228 symptoms, development, and treatment. A student so exempted may
 1229 not be penalized by reason of that exemption. Course

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1230 descriptions for comprehensive health education shall not
 1231 interfere with the local determination of appropriate curriculum
 1232 which reflects local values and concerns.

1233 Section 23. Section 1003.428, Florida Statutes, is created
 1234 to read:

1235 1003.428 General requirements for high school graduation;
 1236 revised.--

1237 (1) Except as otherwise authorized pursuant to s.
 1238 1003.429, beginning with students entering their first year of
 1239 high school in the 2007-2008 school year, graduation requires
 1240 the successful completion of a minimum of 24 credits, an
 1241 International Baccalaureate curriculum, or an Advanced
 1242 International Certificate of Education curriculum. Students must
 1243 be advised of eligibility requirements for state scholarship
 1244 programs and postsecondary admissions.

1245 (2) The 24 credits may be earned through applied,
 1246 integrated, and combined courses approved by the Department of
 1247 Education and shall be distributed as follows:

1248 (a) Sixteen core curriculum credits:

1249 1. Four credits in English, with major concentration in
 1250 composition, reading for information, and literature.

1251 2. Four credits in mathematics, one of which must be
 1252 Algebra I, a series of courses equivalent to Algebra I, or a
 1253 higher-level mathematics course. School districts are encouraged
 1254 to set specific goals to increase enrollments in, and successful
 1255 completion of, geometry and Algebra II.

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1256 3. Three credits in science, two of which must have a
1257 laboratory component.

1258 4. Three credits in social studies as follows: one credit
1259 in American history; one credit in world history; one-half
1260 credit in economics; and one-half credit in American government.

1261 5. One credit in fine arts.

1262 6. One credit in physical education to include integration
1263 of health.

1264 (b) Eight credits in majors, minors, or electives:

1265 1. Four credits in a major area of interest, such as
1266 sequential courses in a career and technical program, fine and
1267 performing arts, or academic content area, selected by the
1268 student as part of the education plan required by s. 1003.4156.
1269 Students may revise major areas of interest each year as part of
1270 annual course registration processes and should update their
1271 education plan to reflect such revisions. Annually by October 1,
1272 the district school board shall approve major areas of interest
1273 and submit the list of majors to the Commissioner of Education
1274 for approval. Each major area of interest shall be deemed
1275 approved unless specifically rejected by the commissioner within
1276 60 days. Upon approval, each district's major areas of interest
1277 shall be available for use by all school districts and shall be
1278 posted on the department's website.

1279 2. Four credits in elective courses selected by the
1280 student as part of the education plan required by s. 1003.4156.
1281 These credits may be combined to allow for a second major area
1282 of interest pursuant to subparagraph 1., a minor area of

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1283 interest, elective courses, intensive reading or mathematics
1284 intervention courses, or credit recovery courses as described in
1285 this subparagraph.

1286 a. Minor areas of interest are composed of three credits
1287 selected by the student as part of the education plan required
1288 by s. 1003.4156 and approved by the district school board.

1289 b. Elective courses are selected by the student in order
1290 to pursue a complete education program as described in s.
1291 1001.41(3) and to meet eligibility requirements for
1292 scholarships.

1293 c. For each year in which a student scores at Level 1 on
1294 FCAT Reading, the student must be enrolled in and complete an
1295 intensive reading course the following year. Placement of Level
1296 2 readers in either an intensive reading course or a content
1297 area course in which reading strategies are delivered shall be
1298 determined by diagnosis of reading needs. The department shall
1299 provide guidance on appropriate strategies for diagnosing and
1300 meeting the varying instructional needs of students reading
1301 below grade level. Reading courses shall be designed and offered
1302 pursuant to the comprehensive reading plan required by s.
1303 1011.62(8).

1304 d. For each year in which a student scores at Level 1 or
1305 Level 2 on FCAT Mathematics, the student must receive
1306 remediation the following year. These courses may be taught
1307 through applied, integrated, or combined courses and are subject
1308 to approval by the department for inclusion in the Course Code
1309 Directory.

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1310 e. Credit recovery courses shall be offered so that
 1311 students can simultaneously earn an elective credit and the
 1312 recovered credit.

1313 (3) (a) A district school board may require specific
 1314 courses and programs of study within the minimum credit
 1315 requirements for high school graduation and shall modify basic
 1316 courses, as necessary, to assure exceptional students the
 1317 opportunity to meet the graduation requirements for a standard
 1318 diploma, using one of the following strategies:

1319 1. Assignment of the exceptional student to an exceptional
 1320 education class for instruction in a basic course with the same
 1321 student performance standards as those required of
 1322 nonexceptional students in the district school board student
 1323 progression plan; or

1324 2. Assignment of the exceptional student to a basic
 1325 education class for instruction that is modified to accommodate
 1326 the student's exceptionality.

1327 (b) The district school board shall determine which of
 1328 these strategies to employ based upon an assessment of the
 1329 student's needs and shall reflect this decision in the student's
 1330 individual education plan.

1331 (4) Each district school board shall establish standards
 1332 for graduation from its schools, which must include:

1333 (a) Successful completion of the academic credit or
 1334 curriculum requirements of subsections (1) and (2).

1335 (b) Earning passing scores on the FCAT, as defined in s.
 1336 1008.22(3)(c), or scores on a standardized test that are

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1337 concordant with passing scores on the FCAT as defined in s.
 1338 1008.22(9).

1339 (c) Completion of all other applicable requirements
 1340 prescribed by the district school board pursuant to s. 1008.25.

1341 (d) Achievement of a cumulative grade point average of 2.0
 1342 on a 4.0 scale, or its equivalent, in the courses required by
 1343 this section.

1344 (5) The State Board of Education, after a public hearing
 1345 and consideration, shall adopt rules based upon the
 1346 recommendations of the commissioner for the provision of test
 1347 accommodations and modifications of procedures as necessary for
 1348 students with disabilities which will demonstrate the student's
 1349 abilities rather than reflect the student's impaired sensory,
 1350 manual, speaking, or psychological process skills.

1351 (6) The public hearing and consideration required in
 1352 subsection (5) shall not be construed to amend or nullify the
 1353 requirements of security relating to the contents of
 1354 examinations or assessment instruments and related materials or
 1355 data as prescribed in s. 1008.23.

1356 (7)(a) A student who meets all requirements prescribed in
 1357 subsections (1), (2), (3), and(4) shall be awarded a standard
 1358 diploma in a form prescribed by the State Board of Education.

1359 (b) A student who completes the minimum number of credits
 1360 and other requirements prescribed by subsections (1), (2), and
 1361 (3), but who is unable to meet the standards of paragraph
 1362 (4)(b), paragraph (4)(c), or paragraph (4)(d), shall be awarded
 1363 a certificate of completion in a form prescribed by the State

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1364 Board of Education. However, any student who is otherwise
1365 entitled to a certificate of completion may elect to remain in
1366 the secondary school either as a full-time student or a part-
1367 time student for up to 1 additional year and receive special
1368 instruction designed to remedy his or her identified
1369 deficiencies.

1370 (8) (a) Each district school board must provide instruction
1371 to prepare students with disabilities to demonstrate proficiency
1372 in the skills and competencies necessary for successful grade-
1373 to-grade progression and high school graduation.

1374 (b) A student with a disability, as defined in s.
1375 1007.02(2), for whom the individual education plan (IEP)
1376 committee determines that the FCAT cannot accurately measure the
1377 student's abilities taking into consideration all allowable
1378 accommodations, shall have the FCAT requirement of paragraph
1379 (4) (b) waived for the purpose of receiving a standard high
1380 school diploma, if the student:

1381 1. Completes the minimum number of credits and other
1382 requirements prescribed by subsections (1), (2), and (3).

1383 2. Does not meet the requirements of paragraph (4) (b)
1384 after one opportunity in 10th grade and one opportunity in 11th
1385 grade.

1386 (9) The Commissioner of Education may award a standard
1387 high school diploma to honorably discharged veterans who started
1388 high school between 1937 and 1946 and were scheduled to graduate
1389 between 1941 and 1950 but were inducted into the United States
1390 Armed Forces between September 16, 1940, and December 31, 1946,

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1391 prior to completing the necessary high school graduation
 1392 requirements. Upon the recommendation of the commissioner, the
 1393 State Board of Education may develop criteria and guidelines for
 1394 awarding such diplomas.

1395 (10) The Commissioner of Education may award a standard
 1396 high school diploma to honorably discharged veterans who started
 1397 high school between 1946 and 1950 and were scheduled to graduate
 1398 between 1950 and 1954, but were inducted into the United States
 1399 Armed Forces between June 27, 1950, and January 31, 1955, and
 1400 served during the Korean Conflict prior to completing the
 1401 necessary high school graduation requirements. Upon the
 1402 recommendation of the commissioner, the State Board of Education
 1403 may develop criteria and guidelines for awarding such diplomas.

1404 (11) The State Board of Education may adopt rules pursuant
 1405 to ss. 120.536(1) and 120.54 to implement the provisions of this
 1406 section and may enforce the provisions of this section pursuant
 1407 to s. 1008.32.

1408 Section 24. Section 1003.429, Florida Statutes, is amended
 1409 to read:

1410 1003.429 Accelerated high school graduation options.--

1411 (1) Students who enter grade 9 in the 2006-2007 ~~2004-2005~~
 1412 school year and thereafter may select, upon receipt of each
 1413 consent required by this section, one of the following three
 1414 high school graduation options:

1415 (a) Completion of the general requirements for high school
 1416 graduation pursuant to s. 1003.43;

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1417 (b) Completion of a 3-year standard college preparatory
 1418 program requiring successful completion of a minimum of 18
 1419 academic credits in grades 9 through 12. At least 6 of the 18
 1420 credits required for completion of this program must be received
 1421 in classes that are offered pursuant to the International
 1422 Baccalaureate Program, the Advanced Placement Program ~~honors,~~
 1423 ~~dual enrollment, advanced placement, International~~
 1424 ~~Baccalaureate,~~ Advanced International Certificate of Education,
 1425 or specifically listed or identified by the Department of
 1426 Education as rigorous pursuant to s. 1009.531(3), ~~or weighted by~~
 1427 ~~the district school board for class ranking purposes.~~ The 18
 1428 credits required for completion of this program shall be primary
 1429 requirements and shall be distributed as follows:

- 1430 1. Four credits in English, with major concentration in
 1431 composition and literature;
- 1432 2. Three credits in mathematics at the Algebra I level or
 1433 higher from the list of courses that qualify for state
 1434 university admission;
- 1435 3. Three credits in natural science, two of which must
 1436 have a laboratory component;
- 1437 4. Three credits in social sciences, which must include
 1438 one credit in American history, one credit in world history,
 1439 one-half credit in American government, and one-half credit in
 1440 economics;
- 1441 5. Two credits in the same second language unless the
 1442 student is a native speaker of or can otherwise demonstrate
 1443 competency in a language other than English. If the student

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1444 demonstrates competency in another language, the student may
1445 replace the language requirement with two credits in other
1446 academic courses; and

1447 6. Three credits in electives; or

1448 (c) Completion of a 3-year career preparatory program
1449 requiring successful completion of a minimum of 18 academic
1450 credits in grades 9 through 12. The 18 credits shall be primary
1451 requirements and shall be distributed as follows:

1452 1. Four credits in English, with major concentration in
1453 composition and literature;

1454 2. Three credits in mathematics, one of which must be
1455 Algebra I;

1456 3. Three credits in natural science, two of which must
1457 have a laboratory component;

1458 4. Three credits in social sciences, which must include
1459 one credit in American history, one credit in world history,
1460 one-half credit in American government, and one-half credit in
1461 economics;

1462 5. Three credits in a single vocational or career
1463 education program, three credits in career and technical
1464 certificate dual enrollment courses, or five credits in
1465 vocational or career education courses; and

1466 6. Two credits in electives unless five credits are earned
1467 pursuant to subparagraph 5.

1468

1469 Any student who selected an accelerated graduation program
1470 before July 1, 2004, may continue that program, and all

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1471 statutory program requirements that were applicable when the
1472 student made the program choice shall remain applicable to the
1473 student as long as the student continues that program.

1474 (2) Prior to selecting a program described in paragraph
1475 (1) (b) or paragraph (1) (c), a student and the student's parent
1476 must meet with designated school personnel to receive an
1477 explanation of the relative requirements, advantages, and
1478 disadvantages of each program option, and the student must also
1479 receive the written consent of the student's parent. ~~the~~
1480 ~~following requirements must be met:~~

1481 ~~(a) Designated school personnel shall meet with the~~
1482 ~~student and student's parent to give an explanation of the~~
1483 ~~relative requirements, advantages, and disadvantages of each~~
1484 ~~graduation option.~~

1485 ~~(b) The student shall submit to the high school principal~~
1486 ~~and guidance counselor a signed parental consent to enter the 3-~~
1487 ~~year accelerated graduation program.~~

1488 ~~(c) The student shall have achieved at least an FCAT~~
1489 ~~reading achievement level of 3, an FCAT mathematics achievement~~
1490 ~~level of 3, and an FCAT Writing score of 3 on the most recent~~
1491 ~~assessments taken by the student.~~

1492 (3) Beginning with the 2006-2007 ~~2004-2005~~ school year,
1493 each district school board shall provide each student in grades
1494 6 through 9 and their parents with information concerning the 3-
1495 year and 4-year high school graduation options listed in
1496 subsection (1), including the respective curriculum requirements
1497 for those options, so that the students and their parents may

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1498 | select the program ~~postsecondary education or career plan~~ that
 1499 | best fits their needs. The information must ~~shall~~ include a
 1500 | timeframe for achieving each graduation option.

1501 | (4) Selection of one of the graduation options listed in
 1502 | subsection (1) must be completed by the student prior to the end
 1503 | of grade 9 and is exclusively up to the student and parent,
 1504 | subject to the requirements in subsection (2). Each district
 1505 | school board shall establish policies for extending this
 1506 | deadline to the end of a student's first semester of grade 10
 1507 | for a student who entered a Florida public school after grade 9
 1508 | upon transfer from a private school or another state or who was
 1509 | prevented from choosing a graduation option due to illness
 1510 | during grade 9. If the student and parent fail to select a
 1511 | graduation option, the student shall be considered to have
 1512 | selected the general requirements for high school graduation
 1513 | pursuant to paragraph (1)(a).

1514 | (5) District school boards may ~~shall~~ not establish
 1515 | requirements for accelerated 3-year high school graduation
 1516 | options in excess of the requirements in paragraphs (1)(b) and
 1517 | (c).

1518 | (6) Students pursuing accelerated 3-year high school
 1519 | graduation options pursuant to paragraph (1)(b) or paragraph
 1520 | (1)(c) are required to:

1521 | (a) Earn passing scores on the FCAT as defined in s.
 1522 | 1008.22(3)(c) or scores on a standardized test that are
 1523 | concordant with passing scores on the FCAT as defined in s.
 1524 | 1008.22(9).

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1525 (b)1. Achieve a cumulative weighted grade point average of
 1526 3.5 ~~3.0~~ on a 4.0 scale, or its equivalent, in the courses
 1527 required for the college preparatory accelerated 3-year high
 1528 school graduation option pursuant to paragraph (1)(b); or

1529 2. Achieve a cumulative weighted grade point average of
 1530 3.0 on a 4.0 scale, or its equivalent, in the courses required
 1531 for the career preparatory accelerated 3-year high school
 1532 graduation option pursuant to paragraph (1)(c).

1533 (c) Receive a weighted or unweighted grade that earns at
 1534 least 3.0 points, or its equivalent, to earn course credit
 1535 toward the 18 credits required for the college preparatory
 1536 accelerated 3-year high school graduation option pursuant to
 1537 paragraph (1)(b).

1538 (d) Receive a weighted or unweighted grade that earns at
 1539 least 2.0 points, or its equivalent, to earn course credit
 1540 toward the 18 credits required for the career preparatory
 1541 accelerated 3-year high school graduation option pursuant to
 1542 paragraph (1)(c).

1543
 1544 Weighted grades referred to in paragraphs (b), (c), and (d)
 1545 shall be applied to those courses specifically listed or
 1546 identified by the department as rigorous pursuant to s.
 1547 1009.531(3) or weighted by the district school board for class
 1548 ranking purposes.

1549 (7) If, at the end of grade 10, a student is not on track
 1550 to meet the credit, assessment, or grade-point-average

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1551 requirements of the accelerated graduation option selected, the
 1552 school shall notify the student and parent of the following:

1553 (a) The requirements that the student is not currently
 1554 meeting.

1555 (b) The specific performance necessary in grade 11 for the
 1556 student to meet the accelerated graduation requirements.

1557 (c) The right of the student to change to the 4-year
 1558 program set forth in s. 1003.43.

1559 (8) A student who selected one of the accelerated 3-year
 1560 graduation options shall automatically move to the 4-year
 1561 program set forth in s. 1003.43 if the student:

1562 (a) Exercises his or her right to change to the 4-year
 1563 program;

1564 (b) Fails to earn 5 credits by the end of grade 9 or fails
 1565 to earn 11 credits by the end of grade 10;

1566 (c) Does not achieve a score of 3 or higher on the grade
 1567 10 FCAT Writing assessment; or

1568 (d) By the end of grade 11 does not meet the requirements
 1569 of subsections (1) and (6).

1570 (9) A student who meets all requirements prescribed in
 1571 subsections (1) and (6) shall be awarded a standard diploma in a
 1572 form prescribed by the State Board of Education.

1573 Section 25. Section 1003.437, Florida Statutes, is amended
 1574 to read:

1575 1003.437 Middle and high school grading system.--The
 1576 grading system and interpretation of letter grades used for

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1577 | students in public ~~high~~ schools in grades 6-12 shall be as
 1578 | follows:

1579 | (1) Grade "A" equals 90 percent through 100 percent, has a
 1580 | grade point average value of 4, and is defined as "outstanding
 1581 | progress."

1582 | (2) Grade "B" equals 80 percent through 89 percent, has a
 1583 | grade point average value of 3, and is defined as "above average
 1584 | progress."

1585 | (3) Grade "C" equals 70 percent through 79 percent, has a
 1586 | grade point average value of 2, and is defined as "average
 1587 | progress."

1588 | (4) Grade "D" equals 60 percent through 69 percent, has a
 1589 | grade point average value of 1, and is defined as "lowest
 1590 | acceptable progress."

1591 | (5) Grade "F" equals zero percent through 59 percent, has
 1592 | a grade point average value of zero, and is defined as
 1593 | "failure."

1594 | (6) Grade "I" equals zero percent, has a grade point
 1595 | average value of zero, and is defined as "incomplete."
 1596 |

1597 | For the purposes of class ranking, district school boards may
 1598 | exercise a weighted grading system pursuant to s. 1007.271.

1599 | Section 26. Section 1003.491, Florida Statutes, is amended
 1600 | to read:

1601 | 1003.491 Career education.--

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1602 (1) School board, superintendent, and school
 1603 accountability for career education within elementary and
 1604 secondary schools includes, but is not limited to:

1605 (a) Student exposure to a variety of careers and provision
 1606 of instruction to explore specific careers in greater depth.

1607 (b) Student awareness of available career programs and the
 1608 corresponding occupations into which such programs lead.

1609 (c) Student development of individual academic and career
 1610 plans as specified in s. 1003.4156.

1611 (d) Integration of academic and career skills in the
 1612 secondary curriculum.

1613 (e) Student preparation to enter the workforce and enroll
 1614 in postsecondary education without being required to complete
 1615 college preparatory or career preparatory instruction.

1616 (f) Student retention in school through high school
 1617 graduation.

1618 (g) Career education curriculum articulation with
 1619 corresponding postsecondary programs in the career center or
 1620 community college, or both.

1621 (2) A ~~No~~ school board or public school may not ~~shall~~
 1622 require a student to participate in any school-to-work or job
 1623 training program. A district school board or school may ~~shall~~
 1624 not require a student to meet occupational standards for grade
 1625 level promotion or graduation unless the student is voluntarily
 1626 enrolled in a job training program.

1627 (3) Each district school board and superintendent shall
 1628 implement all components required to obtain the career education

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1629 certification on the high school diploma if the school district
 1630 chooses to offer the certification.

1631 Section 27. Section 1003.493, Florida Statutes, is created
 1632 to read:

1633 1003.493 Career and professional academies.--

1634 (1) A career and professional academy is a research-based
 1635 program that integrates a rigorous academic curriculum with an
 1636 industry-driven career curriculum. Career and professional
 1637 academies may be offered by public schools, school districts, or
 1638 the Florida Virtual School. Students completing career and
 1639 professional academy programs receive a standard high school
 1640 diploma, the highest available industry certification, and
 1641 postsecondary credit if the academy partners with a
 1642 postsecondary institution.

1643 (2) The goals of career and professional academies are to:

1644 (a) Increase student academic achievement and graduation
 1645 rates through integrated academic and career curricula.

1646 (b) Focus on career preparation through rigorous academics
 1647 and industry certification.

1648 (c) Raise student aspiration and commitment to academic
 1649 achievement and work ethics.

1650 (d) Support the revised graduation requirements pursuant
 1651 to s. 1003.428 by providing creative, applied majors.

1652 (e) Promote acceleration mechanisms, such as dual
 1653 enrollment, articulated credit, or occupational completion
 1654 points, so that students may earn postsecondary credit while in
 1655 high school.

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1656 (f) Support the state's economy by meeting industry needs
 1657 for skilled employees in high-demand occupations.

1658 (3) A career and professional academy may be offered as
 1659 one of the following small learning communities:

1660 (a) A school-within-a-school career academy, as part of an
 1661 existing high school, that provides courses in one occupational
 1662 cluster. Students in the high school are not required to be
 1663 students in the academy.

1664 (b) A total school configuration providing multiple
 1665 academies each structured around an occupational cluster. Every
 1666 student in the school is in an academy.

1667 (4) Each career and professional academy must:

1668 (a) Provide a rigorous standards-based academic curriculum
 1669 integrated with a career curriculum. The curriculum must take
 1670 into consideration multiple styles of student learning; promote
 1671 learning by doing through application and adaptation; maximize
 1672 relevance of the subject matter; enhance each student's capacity
 1673 to excel; and include an emphasis on work habits and work
 1674 ethics.

1675 (b) Include one or more partnerships with postsecondary
 1676 institutions, businesses, industry, employers, economic
 1677 development organizations, or other appropriate partners from
 1678 the local community. Such partnerships must provide
 1679 opportunities for:

- 1680 1. Instruction from highly skilled professionals.
- 1681 2. Internships, externships, and on-the-job training.
- 1682 3. A postsecondary degree, diploma, or certificate.

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1683 4. The highest available level of industry certification.
1684 Where no national or state certification exists, school
1685 districts may establish a local certification in conjunction
1686 with the local workforce development board, the chamber of
1687 commerce, or the Agency for Workforce Innovation.

1688 5. Maximum articulation of credits pursuant to s. 1007.23
1689 upon program completion.

1690 (c) Provide creative and tailored student advisement,
1691 including parent participation and coordination with middle
1692 schools to provide career exploration and education planning as
1693 required under s. 1003.4156. Coordination with middle schools
1694 must provide information to middle school students about
1695 secondary and postsecondary career education programs and
1696 academies.

1697 (d) Provide a career education certification on the high
1698 school diploma pursuant to s. 1003.431.

1699 (e) Provide instruction in careers designated as high
1700 growth, high demand, and high pay by the local workforce
1701 development board, the chamber of commerce, or the Agency for
1702 Workforce Innovation.

1703 (f) Deliver academic content through instruction relevant
1704 to the career, including intensive reading and mathematics
1705 intervention required by s. 1003.428, with an emphasis on
1706 strengthening reading for information skills.

1707 (g) Provide instruction resulting in competency,
1708 certification, or credentials in workplace skills, including,
1709 but not limited to, communication skills, interpersonal skills,

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1710 decisionmaking skills, the importance of attendance and
 1711 timeliness in the work environment, and work ethics.

1712 (h) Provide opportunities for students to obtain the
 1713 Florida Ready to Work Certification pursuant to s. 1004.99.

1714 (i) Include an evaluation plan developed jointly with the
 1715 Department of Education. The evaluation plan must include a
 1716 self-assessment tool based on standards, such as the Career
 1717 Academy National Standards of Practice, and outcome measures
 1718 including, but not limited to, graduation rates, enrollment in
 1719 postsecondary education, business and industry satisfaction,
 1720 employment and earnings, achievement of industry certification,
 1721 awards of postsecondary credit, and FCAT achievement levels and
 1722 learning gains.

1723 Section 28. Paragraphs (g) and (n) of subsection (2) of
 1724 section 1003.51, Florida Statutes, are amended to read:

1725 1003.51 Other public educational services.--

1726 (2) The State Board of Education shall adopt and maintain
 1727 an administrative rule articulating expectations for effective
 1728 education programs for youth in Department of Juvenile Justice
 1729 programs, including, but not limited to, education programs in
 1730 juvenile justice commitment and detention facilities. The rule
 1731 shall articulate policies and standards for education programs
 1732 for youth in Department of Juvenile Justice programs and shall
 1733 include the following:

1734 (g) Funding requirements, which shall include the
 1735 requirement that at least 90 percent of the FEFP funds generated
 1736 by students in Department of Juvenile Justice programs or in an

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1737 education program for juveniles under s. 985.223 be spent on
1738 instructional costs for those students. One hundred percent of
1739 the formula-based categorical funds generated by students in
1740 Department of Juvenile Justice programs must be spent on
1741 appropriate categoricals such as instructional materials and
1742 public school technology for those students.

1743 (n) Performance expectations for providers and district
1744 school boards, including the provision of a progress monitoring
1745 ~~an academic improvement~~ plan as required in s. 1008.25.

1746 Section 29. Subsection (7) of section 1003.52, Florida
1747 Statutes, is amended to read:

1748 1003.52 Educational services in Department of Juvenile
1749 Justice programs.--

1750 (7) A progress monitoring ~~An academic improvement~~ plan
1751 shall be developed for students who score below the level
1752 specified in district school board policy in reading, writing,
1753 and mathematics or below the level specified by the Commissioner
1754 of Education on statewide assessments as required by s. 1008.25.
1755 These plans shall address academic, literacy, and life skills
1756 and shall include provisions for intensive remedial instruction
1757 in the areas of weakness.

1758 Section 30. Section 1003.57, Florida Statutes, is amended
1759 to read:

1760 1003.57 Exceptional students instruction.--

1761 (1) Each district school board shall provide for an
1762 appropriate program of special instruction, facilities, and

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1763 services for exceptional students as prescribed by the State
 1764 Board of Education as acceptable, including provisions that:

1765 (a)~~(1)~~ The district school board provide the necessary
 1766 professional services for diagnosis and evaluation of
 1767 exceptional students.

1768 (b)~~(2)~~ The district school board provide the special
 1769 instruction, classes, and services, either within the district
 1770 school system, in cooperation with other district school
 1771 systems, or through contractual arrangements with approved
 1772 private schools or community facilities that meet standards
 1773 established by the commissioner.

1774 (c)~~(3)~~ The district school board annually provide
 1775 information describing the Florida School for the Deaf and the
 1776 Blind and all other programs and methods of instruction
 1777 available to the parent of a sensory-impaired student.

1778 (d)~~(4)~~ The district school board, once every 3 years,
 1779 submit to the department its proposed procedures for the
 1780 provision of special instruction and services for exceptional
 1781 students.

1782 (e)~~(5)~~ A ~~No~~ student may not be given special instruction
 1783 or services as an exceptional student until after he or she has
 1784 been properly evaluated, classified, and placed in the manner
 1785 prescribed by rules of the State Board of Education. The parent
 1786 of an exceptional student evaluated and placed or denied
 1787 placement in a program of special education shall be notified of
 1788 each such evaluation and placement or denial. Such notice shall
 1789 contain a statement informing the parent that he or she is

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1790 entitled to a due process hearing on the identification,
 1791 evaluation, and placement, or lack thereof. Such hearings shall
 1792 be exempt from the provisions of ss. 120.569, 120.57, and
 1793 286.011, except to the extent that the State Board of Education
 1794 adopts rules establishing other procedures and any records
 1795 created as a result of such hearings shall be confidential and
 1796 exempt from the provisions of s. 119.07(1). The hearing must be
 1797 conducted by an administrative law judge from the Division of
 1798 Administrative Hearings of the Department of Management
 1799 Services. The decision of the administrative law judge shall be
 1800 final, except that any party aggrieved by the finding and
 1801 decision rendered by the administrative law judge shall have the
 1802 right to bring a civil action in the circuit court. In such an
 1803 action, the court shall receive the records of the
 1804 administrative hearing and shall hear additional evidence at the
 1805 request of either party. In the alternative, any party aggrieved
 1806 by the finding and decision rendered by the administrative law
 1807 judge shall have the right to request an impartial review of the
 1808 administrative law judge's order by the district court of appeal
 1809 as provided by s. 120.68. Notwithstanding any law to the
 1810 contrary, during the pendency of any proceeding conducted
 1811 pursuant to this section, unless the district school board and
 1812 the parents otherwise agree, the student shall remain in his or
 1813 her then-current educational assignment or, if applying for
 1814 initial admission to a public school, shall be assigned, with
 1815 the consent of the parents, in the public school program until
 1816 all such proceedings have been completed.

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1817 ~~(f)(6)~~ In providing for the education of exceptional
1818 students, the district school superintendent, principals, and
1819 teachers shall utilize the regular school facilities and adapt
1820 them to the needs of exceptional students to the maximum extent
1821 appropriate. Segregation of exceptional students shall occur
1822 only if the nature or severity of the exceptionality is such
1823 that education in regular classes with the use of supplementary
1824 aids and services cannot be achieved satisfactorily.

1825 ~~(g)(7)~~ In addition to the services agreed to in a
1826 student's individual education plan, the district school
1827 superintendent shall fully inform the parent of a student having
1828 a physical or developmental disability of all available services
1829 that are appropriate for the student's disability. The
1830 superintendent shall provide the student's parent with a summary
1831 of the student's rights.

1832 (2)(a) An exceptional student with a disability who
1833 resides in a residential facility and receives special
1834 instruction or services is considered a resident of the state in
1835 which the student's parent is a resident. The cost of such
1836 instruction, facilities, and services for a nonresident student
1837 with a disability shall be provided by the placing authority in
1838 the student's state of residence, such as a public school
1839 entity, other placing authority, or parent. A nonresident
1840 student with a disability may not be reported by any school
1841 district for FTE funding in the Florida Education Finance
1842 Program.

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1843 (b) The Department of Education shall provide to each
1844 school district a statement of the specific limitations of the
1845 district's financial obligation for exceptional students with
1846 disabilities under federal and state law. The department shall
1847 also provide to each school district technical assistance as
1848 necessary for developing a local plan to impose on a student's
1849 home state the fiscal responsibility for educating a nonresident
1850 exceptional student with a disability.

1851 (c) The Department of Education shall develop a process by
1852 which a school district must, before providing services to an
1853 exceptional student with a disability who resides in a
1854 residential facility in this state, review the residency of the
1855 student. The residential facility, not the district, is
1856 responsible for billing and collecting from a nonresidential
1857 student's home state payment for the student's educational and
1858 related services.

1859 (d) The Department of Education shall formulate an
1860 interagency agreement or other mechanism for billing and
1861 collecting from a nonresidential student's home state payment
1862 for the student's educational and related services.

1863 (e) This subsection applies to any nonresident student
1864 with a disability who resides in a residential facility and who
1865 receives instruction as an exceptional student with a disability
1866 in any type of residential facility in this state, including,
1867 but not limited to, a public school, a private school, a group
1868 home facility as defined in s. 393.063, an intensive residential
1869 treatment program for children and adolescents as defined in s.

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1870 395.002, a facility as defined in s. 394.455, an intermediate
 1871 care facility for the developmentally disabled or ICF/DD as
 1872 defined in s. 393.063 or s. 400.960, or a community residential
 1873 home as defined in s. 419.001.

1874 Section 31. Section 1003.576, Florida Statutes, is created
 1875 to read:

1876 1003.576 Individual education plans for exceptional
 1877 students.--The Department of Education must develop and have an
 1878 operating electronic IEP system in place for potential statewide
 1879 use no later than July 1, 2007. The statewide system shall be
 1880 developed collaboratively with school districts and must include
 1881 input from school districts currently developing or operating
 1882 electronic IEP systems.

1883 Section 32. Subsection (3) of section 1003.58, Florida
 1884 Statutes, is amended to read:

1885 1003.58 Students in residential care facilities.--Each
 1886 district school board shall provide educational programs
 1887 according to rules of the State Board of Education to students
 1888 who reside in residential care facilities operated by the
 1889 Department of Children and Family Services.

1890 (3) The district school board shall have full and complete
 1891 authority in the matter of the assignment and placement of such
 1892 students in educational programs. The parent of an exceptional
 1893 student shall have the same due process rights as are provided
 1894 under s. 1003.57(1)(e) ~~s. 1003.57(5)~~.

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1896 Notwithstanding the provisions herein, the educational program
 1897 at the Marianna Sunland Center in Jackson County shall be
 1898 operated by the Department of Education, either directly or
 1899 through grants or contractual agreements with other public or
 1900 duly accredited educational agencies approved by the Department
 1901 of Education.

1902 Section 33. Paragraph (a) of subsection (1) and paragraph
 1903 (a) of subsection (2) of section 1003.62, Florida Statutes, are
 1904 amended to read:

1905 1003.62 Academic performance-based charter school
 1906 districts.--The State Board of Education may enter into a
 1907 performance contract with district school boards as authorized
 1908 in this section for the purpose of establishing them as academic
 1909 performance-based charter school districts. The purpose of this
 1910 section is to examine a new relationship between the State Board
 1911 of Education and district school boards that will produce
 1912 significant improvements in student achievement, while complying
 1913 with constitutional and statutory requirements assigned to each
 1914 entity.

1915 (1) ACADEMIC PERFORMANCE-BASED CHARTER SCHOOL DISTRICT.--

1916 (a) A school district shall be eligible for designation as
 1917 an academic performance-based charter school district if it is a
 1918 high-performing school district in which a minimum of 50 percent
 1919 of the schools earn a ~~performance grade of~~ category "A" or "B"
 1920 and in which no school earns a ~~performance grade of~~ category "D"
 1921 or "F" for 2 consecutive years pursuant to s. 1008.34. Schools
 1922 that receive a ~~performance grade of~~ category "I" or "N" shall

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1923 | not be included in this calculation. The performance contract
 1924 | for a school district that earns a charter based on school
 1925 | ~~performance~~ grades shall be predicated on maintenance of at
 1926 | least 50 percent of the schools in the school district earning a
 1927 | ~~performance~~ grade of category "A" or "B" with no school in the
 1928 | school district earning a ~~performance~~ grade of category "D" or
 1929 | "F" for 2 consecutive years. A school district in which the
 1930 | number of schools that earn a ~~performance~~ grade of "A" or "B" is
 1931 | less than 50 percent may have its charter renewed for 1 year;
 1932 | however, if the percentage of "A" or "B" schools is less than 50
 1933 | percent for 2 consecutive years, the charter shall not be
 1934 | renewed.

1935 | (2) EXEMPTION FROM STATUTES AND RULES.--

1936 | (a) An academic performance-based charter school district
 1937 | shall operate in accordance with its charter and shall be exempt
 1938 | from certain State Board of Education rules and statutes if the
 1939 | State Board of Education determines such an exemption will
 1940 | assist the district in maintaining or improving its high-
 1941 | performing status pursuant to paragraph (1)(a). However, the
 1942 | State Board of Education may not exempt an academic performance-
 1943 | based charter school district from any of the following
 1944 | statutes:

- 1945 | 1. Those statutes pertaining to the provision of services
 1946 | to students with disabilities.
- 1947 | 2. Those statutes pertaining to civil rights, including s.
 1948 | 1000.05, relating to discrimination.

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1949 3. Those statutes pertaining to student health, safety,
 1950 and welfare.

1951 4. Those statutes governing the election or compensation
 1952 of district school board members.

1953 5. Those statutes pertaining to the student assessment
 1954 program and the school grading system, including chapter 1008.

1955 6. Those statutes pertaining to financial matters,
 1956 including chapter 1010.

1957 7. Those statutes pertaining to planning and budgeting,
 1958 including chapter 1011, except that ss. 1011.64 and 1011.69
 1959 shall be eligible for exemption.

1960 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
 1961 differentiated pay and performance-pay policies for school
 1962 administrators and instructional personnel. Professional service
 1963 contracts shall be subject to the provisions of ss. 1012.33 and
 1964 1012.34.

1965 9. Those statutes pertaining to educational facilities,
 1966 including chapter 1013, except as specified under contract with
 1967 the State Board of Education. However, no contractual provision
 1968 that could have the effect of requiring the appropriation of
 1969 additional capital outlay funds to the academic performance-
 1970 based charter school district shall be valid.

1971 Section 34. Section 1004.64, Florida Statutes, is created
 1972 to read:

1973 1004.64 Florida Center for Reading Research.--There is
 1974 created at the Florida State University, the Florida Center for
 1975 Reading Research (FCRR). The center shall include two outreach

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1976 centers, one at a central Florida community college and one at a
 1977 south Florida state university. The center and the outreach
 1978 centers, under the center's leadership, shall:

1979 (1) Provide technical assistance and support to all school
 1980 districts and schools in this state in the implementation of
 1981 evidence-based literacy instruction, assessments, programs, and
 1982 professional development.

1983 (2) Conduct applied research that will have an immediate
 1984 impact on policy and practices related to literacy instruction
 1985 and assessment in this state with an emphasis on struggling
 1986 readers and reading in the content area strategies and methods
 1987 for secondary teachers.

1988 (3) Conduct basic research on reading, reading growth,
 1989 reading assessment, and reading instruction which will
 1990 contribute to scientific knowledge about reading.

1991 (4) Collaborate with the Just Read! Florida Office and
 1992 school districts in the development of frameworks for
 1993 comprehensive reading intervention courses for possible use in
 1994 middle schools and secondary schools.

1995 (5) Collaborate with the Just Read! Florida Office and
 1996 school districts in the development of frameworks for
 1997 professional development activities, using multiple delivery
 1998 methods for teaching reading in the content area.

1999 (6) Disseminate information about research-based practices
 2000 related to literacy instruction, assessment, and programs for
 2001 students in preschool through grade 12.

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2002 (7) Collect, manage, and report on assessment information
 2003 from screening, progress monitoring, and outcome assessments
 2004 through the Florida Progress Monitoring and Reporting Network.
 2005 The network is a statewide resource that is operated to provide
 2006 valid and timely reading assessment data for parents, teachers,
 2007 principals, and district-level and state-level staff in the
 2008 management of instruction at the individual, classroom, and
 2009 school levels.

2010 Section 35. Section 1004.99, Florida Statutes, is created
 2011 to read:

2012 1004.99 Florida Ready to Work Certification Program.--

2013 (1) There is created the Florida Ready to Work
 2014 Certification Program to enhance the workplace skills of
 2015 Florida's students to better prepare them for successful
 2016 employment in specific occupations.

2017 (2) The Florida Ready to Work Certification Program may be
 2018 conducted in public middle and high schools, community colleges,
 2019 technical centers, one-stop career centers, vocational
 2020 rehabilitation centers, and Department of Juvenile Justice
 2021 educational facilities. The program may be made available to
 2022 other entities that provide job training. The Department of
 2023 Education shall establish institutional readiness criteria for
 2024 program implementation.

2025 (3) The Florida Ready to Work Certification Program shall
 2026 be composed of:

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2027 (a) A comprehensive identification of workplace skills for
 2028 each occupation identified for inclusion in the program by the
 2029 Agency for Workforce Innovation and the Department of Education.

2030 (b) A preinstructional assessment that delineates the
 2031 student's mastery level on the specific workplace skills
 2032 identified for that occupation.

2033 (c) A targeted instructional program limited to those
 2034 identified workplace skills in which the student is not
 2035 proficient as measured by the preinstructional assessment.
 2036 Instruction must utilize a web-based program and be customized
 2037 to meet identified specific needs of local employers.

2038 (d) A certificate and portfolio awarded to students upon
 2039 successful completion of the instruction. Each portfolio must
 2040 delineate the skills demonstrated by the student as evidence of
 2041 the student's preparation for employment.

2042 (4) The State Board of Education, in consultation with the
 2043 Agency for Workforce Innovation, may adopt rules pursuant to ss.
 2044 120.536(1) and 120.54 to implement the provisions of this
 2045 section.

2046 Section 36. Subsection (4) of section 1006.09, Florida
 2047 Statutes, is amended to read:

2048 1006.09 Duties of school principal relating to student
 2049 discipline and school safety.--

2050 (4) When a student has been the victim of a violent crime
 2051 perpetrated by another student who attends the same school, the
 2052 school principal shall make full and effective use of the
 2053 provisions of subsection (2) and s. 1006.13(5). A school

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2054 principal who fails to comply with this subsection shall be
 2055 ineligible for any portion of the performance pay policy
 2056 incentive or the differentiated pay under s. 1012.22 ~~s.~~
 2057 ~~1012.22(1)(e)~~. However, if any party responsible for
 2058 notification fails to properly notify the school, the school
 2059 principal shall be eligible for the incentive or differentiated
 2060 pay.

2061 Section 37. Section 1007.21, Florida Statutes, is amended
 2062 to read:

2063 1007.21 Readiness for postsecondary education and the
 2064 workplace.--

2065 (1) It is the intent of the Legislature that students and
 2066 parents develop academic ~~set early~~ achievement and career goals
 2067 for the student's post-high-school ~~post-high school~~ experience
 2068 during the middle grades. ~~This section sets forth a model which~~
 2069 ~~schools, through their school advisory councils, may choose to~~
 2070 ~~implement to ensure that students are ready for postsecondary~~
 2071 ~~education and the workplace. If such a program is adopted,~~
 2072 ~~students and their parents shall have the option of~~
 2073 ~~participating in this model to plan the student's secondary~~
 2074 ~~level course of study~~. Parents and students are to become
 2075 partners with school personnel in career exploration and
 2076 educational decisionmaking ~~choice~~. Clear academic course
 2077 expectations that emphasize rigorous and relevant coursework
 2078 shall be made available to all students by allowing both student
 2079 and parent choice.

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2080 (2) (a) Students entering the 9th grade and their parents
 2081 shall have developed during the middle grades a 4- to 5-year
 2082 academic and career plan based on postsecondary and career ~~be~~
 2083 ~~active participants in choosing an end-of-high-school student~~
 2084 ~~destination based upon both student and parent goals.~~ Alternate
 2085 career and academic ~~Four or more~~ destinations should be
 2086 considered ~~available~~ with bridges between destinations to enable
 2087 students to shift academic and career priorities if ~~destinations~~
 2088 ~~should~~ they choose to change goals. The destinations shall
 2089 accommodate the needs of students served in exceptional
 2090 education programs to the extent appropriate for individual
 2091 students. Exceptional education students may continue to follow
 2092 the courses outlined in the district school board student
 2093 progression plan. ~~Participating~~ Students and their parents shall
 2094 choose among destinations, which must include:

- 2095 1. Four-year college or university, community college plus
- 2096 university, or military academy degree.
- 2097 2. Two-year postsecondary degree.
- 2098 3. Postsecondary career certificate.
- 2099 4. Immediate employment or entry-level military.
- 2100 5. A combination of the above.

2101 (b) The student progression model toward a chosen
 2102 destination shall include:

- 2103 1. A "path" of core courses leading to each of the
- 2104 destinations provided in paragraph (a).
- 2105 2. A recommended group of electives which shall help
- 2106 define each path.

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2107 3. Provisions for a teacher, school administrator, other
2108 school staff member, or community volunteer to be assigned to a
2109 student as an "academic advocate" if parental involvement is
2110 lacking.

2111 (c) The common placement test authorized in ss.
2112 1001.03(10) and 1008.30 or a similar test may be administered to
2113 all high school second semester sophomores who have chosen one
2114 of the four destinations. The results of the placement test
2115 shall be used to target additional instructional needs in
2116 reading, writing, and mathematics prior to graduation.

2117 (d) Ample opportunity shall be provided for students to
2118 move from one destination to another, and some latitude shall
2119 exist within each destination, to meet the individual needs of
2120 students.

2121 (e) Destinations specified in subparagraphs (a)1., 2., and
2122 3. shall support the goals of the Tech Prep program. Students
2123 participating in Tech Prep shall be enrolled in articulated,
2124 sequential programs of study that include a technical component
2125 and at least a minimum of a postsecondary certificate or 2-year
2126 degree.

2127 (f) In order for these destinations to be attainable, the
2128 business community shall be encouraged to support real-world
2129 internships and apprenticeships.

2130 (g) All students shall be encouraged to take part in
2131 service learning opportunities.

2132 (h) High school equivalency diploma preparation programs
2133 shall not be a choice for high school students leading to any of

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2134 | the four destinations provided in paragraph (a) since the
 2135 | appropriate coursework, counseling component, and career
 2136 | preparation cannot be ensured.

2137 | (i) Schools shall ensure that students and parents are
 2138 | made aware of the destinations available and provide the
 2139 | necessary coursework to assist the student in reaching the
 2140 | chosen destination. Students and parents shall be made aware of
 2141 | the student's progress toward the chosen destination.

2142 | (j) The Department of Education shall offer technical
 2143 | assistance to school districts to ensure that the destinations
 2144 | offered also meet the academic standards adopted by the state.

2145 | (3) (a) Access to Level I courses for graduation credit and
 2146 | for pursuit of a declared destination shall be limited to only
 2147 | those students for whom assessment indicates a more rigorous
 2148 | course of study would be inappropriate.

2149 | (b) The school principal shall:

2150 | 1. Designate a member of the existing instructional or
 2151 | administrative staff to serve as a specialist to help coordinate
 2152 | the use of student achievement strategies to help students
 2153 | succeed in their coursework. The specialist shall also assist
 2154 | teachers in integrating the academic and career curricula,
 2155 | utilizing technology, providing feedback regarding student
 2156 | achievement, and implementing the Blueprint for Career
 2157 | Preparation and Tech Prep programs.

2158 | 2. Institute strategies to eliminate reading, writing, and
 2159 | mathematics deficiencies of secondary students.

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2160 Section 38. Paragraph (c) of subsection (3) of section
 2161 1007.2615, Florida Statutes, is amended to read:

2162 1007.2615 American Sign Language; findings; foreign-
 2163 language credits authorized; teacher licensing.--

2164 (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF
 2165 EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN
 2166 FOR POSTSECONDARY EDUCATION PROVIDERS.--

2167 (c) An ASL teacher must be certified by the Department of
 2168 Education by July 1, 2009 ~~January 1, 2008~~, and must obtain
 2169 ~~current certification through the Florida American Sign Language~~
 2170 ~~Teachers' Association (FASLTA) by January 1, 2006. New FASLTA~~
 2171 ~~certification may be used by current ASL teachers as an~~
 2172 ~~alternative certification track.~~

2173 Section 39. Subsections (5) and (16) of section 1007.271,
 2174 Florida Statutes, are amended to read:

2175 1007.271 Dual enrollment programs.--

2176 (5) Each district school board shall inform all secondary
 2177 students of dual enrollment as an educational option and
 2178 mechanism for acceleration. Students shall be informed of
 2179 eligibility criteria, the option for taking dual enrollment
 2180 courses beyond the regular school year, and the minimum academic
 2181 credits required for graduation. District school boards shall
 2182 annually assess the demand for dual enrollment and other
 2183 advanced courses, and the district school board shall consider
 2184 strategies and programs to meet that demand and include access
 2185 to dual enrollment on the high school campus whenever possible.
 2186 Alternative grade calculation, weighting systems, or information

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2187 regarding student education options which discriminates against
 2188 dual enrollment courses are prohibited.

2189 (16) Beginning with students entering grade 9 in the 2006-
 2190 2007 school year, school districts and community colleges must
 2191 weigh ~~college-level~~ dual enrollment courses the same as ~~honors~~
 2192 ~~courses and~~ advanced placement, International Baccalaureate, and
 2193 Advanced International Certificate of Education courses when
 2194 grade point averages are calculated. Alternative grade
 2195 calculation or weighting systems that discriminate against dual
 2196 enrollment courses are prohibited.

2197 Section 40. Paragraphs (c) and (f) of subsection (1),
 2198 paragraphs (c), (e), and (f) of subsection (3), and subsection
 2199 (9) of section 1008.22, Florida Statutes, are amended, paragraph
 2200 (f) is added to subsection (3) of that section, present
 2201 subsection (10) of that section is redesignated as subsection
 2202 (11), and a new subsection (10) is added to that section, to
 2203 read:

2204 1008.22 Student assessment program for public schools.--

2205 (1) PURPOSE.--The primary purposes of the student
 2206 assessment program are to provide information needed to improve
 2207 the public schools by enhancing the learning gains of all
 2208 students and to inform parents of the educational progress of
 2209 their public school children. The program must be designed to:

2210 (c) Identify the educational strengths and needs of
 2211 students and the readiness of students to be promoted to the
 2212 next grade level or to graduate from high school with a standard
 2213 or special high school diploma.

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2214 (f) Provide information on the performance of Florida
 2215 students compared with that of other students ~~others~~ across the
 2216 United States.

2217 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
 2218 design and implement a statewide program of educational
 2219 assessment that provides information for the improvement of the
 2220 operation and management of the public schools, including
 2221 schools operating for the purpose of providing educational
 2222 services to youth in Department of Juvenile Justice programs.
 2223 The commissioner may enter into contracts for the continued
 2224 administration of the assessment, testing, and evaluation
 2225 programs authorized and funded by the Legislature. Contracts may
 2226 be initiated in 1 fiscal year and continue into the next and may
 2227 be paid from the appropriations of either or both fiscal years.
 2228 The commissioner is authorized to negotiate for the sale or
 2229 lease of tests, scoring protocols, test scoring services, and
 2230 related materials developed pursuant to law. Pursuant to the
 2231 statewide assessment program, the commissioner shall:

2232 (c) Develop and implement a student achievement testing
 2233 program known as the Florida Comprehensive Assessment Test
 2234 (FCAT) as part of the statewide assessment program, ~~to be~~
 2235 ~~administered annually in grades 3 through 10~~ to measure reading,
 2236 writing, science, and mathematics. Other content areas may be
 2237 included as directed by the commissioner. The assessment of
 2238 reading and mathematics shall be administered annually in grades
 2239 3 through 10. The assessment of writing and science shall be
 2240 administered at least once at the elementary, middle, and high

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2241 school levels. The commissioner must document the procedures
2242 used to ensure that the versions of the FCAT which are taken by
2243 students retaking the grade 10 FCAT are equally as challenging
2244 and difficult as the tests taken by students in grade 10 which
2245 contain performance tasks. The testing program must be designed
2246 so that:

2247 1. The tests measure student skills and competencies
2248 adopted by the State Board of Education as specified in
2249 paragraph (a). The tests must measure and report student
2250 proficiency levels of all students assessed in reading, writing,
2251 mathematics, and science. The commissioner shall provide for the
2252 tests to be developed or obtained, as appropriate, through
2253 contracts and project agreements with private vendors, public
2254 vendors, public agencies, postsecondary educational
2255 institutions, or school districts. The commissioner shall obtain
2256 input with respect to the design and implementation of the
2257 testing program from state educators, assistive technology
2258 experts, and the public.

2259 2. The testing program will include a combination of norm-
2260 referenced and criterion-referenced tests and include, to the
2261 extent determined by the commissioner, questions that require
2262 the student to produce information or perform tasks in such a
2263 way that the skills and competencies he or she uses can be
2264 measured.

2265 3. Each testing program, whether at the elementary,
2266 middle, or high school level, includes a test of writing in

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2267 | which students are required to produce writings that are then
2268 | scored by appropriate and timely methods.

2269 | 4. A score is designated for each subject area tested,
2270 | below which score a student's performance is deemed inadequate.
2271 | The school districts shall provide appropriate remedial
2272 | instruction to students who score below these levels.

2273 | 5. Except as provided in s. 1003.428(8)(b) or s.
2274 | 1003.43(11)(b), students must earn a passing score on the grade
2275 | 10 assessment test described in this paragraph or attain
2276 | concordant scores ~~on an alternate assessment~~ as described in
2277 | subsection (9) in reading, writing, and mathematics to qualify
2278 | for a standard ~~regular~~ high school diploma. The State Board of
2279 | Education shall designate a passing score for each part of the
2280 | grade 10 assessment test. In establishing passing scores, the
2281 | state board shall consider any possible negative impact of the
2282 | test on minority students. ~~All students who took the grade 10~~
2283 | ~~FCAT during the 2000-2001 school year shall be required to earn~~
2284 | ~~the passing scores in reading and mathematics established by the~~
2285 | ~~State Board of Education for the March 2001 test administration.~~
2286 | ~~Such students who did not earn the established passing scores~~
2287 | ~~and must repeat the grade 10 FCAT are required to earn the~~
2288 | ~~passing scores established for the March 2001 test~~
2289 | ~~administration. All students who take the grade 10 FCAT for the~~
2290 | ~~first time in March 2002 shall be required to earn the passing~~
2291 | ~~scores in reading and mathematics established by the State Board~~
2292 | ~~of Education for the March 2002 test administration. The State~~
2293 | Board of Education shall adopt rules which specify the passing

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2294 scores for the grade 10 FCAT. Any such rules, which have the
2295 effect of raising the required passing scores, shall only apply
2296 to students taking the grade 10 FCAT for the first time after
2297 such rules are adopted by the State Board of Education.

2298 6. Participation in the testing program is mandatory for
2299 all students attending public school, including students served
2300 in Department of Juvenile Justice programs, except as otherwise
2301 prescribed by the commissioner. If a student does not
2302 participate in the statewide assessment, the district must
2303 notify the student's parent and provide the parent with
2304 information regarding the implications of such nonparticipation.
2305 ~~If modifications are made in the student's instruction to~~
2306 ~~provide accommodations that would not be permitted on the~~
2307 ~~statewide assessment tests, the district must notify the~~
2308 ~~student's parent of the implications of such instructional~~
2309 ~~modifications.~~ A parent must provide signed consent for a
2310 student to receive classroom instructional accommodations
2311 ~~modifications~~ that would not be available or permitted on the
2312 statewide assessments and must acknowledge in writing that he or
2313 she understands the implications of such instructional
2314 accommodations. The State Board of Education shall adopt rules,
2315 based upon recommendations of the commissioner, for the
2316 provision of test accommodations ~~and modifications of procedures~~
2317 ~~as necessary~~ for students in exceptional education programs and
2318 for students who have limited English proficiency.
2319 Accommodations that negate the validity of a statewide
2320 assessment are not allowable in the administration of the FCAT.

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2321 However, instructional accommodations are allowable in the
2322 classroom if included in a student's individual education plan.
2323 Students using instructional accommodations in the classroom
2324 that are not allowable as accommodations on the FCAT may have
2325 the FCAT requirement waived pursuant to the requirements of s.
2326 1003.428(8)(b) or s. 1003.43(11)(b).

2327 7. A student seeking an adult high school diploma must
2328 meet the same testing requirements that a regular high school
2329 student must meet.

2330 8. District school boards must provide instruction to
2331 prepare students to demonstrate proficiency in the skills and
2332 competencies necessary for successful grade-to-grade progression
2333 and high school graduation. If a student is provided with
2334 instructional accommodations in the classroom ~~or modifications~~
2335 that are not allowable as accommodations in the statewide
2336 assessment program, as described in the test manuals, the
2337 district must inform the parent in writing and must provide the
2338 parent with information regarding the impact on the student's
2339 ability to meet expected proficiency levels in reading, writing,
2340 and math. The commissioner shall conduct studies as necessary to
2341 verify that the required skills and competencies are part of the
2342 district instructional programs.

2343 9. District school boards must provide opportunities for
2344 students to demonstrate an acceptable level of performance on an
2345 alternative standardized assessment approved by the State Board
2346 of Education following enrollment in summer academies.

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2347 ~~10.9.~~ The Department of Education must develop, or select,
2348 and implement a common battery of assessment tools that will be
2349 used in all juvenile justice programs in the state. These tools
2350 must accurately measure the skills and competencies established
2351 in the ~~Florida~~ Sunshine State Standards.

2352 11. For students seeking a special diploma pursuant to s.
2353 1003.438, the Department of Education must develop or select and
2354 implement an alternate assessment tool that accurately measures
2355 the skills and competencies established in the Sunshine State
2356 Standards for students with disabilities under s. 1003.438.

2357
2358 The commissioner may, based on collaboration and input from
2359 school districts, design and implement student testing programs,
2360 for any grade level and subject area, necessary to effectively
2361 monitor educational achievement in the state, including the
2362 measurement of educational achievement of the Sunshine State
2363 Standards for students with disabilities. Development and
2364 refinement of assessments shall include universal design
2365 principles and accessibility standards that will prevent any
2366 unintended obstacles for students with disabilities while
2367 ensuring the validity and reliability of the test. These
2368 principles should be applicable to all technology platforms and
2369 assistive devices available for the assessments. The field
2370 testing process and psychometric analyses for the statewide
2371 assessment program must include an appropriate percentage of
2372 students with disabilities and an evaluation or determination of
2373 the effect of test items on such students.

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2374 (e) Conduct ongoing research and analysis of student
 2375 achievement data, including, without limitation, monitoring
 2376 trends in student achievement by grade level and overall student
 2377 achievement, identifying school programs that are successful,
 2378 and analyzing correlates of school achievement.

2379 (f) Study the cost and student achievement impact of
 2380 secondary end-of-course assessments, including web-based and
 2381 performance formats, and report to the Legislature prior to
 2382 implementation.

2383 (9) CONCORDANT SCORES FOR THE FCAT EQUIVALENCIES FOR
 2384 STANDARDIZED TESTS.--

2385 (a) The State Board of Education shall analyze the content
 2386 and concordant data sets for widely used high school achievement
 2387 tests, including, but not limited to, the PSAT, PLAN, SAT, ACT,
 2388 and College Placement Test, to assess if concordant scores for
 2389 FCAT scores can be determined for high school graduation,
 2390 college placement, and scholarship awards. In cases where
 2391 content alignment and concordant scores can be determined, the
 2392 Commissioner of Education shall adopt those scores as meeting
 2393 the graduation requirement in lieu of achieving the FCAT passing
 2394 score and may adopt those scores as being sufficient to achieve
 2395 additional purposes as determined by rule. Each time that test
 2396 content or scoring procedures are changed for the FCAT or one of
 2397 the identified tests, new concordant scores must be determined.
 2398 ~~The Commissioner of Education shall approve the use of the SAT~~
 2399 ~~and ACT tests as alternative assessments to the grade 10 FCAT~~
 2400 ~~for the 2003-2004 school year.~~

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2401 (b) In order to use a concordant subject area score
 2402 pursuant to this subsection to ~~Students who attain scores on the~~
 2403 ~~SAT or ACT which equate to the passing scores on the grade 10~~
 2404 ~~FCAT for purposes of high school graduation shall~~ satisfy the
 2405 assessment requirement for a standard high school diploma as
 2406 provided in s. 1003.429(6)(a), ~~or~~ s. 1003.43(5)(a), or s.
 2407 1003.428, ~~for the 2003-2004 school year if the students meet the~~
 2408 ~~requirement in paragraph (b).~~

2409 ~~(b)~~ a student must ~~shall be required to take~~ each subject
 2410 area of the grade 10 FCAT a total of three times without earning
 2411 a passing score in order to use the scores on an alternative
 2412 assessment pursuant to paragraph (a). The requirements of this
 2413 paragraph ~~This requirement~~ shall not apply to a new student who
 2414 enters the Florida ~~is a new student to the~~ public school system
 2415 in grade 12, who may either achieve a passing score on the FCAT
 2416 or use an approved subject area concordant score to fulfill the
 2417 graduation requirement.

2418 (c) The State Board of Education may define by rule the
 2419 allowable uses, other than to satisfy the high school graduation
 2420 requirement, for concordant scores as described in this
 2421 subsection. Such uses may include, but need not be limited to,
 2422 achieving appropriate standardized test scores required for the
 2423 awarding of Florida Bright Futures Scholarships and college
 2424 placement.

2425 (10) REPORTS.--The Department of Education shall annually
 2426 provide a report to the Governor, the President of the Senate,

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2427 | and the Speaker of the House of Representatives on the
 2428 | following:
 2429 | (a) Longitudinal performance of students in mathematics
 2430 | and reading.
 2431 | (b) Longitudinal performance of students by grade level in
 2432 | mathematics and reading.
 2433 | (c) Longitudinal performance regarding efforts to close
 2434 | the achievement gap.
 2435 | (d) Longitudinal performance of students on the norm-
 2436 | referenced component of the FCAT.
 2437 | (e) Other student performance data based on national norm-
 2438 | referenced and criterion-referenced tests, when available, and
 2439 | numbers of students who after 8th grade enroll in adult
 2440 | education rather than other secondary education.
 2441 | Section 41. Section 1008.221, Florida Statutes, is
 2442 | repealed.
 2443 | Section 42. Paragraphs (a), (b), and (c) of subsection
 2444 | (4), paragraphs (b) and (c) of subsection (6), paragraph (b) of
 2445 | subsection (7), and paragraph (b) of subsection (8) of section
 2446 | 1008.25, Florida Statutes, are amended, and paragraph (c) is
 2447 | added to subsection (8) of that section, to read:
 2448 | 1008.25 Public school student progression; remedial
 2449 | instruction; reporting requirements.--
 2450 | (4) ASSESSMENT AND REMEDIATION.--
 2451 | (a) Each student must participate in the statewide
 2452 | assessment tests required by s. 1008.22. Each student who does
 2453 | not meet specific levels of performance as determined by the

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2454 district school board in reading, writing, science, and
 2455 mathematics for each grade level, or who scores below Level 3 in
 2456 reading or math ~~does not meet specific levels of performance as~~
 2457 ~~determined by the commissioner on statewide assessments at~~
 2458 ~~selected grade levels,~~ must be provided with additional
 2459 diagnostic assessments to determine the nature of the student's
 2460 difficulty, the ~~and~~ areas of academic need, and strategies for
 2461 appropriate intervention and instruction as described in
 2462 paragraph (b).

2463 (b) The school in which the student is enrolled must
 2464 develop, in consultation with the student's parent, and must
 2465 implement a progress monitoring plan. A progress monitoring plan
 2466 is intended to provide the school district and the school
 2467 flexibility in meeting the academic needs of the student and to
 2468 reduce paperwork. A student who is not meeting the school
 2469 district or state requirements for proficiency in reading and
 2470 math shall be covered by one of the following plans to target
 2471 instruction and identify ways to improve his or her academic
 2472 achievement:

- 2473 1. A federally required student plan such as an individual
 2474 education plan;
- 2475 2. A schoolwide system of progress monitoring for all
 2476 students; or
- 2477 3. An individualized progress monitoring plan.

2478
 2479 The plan chosen must be an academic improvement plan designed
 2480 to assist the student or the school in meeting state and

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2481 | district expectations for proficiency. ~~For a student for whom a~~
 2482 | ~~personalized middle school success plan is required pursuant to~~
 2483 | ~~s. 1003.415, the middle school success plan must be incorporated~~
 2484 | ~~in the student's academic improvement plan. Beginning with the~~
 2485 | ~~2002-2003 school year, If the student has been identified as~~
 2486 | ~~having a deficiency in reading, the academic improvement plan~~
 2487 | ~~shall identify the student's specific areas of deficiency in~~
 2488 | ~~phonemic awareness, phonics, fluency, comprehension, and~~
 2489 | ~~vocabulary; the desired levels of performance in these areas;~~
 2490 | ~~and the K-12 comprehensive reading plan required by s.~~
 2491 | ~~1011.62(8) shall include instructional and support services to~~
 2492 | ~~be provided to meet the desired levels of performance. District~~
 2493 | ~~school boards may require low-performing students to attend~~
 2494 | ~~remediation programs held before or after regular school hours~~
 2495 | ~~or during the summer if transportation is provided. Schools~~
 2496 | ~~shall also provide for the frequent monitoring of the student's~~
 2497 | ~~progress in meeting the desired levels of performance. District~~
 2498 | ~~school boards shall assist schools and teachers to implement~~
 2499 | ~~research based reading activities that have been shown to be~~
 2500 | ~~successful in teaching reading to low-performing students.~~
 2501 | ~~Remedial instruction provided during high school may not be in~~
 2502 | ~~lieu of English and mathematics credits required for graduation.~~

2503 | (c) Upon subsequent evaluation, if the documented
 2504 | deficiency has not been remediated ~~in accordance with the~~
 2505 | ~~academic improvement plan,~~ the student may be retained. Each
 2506 | student who does not meet the minimum performance expectations
 2507 | defined by the Commissioner of Education for the statewide

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2508 | assessment tests in reading, writing, science, and mathematics
 2509 | must continue to be provided with remedial or supplemental
 2510 | instruction until the expectations are met or the student
 2511 | graduates from high school or is not subject to compulsory
 2512 | school attendance.

2513 | (6) ELIMINATION OF SOCIAL PROMOTION.--

2514 | (b) The district school board may only exempt students
 2515 | from mandatory retention, as provided in paragraph (5) (b), for
 2516 | good cause. Good cause exemptions shall be limited to the
 2517 | following:

2518 | 1. Limited English proficient students who have had less
 2519 | than 2 years of instruction in an English for Speakers of Other
 2520 | Languages program.

2521 | 2. Students with disabilities whose individual education
 2522 | plan indicates that participation in the statewide assessment
 2523 | program is not appropriate, consistent with the requirements of
 2524 | State Board of Education rule.

2525 | 3. Students who demonstrate an acceptable level of
 2526 | performance on an alternative standardized reading assessment
 2527 | approved by the State Board of Education.

2528 | 4. Students who demonstrate, through a student portfolio,
 2529 | that the student is reading on grade level as evidenced by
 2530 | demonstration of mastery of the Sunshine State Standards in
 2531 | reading equal to at least a Level 2 performance on the FCAT.

2532 | 5. Students with disabilities who participate in the FCAT
 2533 | and who have an individual education plan or a Section 504 plan
 2534 | that reflects that the student has received ~~the~~ intensive

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2535 remediation in reading, ~~as required by paragraph (4)(b)~~, for
2536 more than 2 years but still demonstrates a deficiency in reading
2537 and was previously retained in kindergarten, grade 1, grade 2,
2538 or grade 3.

2539 6. Students who have received ~~the~~ intensive remediation in
2540 reading ~~as required by paragraph (4)(b)~~ for 2 or more years but
2541 still demonstrate a deficiency in reading and who were
2542 previously retained in kindergarten, grade 1, grade 2, or grade
2543 3 for a total of 2 years. Intensive reading instruction for
2544 students so promoted must include an altered instructional day
2545 ~~based upon an academic improvement plan~~ that includes
2546 specialized diagnostic information and specific reading
2547 strategies for each student. The district school board shall
2548 assist schools and teachers to implement reading strategies that
2549 research has shown to be successful in improving reading among
2550 low-performing readers.

2551 (c) Requests for good cause exemptions for students from
2552 the mandatory retention requirement as described in
2553 subparagraphs (b)3. and 4. shall be made consistent with the
2554 following:

2555 1. Documentation shall be submitted from the student's
2556 teacher to the school principal that indicates that the
2557 promotion of the student is appropriate and is based upon the
2558 student's academic record. In order to minimize paperwork
2559 requirements, such documentation shall consist only of the
2560 existing progress monitoring ~~academic improvement~~ plan,

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2561 individual educational plan, if applicable, report card, or
 2562 student portfolio.

2563 2. The school principal shall review and discuss such
 2564 recommendation with the teacher and make the determination as to
 2565 whether the student should be promoted or retained. If the
 2566 school principal determines that the student should be promoted,
 2567 the school principal shall make such recommendation in writing
 2568 to the district school superintendent. The district school
 2569 superintendent shall accept or reject the school principal's
 2570 recommendation in writing.

2571 (7) SUCCESSFUL PROGRESSION FOR RETAINED READERS.--

2572 (b) Beginning with the 2004-2005 school year, each school
 2573 district shall:

2574 1. Conduct a review of student progress monitoring
 2575 ~~academic improvement~~ plans for all students who did not score
 2576 above Level 1 on the reading portion of the FCAT and did not
 2577 meet the criteria for one of the good cause exemptions in
 2578 paragraph (6) (b). The review shall address additional supports
 2579 and services, as described in this subsection, needed to
 2580 remediate the identified areas of reading deficiency. The school
 2581 district shall require a student portfolio to be completed for
 2582 each such student.

2583 2. Provide students who are retained under the provisions
 2584 of paragraph (5) (b) with intensive instructional services and
 2585 supports to remediate the identified areas of reading
 2586 deficiency, including a minimum of 90 minutes of daily,
 2587 uninterrupted, scientifically research-based reading instruction

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2588 | and other strategies prescribed by the school district, which
 2589 | may include, but are not limited to:

- 2590 | a. Small group instruction.
- 2591 | b. Reduced teacher-student ratios.
- 2592 | c. More frequent progress monitoring.
- 2593 | d. Tutoring or mentoring.
- 2594 | e. Transition classes containing 3rd and 4th grade
 2595 | students.
- 2596 | f. Extended school day, week, or year.
- 2597 | g. Summer reading camps.

2598 | 3. Provide written notification to the parent of any
 2599 | student who is retained under the provisions of paragraph (5)(b)
 2600 | that his or her child has not met the proficiency level required
 2601 | for promotion and the reasons the child is not eligible for a
 2602 | good cause exemption as provided in paragraph (6)(b). The
 2603 | notification must comply with the provisions of s. 1002.20(14)
 2604 | and must include a description of proposed interventions and
 2605 | supports that will be provided to the child to remediate the
 2606 | identified areas of reading deficiency.

2607 | 4. Implement a policy for the midyear promotion of any
 2608 | student retained under the provisions of paragraph (5)(b) who
 2609 | can demonstrate that he or she is a successful and independent
 2610 | reader, reading at or above grade level, and ready to be
 2611 | promoted to grade 4. Tools that school districts may use in
 2612 | reevaluating any student retained may include subsequent
 2613 | assessments, alternative assessments, and portfolio reviews, in
 2614 | accordance with rules of the State Board of Education. Students

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2615 promoted during the school year after November 1 must
 2616 demonstrate proficiency above that required to score at Level 2
 2617 on the grade 3 FCAT, as determined by the State Board of
 2618 Education. The State Board of Education shall adopt standards
 2619 that provide a reasonable expectation that the student's
 2620 progress is sufficient to master appropriate 4th grade level
 2621 reading skills.

2622 5. Provide students who are retained under the provisions
 2623 of paragraph (5)(b) with a high-performing teacher as determined
 2624 by student performance data and above-satisfactory performance
 2625 appraisals.

2626 6. In addition to required reading enhancement and
 2627 acceleration strategies, provide parents of students to be
 2628 retained with at least one of the following instructional
 2629 options:

2630 a. Supplemental tutoring in scientifically research-based
 2631 reading services in addition to the regular reading block,
 2632 including tutoring before and/or after school.

2633 b. A "Read at Home" plan outlined in a parental contract,
 2634 including participation in "Families Building Better Readers
 2635 Workshops" and regular parent-guided home reading.

2636 c. A mentor or tutor with specialized reading training.

2637 7. Establish a Reading Enhancement and Acceleration
 2638 Development (READ) Initiative. The focus of the READ Initiative
 2639 shall be to prevent the retention of grade 3 students and to
 2640 offer intensive accelerated reading instruction to grade 3
 2641 students who failed to meet standards for promotion to grade 4

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2642 and to each K-3 student who is assessed as exhibiting a reading
 2643 deficiency. The READ Initiative shall:

2644 a. Be provided to all K-3 students at risk of retention as
 2645 identified by the statewide assessment system used in Reading
 2646 First schools. The assessment must measure phonemic awareness,
 2647 phonics, fluency, vocabulary, and comprehension.

2648 b. Be provided during regular school hours in addition to
 2649 the regular reading instruction.

2650 c. Provide a state-identified reading curriculum that has
 2651 been reviewed by the Florida Center for Reading Research at
 2652 Florida State University and meets, at a minimum, the following
 2653 specifications:

2654 (I) Assists students assessed as exhibiting a reading
 2655 deficiency in developing the ability to read at grade level.

2656 (II) Provides skill development in phonemic awareness,
 2657 phonics, fluency, vocabulary, and comprehension.

2658 (III) Provides scientifically based and reliable
 2659 assessment.

2660 (IV) Provides initial and ongoing analysis of each
 2661 student's reading progress.

2662 (V) Is implemented during regular school hours.

2663 (VI) Provides a curriculum in core academic subjects to
 2664 assist the student in maintaining or meeting proficiency levels
 2665 for the appropriate grade in all academic subjects.

2666 8. Establish at each school, where applicable, an
 2667 Intensive Acceleration Class for retained grade 3 students who
 2668 subsequently score at Level 1 on the reading portion of the

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2669 FCAT. The focus of the Intensive Acceleration Class shall be to
 2670 increase a child's reading level at least two grade levels in 1
 2671 school year. The Intensive Acceleration Class shall:

2672 a. Be provided to any student in grade 3 who scores at
 2673 Level 1 on the reading portion of the FCAT and who was retained
 2674 in grade 3 the prior year because of scoring at Level 1 on the
 2675 reading portion of the FCAT.

2676 b. Have a reduced teacher-student ratio.

2677 c. Provide uninterrupted reading instruction for the
 2678 majority of student contact time each day and incorporate
 2679 opportunities to master the grade 4 Sunshine State Standards in
 2680 other core subject areas.

2681 d. Use a reading program that is scientifically research-
 2682 based and has proven results in accelerating student reading
 2683 achievement within the same school year.

2684 e. Provide intensive language and vocabulary instruction
 2685 using a scientifically research-based program, including use of
 2686 a speech-language therapist.

2687 f. Include weekly progress monitoring measures to ensure
 2688 progress is being made.

2689 g. Report to the Department of Education, in the manner
 2690 described by the department, the progress of students in the
 2691 class at the end of the first semester.

2692 9. Report to the State Board of Education, as requested,
 2693 on the specific intensive reading interventions and supports
 2694 implemented at the school district level. The Commissioner of

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2695 Education shall annually prescribe the required components of
 2696 requested reports.

2697 10. Provide a student who has been retained in grade 3 and
 2698 has received intensive instructional services but is still not
 2699 ready for grade promotion, as determined by the school district,
 2700 the option of being placed in a transitional instructional
 2701 setting. Such setting shall specifically be designed to produce
 2702 learning gains sufficient to meet grade 4 performance standards
 2703 while continuing to remediate the areas of reading deficiency.

2704 (8) ANNUAL REPORT.--

2705 (b) ~~Beginning with the 2001-2002 school year,~~ Each
 2706 district school board must annually publish in the local
 2707 newspaper, and report in writing to the State Board of Education
 2708 by September 1 of each year, the following information on the
 2709 prior school year:

2710 1. The provisions of this section relating to public
 2711 school student progression and the district school board's
 2712 policies and procedures on student retention and promotion.

2713 2. By grade, the number and percentage of all students in
 2714 grades 3 through 10 performing at Levels 1 and 2 on the reading
 2715 portion of the FCAT.

2716 3. By grade, the number and percentage of all students
 2717 retained in grades 3 through 10.

2718 4. Information on the total number of students who were
 2719 promoted for good cause, by each category of good cause as
 2720 specified in paragraph (6) (b).

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2721 5. Any revisions to the district school board's policy on
 2722 student retention and promotion from the prior year.

2723 (c) The Department of Education shall establish a uniform
 2724 format for school districts to report the information required
 2725 in paragraph (b). The format shall be developed with input from
 2726 district school boards and shall be provided not later than 90
 2727 days prior to the annual due date. The department shall annually
 2728 compile the information required in subparagraphs (b)2., 3., and
 2729 4., along with state-level summary information, and report such
 2730 information to the Governor, the President of the Senate, and
 2731 the Speaker of the House of Representatives.

2732 Section 43. Section 1008.301, Florida Statutes, is
 2733 repealed.

2734 Section 44. Paragraphs (d) and (e) of subsection (1),
 2735 paragraphs (b) and (c) of subsection (2), and subsection (3) of
 2736 section 1008.31, Florida Statutes, are amended, and subsection
 2737 (4) is added to that section, to read:

2738 1008.31 Florida's K-20 education performance
 2739 accountability system; legislative intent; ~~performance based~~
 2740 ~~funding~~, mission, goals, and systemwide measures; data quality
 2741 improvements.--

2742 (1) LEGISLATIVE INTENT.--It is the intent of the
 2743 Legislature that:

2744 (d) The State Board of Education and the Board of
 2745 Governors of the State University System recommend to the
 2746 Legislature systemwide performance standards; the Legislature
 2747 establish systemwide performance measures and standards; and the

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2748 | systemwide measures and standards provide Floridians with
 2749 | information on what the public is receiving in return for the
 2750 | funds it invests in education and how well the K-20 system
 2751 | educates its students.

2752 | (e)1. The State Board of Education establish performance
 2753 | measures and set performance standards for individual ~~components~~
 2754 | ~~of the public education system, including individual schools and~~
 2755 | ~~community colleges postsecondary educational institutions,~~ with
 2756 | measures and standards based primarily on student achievement.

2757 | 2. The Board of Governors of the State University System
 2758 | establish performance measures and set performance standards for
 2759 | individual state universities, including actual completion
 2760 | rates.

2761 | (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.--

2762 | (b) The process ~~State Board of Education shall adopt~~
 2763 | ~~guiding principles~~ for establishing state and sector-specific
 2764 | standards and measures must be:

- 2765 | 1. Focused on student success.
- 2766 | 2. Addressable through policy and program changes.
- 2767 | 3. Efficient and of high quality.
- 2768 | 4. Measurable over time.
- 2769 | 5. Simple to explain and display to the public.
- 2770 | 6. Aligned with other measures and other sectors to
 2771 | support a coordinated K-20 education system.

2772 | (c) The Department ~~State Board~~ of Education shall maintain
 2773 | an accountability system that measures student progress toward
 2774 | the following goals:

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2775 | 1. Highest student achievement, as indicated by evidence
 2776 | of student learning gains at all levels ~~measured by: student~~
 2777 | ~~FCAT performance and annual learning gains; the number and~~
 2778 | ~~percentage of schools that improve at least one school~~
 2779 | ~~performance grade designation or maintain a school performance~~
 2780 | ~~grade designation of "A" pursuant to s. 1008.34; graduation or~~
 2781 | ~~completion rates at all learning levels; and other measures~~
 2782 | ~~identified in law or rule.~~

2783 | 2. Seamless articulation and maximum access, as measured
 2784 | by evidence of progression, readiness, and access by targeted
 2785 | groups of students identified by the Commissioner of Education;
 2786 | ~~the percentage of students who demonstrate readiness for the~~
 2787 | ~~educational level they are entering, from kindergarten through~~
 2788 | ~~postsecondary education and into the workforce; the number and~~
 2789 | ~~percentage of students needing remediation; the percentage of~~
 2790 | ~~Floridians who complete associate, baccalaureate, graduate,~~
 2791 | ~~professional, and postgraduate degrees; the number and~~
 2792 | ~~percentage of credits that articulate; the extent to which each~~
 2793 | ~~set of exit point requirements matches the next set of entrance~~
 2794 | ~~point requirements; the degree to which underserved populations~~
 2795 | ~~access educational opportunity; the extent to which access is~~
 2796 | ~~provided through innovative educational delivery strategies; and~~
 2797 | ~~other measures identified in law or rule.~~

2798 | 3. Skilled workforce and economic development, as measured
 2799 | by evidence of employment and earnings; ~~the number and~~
 2800 | ~~percentage of graduates employed in their areas of preparation;~~
 2801 | ~~the percentage of Floridians with high school diplomas and~~

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2802 ~~postsecondary education credentials; the percentage of business~~
 2803 ~~and community members who find that Florida's graduates possess~~
 2804 ~~the skills they need; national rankings; and other measures~~
 2805 ~~identified in law or rule.~~

2806 4. Quality efficient services, as measured by evidence of
 2807 return on investment: cost per completer or graduate; average
 2808 cost per noncompleter at each educational level; cost disparity
 2809 across institutions offering the same degrees; the percentage of
 2810 education customers at each educational level who are satisfied
 2811 with the education provided; and other measures identified in
 2812 law or rule.

2813 5. Other goals as identified by law or rule.

2814 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS SYSTEMWIDE
 2815 DATA COLLECTION.--To provide data required to implement
 2816 education performance accountability measures in state and
 2817 federal law, the Commissioner of Education shall initiate and
 2818 maintain strategies to improve data quality and timeliness. All
 2819 data collected from state universities shall, as determined by
 2820 the commissioner, be integrated into the K-20 data warehouse.
 2821 The commissioner shall have unlimited access to such data solely
 2822 for the purposes of conducting studies, reporting annual and
 2823 longitudinal student outcomes, and improving college readiness
 2824 and articulation. All public educational institutions shall
 2825 provide data to the K-20 data warehouse in a format specified by
 2826 the commissioner.

2827 (a) School districts and public postsecondary educational
 2828 institutions shall maintain information systems that will

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2829 | provide the State Board of Education, the Board of Governors of
2830 | the State University System, and the Legislature with
2831 | information and reports necessary to address the specifications
2832 | of the accountability system. ~~The State Board of Education shall~~
2833 | ~~determine the standards for the required data.~~ The level of
2834 | comprehensiveness and quality shall be no less than that which
2835 | was available as of June 30, 2001.

2836 | (b) The Commissioner of Education shall determine the
2837 | standards for the required data, monitor data quality, and
2838 | measure improvements. The commissioner shall report annually to
2839 | the State Board of Education, the Board of Governors of the
2840 | State University System, the President of the Senate, and the
2841 | Speaker of the House of Representatives data quality indicators
2842 | and ratings for all school districts and public postsecondary
2843 | educational institutions.

2844 | (c) Before establishing any new reporting or data
2845 | collection requirements, the Commissioner of Education shall
2846 | utilize existing data being collected to reduce duplication and
2847 | minimize paperwork.

2848 | (4) RULES.--The State Board of Education shall adopt rules
2849 | pursuant to ss. 120.536(1) and 120.54 to implement the
2850 | provisions of this section relating to the K-20 data warehouse.

2851 | Section 45. Section 1008.33, Florida Statutes, is amended
2852 | to read:

2853 | 1008.33 Authority to enforce public school improvement.--
2854 | It is the intent of the Legislature that all public schools be
2855 | held accountable for students performing at acceptable levels.

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2856 | A system of school improvement and accountability that assesses
2857 | student performance by school, identifies schools in which
2858 | students are not making adequate progress toward state
2859 | standards, institutes appropriate measures for enforcing
2860 | improvement, and provides rewards and sanctions based on
2861 | performance shall be the responsibility of the State Board of
2862 | Education.

2863 | (1) Pursuant to Art. IX of the State Constitution
2864 | prescribing the duty of the State Board of Education to
2865 | supervise Florida's public school system and notwithstanding any
2866 | other statutory provisions to the contrary, the State Board of
2867 | Education shall intervene in the operation of a district school
2868 | system when one or more schools in the school district have
2869 | failed to make adequate progress for 2 school years in a 4-year
2870 | period. For purposes of determining when a school is eligible
2871 | for state board action and opportunity scholarships for its
2872 | students, the terms "2 years in any 4-year period" and "2 years
2873 | in a 4-year period" mean that in any year that a school has a
2874 | grade of "F," the school is eligible for state board action and
2875 | opportunity scholarships for its students if it also has had a
2876 | grade of "F" in any of the previous 3 school years. The State
2877 | Board of Education may determine that the school district or
2878 | school has not taken steps sufficient for students in the school
2879 | to be academically well served. Considering recommendations of
2880 | the Commissioner of Education, the State Board of Education
2881 | shall recommend action to a district school board intended to
2882 | improve educational services to students in each school that is

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2883 designated with a ~~as~~ performance grade of category "F."
2884 Recommendations for actions to be taken in the school district
2885 shall be made only after thorough consideration of the unique
2886 characteristics of a school, which shall include student
2887 mobility rates, the number and type of exceptional students
2888 enrolled in the school, and the availability of options for
2889 improved educational services. The state board shall adopt by
2890 rule steps to follow in this process. Such steps shall provide
2891 school districts sufficient time to improve student performance
2892 in schools and the opportunity to present evidence of assistance
2893 and interventions that the district school board has
2894 implemented.

2895 (2) The State Board of Education may recommend one or more
2896 of the following actions to district school boards to enable
2897 students in schools designated with a ~~as~~ performance grade of
2898 ~~category~~ "F" to be academically well served by the public school
2899 system:

2900 (a) Provide additional resources, change certain
2901 practices, and provide additional assistance if the state board
2902 determines the causes of inadequate progress to be related to
2903 school district policy or practice;

2904 (b) Implement a plan that satisfactorily resolves the
2905 education equity problems in the school;

2906 (c) Contract for the educational services of the school,
2907 or reorganize the school at the end of the school year under a
2908 new school principal who is authorized to hire new staff and
2909 implement a plan that addresses the causes of inadequate

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2910 | progress. A contract to administer an alternative school may not
 2911 | be entered into with a private entity which contract changes the
 2912 | character of the alternative school population as it existed
 2913 | when the alternative school was administered by the public
 2914 | school system. The term "character of the alternative school
 2915 | population" means the percentage of students having learning
 2916 | disabilities, physical disabilities, emotional disabilities, or
 2917 | developmental disabilities, as well as the percentage of
 2918 | students having discipline problems;

2919 | (d) Allow parents of students in the school to send their
 2920 | children to another district school of their choice; or

2921 | (e) Other action appropriate to improve the school's
 2922 | performance, including, if the school is a high school,
 2923 | requiring annual publication of the school's graduation rate
 2924 | calculated without GED tests for the past 3 years, disaggregated
 2925 | by student ethnicity.

2926 | (3) In recommending actions to district school boards, the
 2927 | State Board of Education shall specify the length of time
 2928 | available to implement the recommended action. The State Board
 2929 | of Education may adopt rules to further specify how it may
 2930 | respond in specific circumstances. No action taken by the State
 2931 | Board of Education shall relieve a school from state
 2932 | accountability requirements.

2933 | (4) The State Board of Education may require the
 2934 | Department of Education or Chief Financial Officer to withhold
 2935 | any transfer of state funds to the school district if, within
 2936 | the timeframe specified in state board action, the school

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2937 district has failed to comply with the action ordered to improve
 2938 the district's low-performing schools. Withholding the transfer
 2939 of funds shall occur only after all other recommended actions
 2940 for school improvement have failed to improve performance. The
 2941 State Board of Education may impose the same penalty on any
 2942 district school board that fails to develop and implement a plan
 2943 for assistance and intervention for low-performing schools as
 2944 specified in s. 1001.42(16)(d) ~~s. 1001.42(16)(e)~~.

2945 Section 46. Section 1008.34, Florida Statutes, is amended
 2946 to read:

2947 1008.34 School grading system; school report cards;
 2948 district ~~performance~~ grade.--

2949 (1) ANNUAL REPORTS.--The Commissioner of Education shall
 2950 prepare annual reports of the results of the statewide
 2951 assessment program which describe student achievement in the
 2952 state, each district, and each school. The commissioner shall
 2953 prescribe the design and content of these reports, which must
 2954 include, without limitation, descriptions of the performance of
 2955 all schools participating in the assessment program and all of
 2956 their major student populations as determined by the
 2957 Commissioner of Education, and must also include the median
 2958 scores of all eligible students who scored at or in the lowest
 2959 25th percentile of the state in the previous school year;
 2960 provided, however, that the provisions of s. 1002.22 pertaining
 2961 to student records apply to this section.

2962 (2) SCHOOL GRADES ~~PERFORMANCE GRADE CATEGORIES~~.--The
 2963 annual report shall identify schools as having one of the

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- 2964 following grades, being in one of the following grade categories
 2965 defined according to rules of the State Board of Education:
- 2966 (a) "A," schools making excellent progress.
 - 2967 (b) "B," schools making above average progress.
 - 2968 (c) "C," schools making satisfactory progress.
 - 2969 (d) "D," schools making less than satisfactory progress.
 - 2970 (e) "F," schools failing to make adequate progress.

2971

2972 Each school designated with a in performance grade of category
 2973 "A," making excellent progress, or having improved at least two
 2974 ~~performance grade levels categories~~, shall have greater
 2975 authority over the allocation of the school's total budget
 2976 generated from the FEFP, state categoricals, lottery funds,
 2977 grants, and local funds, as specified in state board rule. The
 2978 rule must provide that the increased budget authority shall
 2979 remain in effect until the school's ~~performance~~ grade declines.

2980 (3) DESIGNATION OF SCHOOL GRADES ~~PERFORMANCE GRADE~~
 2981 ~~CATEGORIES~~.--Each school that has students who are tested and
 2982 included in the school grading system, except an alternative
 2983 school that receives a school-improvement rating pursuant to s.
 2984 1008.341, shall receive a school grade; however, an alternative
 2985 school may choose to receive a school grade under this section
 2986 in lieu of a school-improvement rating. Additionally, a school
 2987 that serves any combination of students in kindergarten through
 2988 grade 3 which does not receive a school grade because its
 2989 students are not tested and included in the school grading
 2990 system shall receive the school grade designation of a K-3

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2991 feeder pattern school identified by the Department of Education
 2992 and verified by the school district. A school feeder pattern
 2993 exists if at least 60 percent of the students in the school
 2994 serving a combination of students in kindergarten through grade
 2995 3 are scheduled to be assigned to the graded school. School
 2996 grades ~~performance grade category designations~~ itemized in
 2997 subsection (2) shall be based on the following:

2998 (a) Criteria Timeframes.--A school's grade shall be based
 2999 on a combination of:

3000 1. Student achievement scores, including achievement
 3001 scores for students seeking a special diploma ~~School performance~~
 3002 ~~grade category designations shall be based on the school's~~
 3003 ~~current year performance and the school's annual learning gains.~~

3004 2. A school's performance grade category designation shall
 3005 be based on a combination of student achievement scores, Student
 3006 learning gains as measured by annual FCAT assessments in grades
 3007 3 through 10; learning gains for students seeking a special
 3008 diploma, as measured by an alternate assessment tool, shall be
 3009 included not later than the 2009-2010 school year., and

3010 3. Improvement of the lowest 25th percentile of students
 3011 in the school in reading, math, or writing on the FCAT, unless
 3012 these students are exhibiting ~~performing above~~ satisfactory
 3013 performance.

3014 (b) Student assessment data.--Student assessment data used
 3015 in determining school grades ~~performance grade categories~~ shall
 3016 include:

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3017 1. The aggregate scores of all eligible students enrolled
 3018 in the school who have been assessed on the FCAT.

3019 2. The aggregate scores of all eligible students enrolled
 3020 in the school who have been assessed on the FCAT, including
 3021 Florida Writes, and who have scored at or in the lowest 25th
 3022 percentile of students in the school in reading, math, or
 3023 writing, unless these students are exhibiting ~~performing above~~
 3024 satisfactory performance.

3025 3. Effective with the 2005-2006 school year, the
 3026 achievement scores and learning gains of eligible students
 3027 attending alternative schools that provide dropout-prevention
 3028 and academic-intervention services pursuant to s. 1003.53. The
 3029 term "eligible students" in this subparagraph does not include
 3030 students attending an alternative school who are subject to
 3031 district school board policies for expulsion for repeated or
 3032 serious offenses, who are in dropout-retrieval programs serving
 3033 students who have officially been designated as dropouts, or who
 3034 are in programs operated or contracted by the Department of
 3035 Juvenile Justice. The student performance data for eligible
 3036 students identified in this subparagraph shall be included in
 3037 the calculation of the home school's grade. For purposes of this
 3038 section and s. 1008.341, "home school" means the school the
 3039 student was attending when assigned to an alternative school. If
 3040 an alternative school chooses to be graded pursuant to this
 3041 section, student performance data for eligible students
 3042 identified in this subparagraph shall not be included in the
 3043 home school's grade but shall be included only in the

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3044 calculation of the alternative school's grade. School districts
3045 must require collaboration between the home school and the
3046 alternative school in order to promote student success.

3047
3048 ~~The Department of Education shall study the effects of mobility~~
3049 ~~on the performance of highly mobile students and recommend~~
3050 ~~programs to improve the performance of such students. The State~~
3051 Board of Education shall adopt appropriate criteria for each
3052 school ~~performance grade category~~. The criteria must also give
3053 added weight to student achievement in reading. Schools
3054 designated with a ~~as performance grade of category~~ "C," making
3055 satisfactory progress, shall be required to demonstrate that
3056 adequate progress has been made by students in the school who
3057 are in the lowest 25th percentile in reading, math, or writing
3058 on the FCAT, including Florida Writes, unless these students are
3059 exhibiting ~~performing above~~ satisfactory performance.

3060 (4) SCHOOL IMPROVEMENT RATINGS.--The annual report shall
3061 identify each school's performance as having improved, remained
3062 the same, or declined. This school improvement rating shall be
3063 based on a comparison of the current year's and previous year's
3064 student and school performance data. Schools that improve at
3065 least one ~~performance grade level category~~ level category are eligible for
3066 school recognition awards pursuant to s. 1008.36.

3067 (5) SCHOOL REPORT CARD ~~PERFORMANCE GRADE CATEGORY AND~~
3068 ~~IMPROVEMENT RATING REPORTS~~.--The Department of Education shall
3069 annually develop, in collaboration with the school districts, a
3070 school report card to be delivered to parents throughout each

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3071 school district. The report card shall include the school's
 3072 grade, information regarding school improvement, an explanation
 3073 of school performance as evaluated by the federal No Child Left
 3074 Behind Act of 2001, and indicators of return on investment.
 3075 ~~School performance grade category designations and improvement~~
 3076 ~~ratings shall apply to each school's performance for the year in~~
 3077 ~~which performance is measured.~~ Each school's report card
 3078 ~~designation and rating~~ shall be published annually by the
 3079 department on its website, ~~of Education~~ and the school district
 3080 shall provide the school report card to each parent. ~~Parents~~
 3081 ~~shall be entitled to an easy to read report card about the~~
 3082 ~~designation and rating of the school in which their child is~~
 3083 ~~enrolled.~~

3084 ~~(6) RULES. The State Board of Education shall adopt rules~~
 3085 ~~pursuant to ss. 120.536(1) and 120.54 to implement the~~
 3086 ~~provisions of this section.~~

3087 ~~(6)(7)~~ PERFORMANCE-BASED FUNDING.--The Legislature may
 3088 factor in the performance of schools in calculating any
 3089 performance-based funding policy that is provided for annually
 3090 in the General Appropriations Act.

3091 ~~(7)(8)~~ DISTRICT PERFORMANCE GRADE.--The annual report
 3092 required by subsection (1) shall include district ~~performance~~
 3093 grades, which shall consist of weighted district average grades,
 3094 by level, for all elementary schools, middle schools, and high
 3095 schools in the district. A district's weighted average grade
 3096 shall be calculated by weighting individual school grades
 3097 determined pursuant to subsection (2) by school enrollment.

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3098 Section 47. Section 1008.341, Florida Statutes, is created
 3099 to read:

3100 1008.341 School-improvement rating for alternative
 3101 schools.--

3102 (1) ANNUAL REPORTS.--The Commissioner of Education shall
 3103 prepare an annual report on the performance of each school
 3104 receiving a school-improvement rating pursuant to this section
 3105 if the provisions of s. 1002.22 pertaining to student records
 3106 apply.

3107 (2) SCHOOL IMPROVEMENT RATING.--Alternative schools that
 3108 provide dropout-prevention and academic-intervention services
 3109 pursuant to s. 1003.53 shall receive a school-improvement rating
 3110 pursuant to this section. The school-improvement rating shall
 3111 identify schools as having one of the following ratings defined
 3112 according to rules of the State Board of Education:

3113 (a) "Improving" means schools with students making more
 3114 academic progress than when the students were served in their
 3115 home schools.

3116 (b) "Maintaining" means schools with students making
 3117 progress equivalent to the progress made when the students were
 3118 served in their home schools.

3119 (c) "Declining" means schools with students making less
 3120 academic progress than when the students were served in their
 3121 home schools.

3122
 3123 The school-improvement rating shall be based on a comparison of
 3124 student performance data for the current year and previous year.

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3125 Schools that improve at least one level or maintain an
 3126 "improving" rating pursuant to this section are eligible for
 3127 school recognition awards pursuant to s. 1008.36.

3128 (3) DESIGNATION OF SCHOOL-IMPROVEMENT RATING.--Student
 3129 data used in determining an alternative school's school-
 3130 improvement rating shall include:

3131 (a) The aggregate scores of all eligible students who were
 3132 assigned to and enrolled in the school during the October or
 3133 February FTE count, who have been assessed on the FCAT, and who
 3134 have FCAT or comparable scores for the preceding school year.

3135 (b) The aggregate scores of all eligible students who were
 3136 assigned to and enrolled in the school during the October or
 3137 February FTE count, who have been assessed on the FCAT,
 3138 including Florida Writes, and who have scored in the lowest 25th
 3139 percentile of students in the state on FCAT Reading.

3140
 3141 The assessment scores of students who are subject to district
 3142 school board policies for expulsion for repeated or serious
 3143 offenses, who are in dropout-retrieval programs serving students
 3144 who have officially been designated as dropouts, or who are in
 3145 programs operated or contracted by the Department of Juvenile
 3146 Justice may not be included in an alternative school's school
 3147 improvement rating.

3148 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.--For each
 3149 alternative school receiving a school-improvement rating, the
 3150 Department of Education shall annually identify the percentage
 3151 of students making learning gains as compared to the percentage

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3152 of the same students making learning gains in their home schools
 3153 in the year prior to being assigned to the alternative school.

3154 (5) SCHOOL REPORT CARD.--The Department of Education shall
 3155 annually develop, in collaboration with the school districts, a
 3156 school report card for alternative schools to be delivered to
 3157 parents throughout each school district. The report card shall
 3158 include the school-improvement rating, identification of student
 3159 learning gains, student attendance data, information regarding
 3160 school improvement, an explanation of school performance as
 3161 evaluated by the federal No Child Left Behind Act of 2001, and
 3162 indicators of return on investment.

3163 Section 48. Subsection (5), paragraphs (b) and (d) of
 3164 subsection (6), and subsection (7) of section 1008.345, Florida
 3165 Statutes, are amended to read:

3166 1008.345 Implementation of state system of school
 3167 improvement and education accountability.--

3168 (5) The commissioner shall report to the Legislature and
 3169 recommend changes in state policy necessary to foster school
 3170 improvement and education accountability. Included in the report
 3171 shall be a list of the schools, including schools operating for
 3172 the purpose of providing educational services to youth in
 3173 Department of Juvenile Justice programs, for which district
 3174 school boards have developed assistance and intervention plans
 3175 and an analysis of the various strategies used by the school
 3176 boards. School reports shall be distributed pursuant to this
 3177 subsection and s. 1001.42(16)(f) ~~s. 1001.42(16)(e)~~ and according
 3178 to rules adopted by the State Board of Education.

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3179 (6)
 3180 (b) Upon request, the department shall provide technical
 3181 assistance and training to any school, including any school
 3182 operating for the purpose of providing educational services to
 3183 youth in Department of Juvenile Justice programs, school
 3184 advisory council, district, or district school board for
 3185 conducting needs assessments, developing and implementing school
 3186 improvement plans, developing and implementing assistance and
 3187 intervention plans, or implementing other components of school
 3188 improvement and accountability. Priority for these services
 3189 shall be given to schools designated with a ~~as~~ performance grade
 3190 of category "D" or "F" and school districts in rural and
 3191 sparsely populated areas of the state.

3192 (d) The commissioner ~~department~~ shall assign a community
 3193 assessment team to each school district or governing board with
 3194 a school graded ~~designated as performance grade category~~ "D" or
 3195 "F" to review the school performance data and determine causes
 3196 for the low performance, including the role of school, area, and
 3197 district administrative personnel. The community assessment team
 3198 shall review a high school's graduation rate calculated without
 3199 GED tests for the past 3 years, disaggregated by student
 3200 ethnicity. The team shall make recommendations to the school
 3201 board or the governing board, to the department, and to the
 3202 State Board of Education for implementing an assistance and
 3203 intervention plan that will address the causes of the school's
 3204 low performance. The assessment team shall include, but not be
 3205 limited to, a department representative, parents, business

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3206 | representatives, educators, representatives of local
 3207 | governments, and community activists, and shall represent the
 3208 | demographics of the community from which they are appointed.

3209 | (7) (a) Schools designated with a in-performance grade of
 3210 | category "A," making excellent progress, shall, if requested by
 3211 | the school, be given deregulated status as specified in s.
 3212 | 1003.63(5), (7), (8), (9), and (10).

3213 | (b) Schools that have improved at least two grades
 3214 | performance-grade categories and that meet the criteria of the
 3215 | Florida School Recognition Program pursuant to s. 1008.36 may be
 3216 | given deregulated status as specified in s. 1003.63(5), (7),
 3217 | (8), (9), and (10).

3218 | Section 49. Subsection (3) of section 1009.24, Florida
 3219 | Statutes, is amended to read:

3220 | 1009.24 State university student fees.--

3221 | (3) Except as otherwise provided by law, undergraduate
 3222 | tuition shall be established annually in the General
 3223 | Appropriations Act. The Board of Governors, or the board's
 3224 | designee, may establish tuition for graduate and professional
 3225 | programs, and out-of-state fees for all programs. The sum of
 3226 | tuition and out-of-state fees assessed to nonresident students
 3227 | must be sufficient to offset the full instructional cost of
 3228 | servicing such students. However, adjustments to out-of-state fees
 3229 | or tuition for graduate and professional programs pursuant to
 3230 | this section may not exceed 10 percent in any year. Within
 3231 | proviso in the General Appropriations Act and law, each board of
 3232 | trustees shall set university tuition and fees. The sum of the

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3233 activity and service, health, and athletic fees a student is
 3234 required to pay to register for a course shall not exceed 40
 3235 percent of the tuition established in law or in the General
 3236 Appropriations Act. No university shall be required to lower any
 3237 fee in effect on the effective date of this act in order to
 3238 comply with this subsection. Within the 40 percent cap,
 3239 universities may not increase the aggregate sum of activity and
 3240 service, health, and athletic fees more than 5 percent per year
 3241 unless specifically authorized in law or in the General
 3242 Appropriations Act. A university may increase its athletic fee
 3243 to defray the costs associated with changing National Collegiate
 3244 Athletic Association divisions. Any such increase in the
 3245 athletic fee may exceed both the 40 percent cap and the 5
 3246 percent cap imposed by this subsection. Any such increase must
 3247 be approved by the athletic fee committee in the process
 3248 outlined in subsection (11) and cannot exceed \$2 per credit
 3249 hour. Notwithstanding the provisions of ss. 1009.534, 1009.535,
 3250 and 1009.536, that portion of any increase in an athletic fee
 3251 pursuant to this subsection that causes the sum of the activity
 3252 and service, health, and athletic fees to exceed the 40 percent
 3253 cap or the annual increase in such fees to exceed the 5 percent
 3254 cap shall not be included in calculating the amount a student
 3255 receives for a Florida Academic Scholars award, a Florida
 3256 Medallion Scholars award, or a Florida Gold Seal Vocational
 3257 Scholars award. This subsection does not prohibit a university
 3258 from increasing or assessing optional fees related to specific

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3259 | activities if payment of such fees is not required as a part of
 3260 | registration for courses.

3261 | Section 50. Paragraphs (f), (h), (l), (m), and (n) of
 3262 | subsection (1) and paragraphs (a) and (b) of subsection (4) of
 3263 | section 1011.62, Florida Statutes, are amended, present
 3264 | subsections (8) and (9) of that section are redesignated as
 3265 | subsections (9) and (10), respectively, and amended, and a new
 3266 | subsection (8) is added to that section, to read:

3267 | 1011.62 Funds for operation of schools.--If the annual
 3268 | allocation from the Florida Education Finance Program to each
 3269 | district for operation of schools is not determined in the
 3270 | annual appropriations act or the substantive bill implementing
 3271 | the annual appropriations act, it shall be determined as
 3272 | follows:

3273 | (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 3274 | OPERATION.--The following procedure shall be followed in
 3275 | determining the annual allocation to each district for
 3276 | operation:

3277 | (f) Supplemental academic instruction; categorical fund.--

3278 | 1. There is created a categorical fund to provide
 3279 | supplemental academic instruction to students in kindergarten
 3280 | through grade 12. This paragraph may be cited as the
 3281 | "Supplemental Academic Instruction Categorical Fund."

3282 | 2. Categorical funds for supplemental academic instruction
 3283 | shall be allocated annually to each school district in the
 3284 | amount provided in the General Appropriations Act. These funds
 3285 | shall be in addition to the funds appropriated on the basis of

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3286 FTE student membership in the Florida Education Finance Program
3287 and shall be included in the total potential funds of each
3288 district. These funds shall be used to provide supplemental
3289 academic instruction to students enrolled in the K-12 program.
3290 Supplemental instruction strategies may include, but are not
3291 limited to: modified curriculum, reading instruction, after-
3292 school instruction, tutoring, mentoring, class size reduction,
3293 extended school year, intensive skills development in summer
3294 school, and other methods for improving student achievement.
3295 Supplemental instruction may be provided to a student in any
3296 manner and at any time during or beyond the regular 180-day term
3297 identified by the school as being the most effective and
3298 efficient way to best help that student progress from grade to
3299 grade and to graduate.

3300 3. Effective with the 1999-2000 fiscal year, funding on
3301 the basis of FTE membership beyond the 180-day regular term
3302 shall be provided in the FEFP only for students enrolled in
3303 juvenile justice education programs or in education programs for
3304 juveniles placed in secure facilities or programs under s.
3305 985.223. Funding for instruction beyond the regular 180-day
3306 school year for all other K-12 students shall be provided
3307 through the supplemental academic instruction categorical fund
3308 and other state, federal, and local fund sources with ample
3309 flexibility for schools to provide supplemental instruction to
3310 assist students in progressing from grade to grade and
3311 graduating.

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3312 4. The Florida State University School, as a lab school,
3313 is authorized to expend from its FEFP or Lottery Enhancement
3314 Trust Fund allocation the cost to the student of remediation in
3315 reading, writing, or mathematics for any graduate who requires
3316 remediation at a postsecondary educational institution.

3317 5. Beginning in the 1999-2000 school year, dropout
3318 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
3319 (b), and (c), and 1003.54 shall be included in group 1 programs
3320 under subparagraph (d)3.

3321 (h) Small, isolated high schools.--Districts which levy
3322 the maximum nonvoted discretionary millage, exclusive of millage
3323 for capital outlay purposes levied pursuant to s. 1011.71(2),
3324 may calculate full-time equivalent students for small, isolated
3325 high schools by multiplying the number of unweighted full-time
3326 equivalent students times 2.75; provided the school has attained
3327 a ~~state accountability performance grade category~~ of "C" or
3328 better, pursuant to s. 1008.34, for the previous school year.
3329 For the purpose of this section, the term "small, isolated high
3330 school" means any high school which is located no less than 28
3331 miles by the shortest route from another high school; which has
3332 been serving students primarily in basic studies provided by
3333 sub-subparagraphs (c)1.b. and c. and may include subparagraph
3334 (c)4.; and which has a membership of no more than 100 students,
3335 but no fewer than 28 students, in grades 9 through 12.

3336 (l) Calculation of additional full-time equivalent
3337 membership based on international baccalaureate examination
3338 scores of students.--A value of 0.24 full-time equivalent

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3339 student membership shall be calculated for each student enrolled
3340 in an international baccalaureate course who receives a score of
3341 4 or higher on a subject examination. A value of 0.3 full-time
3342 equivalent student membership shall be calculated for each
3343 student who receives an international baccalaureate diploma.
3344 Such value shall be added to the total full-time equivalent
3345 student membership in basic programs for grades 9 through 12 in
3346 the subsequent fiscal year. The school district shall distribute
3347 to each classroom teacher who provided international
3348 baccalaureate instruction:

3349 1. A bonus in the amount of \$50 for each student taught by
3350 the International Baccalaureate teacher in each international
3351 baccalaureate course who receives a score of 4 or higher on the
3352 international baccalaureate examination.

3353 2. An additional bonus of \$500 to each International
3354 Baccalaureate teacher in a school designated with a performance
3355 grade of category "D" or "F" who has at least one student
3356 scoring 4 or higher on the international baccalaureate
3357 examination, regardless of the number of classes taught or of
3358 the number of students scoring a 4 or higher on the
3359 international baccalaureate examination.

3360
3361 Bonuses awarded to a teacher according to this paragraph shall
3362 not exceed \$2,000 in any given school year and shall be in
3363 addition to any regular wage or other bonus the teacher received
3364 or is scheduled to receive.

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3365 (m) Calculation of additional full-time equivalent
 3366 membership based on Advanced International Certificate of
 3367 Education examination scores of students.--A value of 0.24 full-
 3368 time equivalent student membership shall be calculated for each
 3369 student enrolled in a full-credit Advanced International
 3370 Certificate of Education course who receives a score of E or
 3371 higher on a subject examination. A value of 0.12 full-time
 3372 equivalent student membership shall be calculated for each
 3373 student enrolled in a half-credit Advanced International
 3374 Certificate of Education course who receives a score of E or
 3375 higher on a subject examination. A value of 0.3 full-time
 3376 equivalent student membership shall be calculated for each
 3377 student who receives an Advanced International Certificate of
 3378 Education diploma. Such value shall be added to the total full-
 3379 time equivalent student membership in basic programs for grades
 3380 9 through 12 in the subsequent fiscal year. The school district
 3381 shall distribute to each classroom teacher who provided Advanced
 3382 International Certificate of Education instruction:

3383 1. A bonus in the amount of \$50 for each student taught by
 3384 the Advanced International Certificate of Education teacher in
 3385 each full-credit Advanced International Certificate of Education
 3386 course who receives a score of E or higher on the Advanced
 3387 International Certificate of Education examination. A bonus in
 3388 the amount of \$25 for each student taught by the Advanced
 3389 International Certificate of Education teacher in each half-
 3390 credit Advanced International Certificate of Education course

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3391 | who receives a score of E or higher on the Advanced
3392 | International Certificate of Education examination.

3393 | 2. An additional bonus of \$500 to each Advanced
3394 | International Certificate of Education teacher in a school
3395 | designated with a performance grade of category "D" or "F" who
3396 | has at least one student scoring E or higher on the full-credit
3397 | Advanced International Certificate of Education examination,
3398 | regardless of the number of classes taught or of the number of
3399 | students scoring an E or higher on the full-credit Advanced
3400 | International Certificate of Education examination.

3401 | 3. Additional bonuses of \$250 each to teachers of half-
3402 | credit Advanced International Certificate of Education classes
3403 | in a school designated with a performance grade of category "D"
3404 | or "F" which has at least one student scoring an E or higher on
3405 | the half-credit Advanced International Certificate of Education
3406 | examination in that class. The maximum additional bonus for a
3407 | teacher awarded in accordance with this subparagraph shall not
3408 | exceed \$500 in any given school year. Teachers receiving an
3409 | award under subparagraph 2. are not eligible for a bonus under
3410 | this subparagraph.

3411 |
3412 | Bonuses awarded to a teacher according to this paragraph shall
3413 | not exceed \$2,000 in any given school year and shall be in
3414 | addition to any regular wage or other bonus the teacher received
3415 | or is scheduled to receive.

3416 | (n) Calculation of additional full-time equivalent
3417 | membership based on college board advanced placement scores of

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3418 | students.--A value of 0.24 full-time equivalent student
 3419 | membership shall be calculated for each student in each advanced
 3420 | placement course who receives a score of 3 or higher on the
 3421 | College Board Advanced Placement Examination for the prior year
 3422 | and added to the total full-time equivalent student membership
 3423 | in basic programs for grades 9 through 12 in the subsequent
 3424 | fiscal year. Each district must allocate at least 80 percent of
 3425 | the funds provided to the district for advanced placement
 3426 | instruction, in accordance with this paragraph, to the high
 3427 | school that generates the funds. The school district shall
 3428 | distribute to each classroom teacher who provided advanced
 3429 | placement instruction:

3430 | 1. A bonus in the amount of \$50 for each student taught by
 3431 | the Advanced Placement teacher in each advanced placement course
 3432 | who receives a score of 3 or higher on the College Board
 3433 | Advanced Placement Examination.

3434 | 2. An additional bonus of \$500 to each Advanced Placement
 3435 | teacher in a school designated with a performance grade of
 3436 | ~~category~~ "D" or "F" who has at least one student scoring 3 or
 3437 | higher on the College Board Advanced Placement Examination,
 3438 | regardless of the number of classes taught or of the number of
 3439 | students scoring a 3 or higher on the College Board Advanced
 3440 | Placement Examination.

3441 |
 3442 | Bonuses awarded to a teacher according to this paragraph shall
 3443 | not exceed \$2,000 in any given school year and shall be in

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3444 addition to any regular wage or other bonus the teacher received
 3445 or is scheduled to receive.

3446 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.--The
 3447 Legislature shall prescribe the aggregate required local effort
 3448 for all school districts collectively as an item in the General
 3449 Appropriations Act for each fiscal year. The amount that each
 3450 district shall provide annually toward the cost of the Florida
 3451 Education Finance Program for kindergarten through grade 12
 3452 programs shall be calculated as follows:

3453 (a) Estimated taxable value calculations.--

3454 1.a. Not later than 2 working days prior to July 19, the
 3455 Department of Revenue shall certify to the Commissioner of
 3456 Education its most recent estimate of the taxable value for
 3457 school purposes in each school district and the total for all
 3458 school districts in the state for the current calendar year
 3459 based on the latest available data obtained from the local
 3460 property appraisers. Not later than July 19, the Commissioner of
 3461 Education shall compute a millage rate, rounded to the next
 3462 highest one one-thousandth of a mill, which, when applied to 95
 3463 percent of the estimated state total taxable value for school
 3464 purposes, would generate the prescribed aggregate required local
 3465 effort for that year for all districts. The Commissioner of
 3466 Education shall certify to each district school board the
 3467 millage rate, computed as prescribed in this subparagraph, as
 3468 the minimum millage rate necessary to provide the district
 3469 required local effort for that year.

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3470 b. The General Appropriations Act shall direct the
 3471 computation of the statewide adjusted aggregate amount for
 3472 required local effort for all school districts collectively from
 3473 ad valorem taxes to ensure that no school district's revenue
 3474 from required local effort millage will produce more than 90
 3475 percent of the district's total Florida Education Finance
 3476 Program calculation, and the adjustment of the required local
 3477 effort millage rate of each district that produces more than 90
 3478 percent of its total Florida Education Finance Program
 3479 entitlement to a level that will produce only 90 percent of its
 3480 total Florida Education Finance Program entitlement in the July
 3481 calculation.

3482 2. As revised data are received from property appraisers,
 3483 the Department of Revenue shall amend the certification of the
 3484 estimate of the taxable value for school purposes. The
 3485 Commissioner of Education, in administering the provisions of
 3486 paragraph (10)(b) ~~subparagraph (9)(a)2.~~ shall use the most
 3487 recent taxable value for the appropriate year.

3488 (b) Final calculation.--

3489 1. The Department of Revenue shall, upon receipt of the
 3490 official final assessed value of property from each of the
 3491 property appraisers, certify to the Commissioner of Education
 3492 the taxable value total for school purposes in each school
 3493 district, subject to the provisions of paragraph (d). The
 3494 commissioner shall use the official final taxable value for
 3495 school purposes for each school district in the final

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3496 calculation of the annual Florida Education Finance Program
 3497 allocations.

3498 2. For the purposes of this paragraph, the official final
 3499 taxable value for school purposes shall be the taxable value for
 3500 school purposes on which the tax bills are computed and mailed
 3501 to the taxpayers, adjusted to reflect final administrative
 3502 actions of value adjustment boards and judicial decisions
 3503 pursuant to part I of chapter 194. By September 1 of each year,
 3504 the Department of Revenue shall certify to the commissioner the
 3505 official prior year final taxable value for school purposes. For
 3506 each county that has not submitted a revised tax roll reflecting
 3507 final value adjustment board actions and final judicial
 3508 decisions, the Department of Revenue shall certify the most
 3509 recent revision of the official taxable value for school
 3510 purposes. The certified value shall be the final taxable value
 3511 for school purposes, and no further adjustments shall be made,
 3512 except those made pursuant to paragraph (10)(b). ~~subparagraph~~
 3513 ~~(9)(a)2.~~

3514 (8) RESEARCH-BASED READING INSTRUCTION ALLOCATION.--

3515 (a) The research-based reading instruction allocation is
 3516 created to provide comprehensive reading instruction to students
 3517 in kindergarten through grade 12.

3518 (b) Funds for comprehensive, research-based reading
 3519 instruction shall be allocated annually to each school district
 3520 in the amount provided in the General Appropriations Act. Each
 3521 eligible school district shall receive the same minimum amount
 3522 as specified in the General Appropriations Act, and any

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3523 remaining funds shall be distributed to eligible school
3524 districts based on each school district's proportionate share of
3525 K-12 base funding.

3526 (c) Funds allocated under this subsection must be used to
3527 provide a system of comprehensive reading instruction to
3528 students enrolled in the K-12 programs, which may include the
3529 following:

3530 1. The provision of highly qualified reading coaches.

3531 2. Professional development for school district teachers
3532 in scientifically based reading instruction, including
3533 strategies to teach reading in content areas and with an
3534 emphasis on technical and informational text.

3535 3. The provision of summer reading camps for students who
3536 score at Level 1 on FCAT Reading.

3537 4. The provision of supplemental instructional materials
3538 that are grounded in scientifically based reading research.

3539 5. The provision of intensive interventions for middle and
3540 high school students reading below grade level.

3541 (d) Annually, by a date determined by the Department of
3542 Education but before May 1, school districts shall submit a K-12
3543 comprehensive reading plan for the specific use of the research-
3544 based reading instruction allocation in the format prescribed by
3545 the department for review and approval by the Just Read,
3546 Florida! Office created pursuant to s. 1001.215. The plan
3547 annually submitted by school districts shall be deemed approved
3548 unless the department rejects the plan on or before June 1. If a
3549 school district and the Just Read, Florida! Office cannot reach

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3550 agreement on the contents of the plan, the school district may
3551 appeal to the State Board of Education for resolution. School
3552 districts shall be allowed reasonable flexibility in designing
3553 their plans and shall be encouraged to offer reading remediation
3554 through innovative methods, including career academies. The plan
3555 format shall be developed with input from school district
3556 personnel, including teachers and principals, and shall allow
3557 courses in core, career, and alternative programs that deliver
3558 intensive reading remediation through integrated curricula,
3559 provided that the teacher is deemed highly qualified to teach
3560 reading or working toward that status. No later than July 1
3561 annually, the department shall release the school district's
3562 allocation of appropriated funds to those districts having
3563 approved plans. A school district that spends 100 percent of
3564 this allocation on its approved plan shall be deemed to have
3565 been in compliance with the plan. The department may withhold
3566 funds upon a determination that reading instruction allocation
3567 funds are not being used to implement the approved plan.

3568 (9)~~(8)~~ QUALITY ASSURANCE GUARANTEE.--The Legislature may
3569 annually in the General Appropriations Act determine a
3570 percentage increase in funds per K-12 unweighted FTE as a
3571 minimum guarantee to each school district. The guarantee shall
3572 be calculated from prior year base funding per unweighted FTE
3573 student which shall include the adjusted FTE dollars as provided
3574 in subsection (10) ~~(9)~~, quality guarantee funds, and actual
3575 nonvoted discretionary local effort from taxes. From the base
3576 funding per unweighted FTE, the increase shall be calculated for

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3577 the current year. The current year funds from which the
 3578 guarantee shall be determined shall include the adjusted FTE
 3579 dollars as provided in subsection (10) ~~(9)~~ and potential
 3580 nonvoted discretionary local effort from taxes. A comparison of
 3581 current year funds per unweighted FTE to prior year funds per
 3582 unweighted FTE shall be computed. For those school districts
 3583 which have less than the legislatively assigned percentage
 3584 increase, funds shall be provided to guarantee the assigned
 3585 percentage increase in funds per unweighted FTE student. Should
 3586 appropriated funds be less than the sum of this calculated
 3587 amount for all districts, the commissioner shall prorate each
 3588 district's allocation. This provision shall be implemented to
 3589 the extent specifically funded.

3590 (10) ~~(9)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT
 3591 FOR CURRENT OPERATION.--The total annual state allocation to
 3592 each district for current operation for the FEFP shall be
 3593 distributed periodically in the manner prescribed in the General
 3594 Appropriations Act.

3595 (a) The basic amount for current operation for the FEFP as
 3596 determined in subsection (1), multiplied by the district cost
 3597 differential factor as determined in subsection (2), plus the
 3598 amounts provided for categorical components within the FEFP,
 3599 plus the amount for the sparsity supplement as determined in
 3600 subsection (6), the decline in full-time equivalent students as
 3601 determined in subsection (7), the research-based reading
 3602 instruction allocation as determined in subsection (8), and the
 3603 quality assurance guarantee as determined in subsection (9) ~~(8)~~,

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3604 less the required local effort as determined in subsection (4).
 3605 If the funds appropriated for the purpose of funding the total
 3606 amount for current operation as provided in this paragraph are
 3607 not sufficient to pay the state requirement in full, the
 3608 department shall prorate the available state funds to each
 3609 district in the following manner:

3610 1. Determine the percentage of proration by dividing the
 3611 sum of the total amount for current operation, as provided in
 3612 this paragraph for all districts collectively, and the total
 3613 district required local effort into the sum of the state funds
 3614 available for current operation and the total district required
 3615 local effort.

3616 2. Multiply the percentage so determined by the sum of the
 3617 total amount for current operation as provided in this paragraph
 3618 and the required local effort for each individual district.

3619 3. From the product of such multiplication, subtract the
 3620 required local effort of each district; and the remainder shall
 3621 be the amount of state funds allocated to the district for
 3622 current operation.

3623 (b) The amount thus obtained shall be the net annual
 3624 allocation to each school district. However, if it is determined
 3625 that any school district received an underallocation or
 3626 overallocation for any prior year because of an arithmetical
 3627 error, assessment roll change, full-time equivalent student
 3628 membership error, or any allocation error revealed in an audit
 3629 report, the allocation to that district shall be appropriately
 3630 adjusted. Beginning with audits for the 2001-2002 fiscal year,

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3631 | if the adjustment is the result of an audit finding in which
3632 | group 2 FTE are reclassified to the basic program and the
3633 | district weighted FTE are over the weighted enrollment ceiling
3634 | for group 2 programs, the adjustment shall not result in a gain
3635 | of state funds to the district. If the Department of Education
3636 | audit adjustment recommendation is based upon controverted
3637 | findings of fact, the Commissioner of Education is authorized to
3638 | establish the amount of the adjustment based on the best
3639 | interests of the state.

3640 | (c) The amount thus obtained shall represent the net
3641 | annual state allocation to each district; however,
3642 | notwithstanding any of the provisions herein, each district
3643 | shall be guaranteed a minimum level of funding in the amount and
3644 | manner prescribed in the General Appropriations Act.

3645 | Section 51. Paragraph (a) of subsection (2) of section
3646 | 1011.64, Florida Statutes, is amended to read:

3647 | 1011.64 School district minimum classroom expenditure
3648 | requirements.--

3649 | (2) For the purpose of implementing the provisions of this
3650 | section, the Legislature shall prescribe minimum academic
3651 | performance standards and minimum classroom expenditure
3652 | requirements for districts not meeting such minimum academic
3653 | performance standards in the General Appropriations Act.

3654 | (a) Minimum academic performance standards may be based
3655 | on, but are not limited to, district ~~performance~~ grades
3656 | determined pursuant to s. 1008.34(7) ~~s. 1008.34(8)~~.

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3657 Section 52. Section 1011.67, Florida Statutes, is amended
 3658 to read:

3659 1011.67 Funds for instructional materials.--

3660 (1) The department is authorized to allocate and
 3661 distribute to each district an amount as prescribed annually by
 3662 the Legislature for instructional materials for student
 3663 membership in basic and special programs in grades K-12, which
 3664 will provide for growth and maintenance needs. For purposes of
 3665 this subsection ~~section~~, unweighted full-time equivalent
 3666 students enrolled in the lab schools in state universities are
 3667 to be included as school district students and reported as such
 3668 to the department. These funds shall be distributed to school
 3669 districts as follows: 50 percent on or about July 10; 35 percent
 3670 on or about October 10; 10 percent on or about January 10; and 5
 3671 percent on or about June 10. The annual allocation shall be
 3672 determined as follows:

3673 (a) ~~(1)~~ The growth allocation for each school district
 3674 shall be calculated as follows:

3675 1. ~~(a)~~ Subtract from that district's projected full-time
 3676 equivalent membership of students in basic and special programs
 3677 in grades K-12 used in determining the initial allocation of the
 3678 Florida Education Finance Program, the prior year's full-time
 3679 equivalent membership of students in basic and special programs
 3680 in grades K-12 for that district.

3681 2. ~~(b)~~ Multiply any such increase in full-time equivalent
 3682 student membership by the allocation for a set of instructional

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3683 materials, as determined by the department, or as provided for
3684 in the General Appropriations Act.

3685 3.~~(e)~~ The amount thus determined shall be that district's
3686 initial allocation for growth for the school year. However, the
3687 department shall recompute and adjust the initial allocation
3688 based on actual full-time equivalent student membership data for
3689 that year.

3690 (b)~~(2)~~ The maintenance of the instructional materials
3691 allocation for each school district shall be calculated by
3692 multiplying each district's prior year full-time equivalent
3693 membership of students in basic and special programs in grades
3694 K-12 by the allocation for maintenance of a set of instructional
3695 materials as provided for in the General Appropriations Act. The
3696 amount thus determined shall be that district's initial
3697 allocation for maintenance for the school year; however, the
3698 department shall recompute and adjust the initial allocation
3699 based on such actual full-time equivalent student membership
3700 data for that year.

3701 (c)~~(3)~~ In the event the funds appropriated are not
3702 sufficient for the purpose of implementing this subsection
3703 ~~section~~ in full, the department shall prorate the funds
3704 available for instructional materials after first funding in
3705 full each district's growth allocation.

3706 (2) Annually by July 1 and prior to the release of
3707 instructional materials funds, each district school
3708 superintendent shall certify to the Commissioner of Education
3709 that the district school board has approved a comprehensive

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3710 staff development plan that supports fidelity of implementation
 3711 of instructional materials programs. The report shall include
 3712 verification that training was provided and that the materials
 3713 are being implemented as designed.

3714 Section 53. Paragraph (b) of subsection (2) of section
 3715 1011.685, Florida Statutes, is amended to read:

3716 1011.685 Class size reduction; operating categorical
 3717 fund.--

3718 (2) Class size reduction operating categorical funds shall
 3719 be used by school districts for the following:

3720 (b) For any lawful operating expenditure, if the district
 3721 has met the constitutional maximums identified in s. 1003.03(1)
 3722 or the reduction of two students per year required by s.
 3723 1003.03(2); however, priority shall be given to increase
 3724 salaries of classroom teachers as defined in s. 1012.01(2)(a)
 3725 and to implement the differentiated-pay provisions detailed in
 3726 s. 1012.22 ~~salary career ladder defined in s. 1012.231.~~

3727 Section 54. Subsection (1) of section 1011.71, Florida
 3728 Statutes, is amended to read:

3729 1011.71 District school tax.--

3730 (1) If the district school tax is not provided in the
 3731 General Appropriations Act or the substantive bill implementing
 3732 the General Appropriations Act, each district school board
 3733 desiring to participate in the state allocation of funds for
 3734 current operation as prescribed by s. 1011.62(10) ~~s. 1011.62(9)~~
 3735 shall levy on the taxable value for school purposes of the
 3736 district, exclusive of millage voted under the provisions of s.

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3737 9(b) or s. 12, Art. VII of the State Constitution, a millage
 3738 rate not to exceed the amount certified by the commissioner as
 3739 the minimum millage rate necessary to provide the district
 3740 required local effort for the current year, pursuant to s.
 3741 1011.62(4)(a)1. In addition to the required local effort millage
 3742 levy, each district school board may levy a nonvoted current
 3743 operating discretionary millage. The Legislature shall prescribe
 3744 annually in the appropriations act the maximum amount of millage
 3745 a district may levy. The millage rate prescribed shall exceed
 3746 zero mills but shall not exceed the lesser of 1.6 mills or 25
 3747 percent of the millage which is required pursuant to s.
 3748 1011.62(4), exclusive of millage levied pursuant to subsection
 3749 (2).

3750 Section 55. Subsection (6) is added to section 1012.21,
 3751 Florida Statutes, to read:

3752 1012.21 Department of Education duties; K-12 personnel.--
 3753 (6) REPORTING.--The Department of Education shall annually
 3754 post online links to each school district's collective
 3755 bargaining contracts and the salary and benefits of the
 3756 personnel or officers of any educator association which were
 3757 paid by the school district pursuant to s. 1012.22. The
 3758 department shall prescribe the computer format for district
 3759 school boards to use in providing the information.

3760 Section 56. Paragraphs (b), (c), (h), and (i) of
 3761 subsection (1) of section 1012.22, Florida Statutes, are
 3762 amended, and subsection (3) is added to that section, to read:

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3763 1012.22 Public school personnel; powers and duties of the
 3764 district school board.--The district school board shall:

3765 (1) Designate positions to be filled, prescribe
 3766 qualifications for those positions, and provide for the
 3767 appointment, compensation, promotion, suspension, and dismissal
 3768 of employees as follows, subject to the requirements of this
 3769 chapter:

3770 (b) Time to act on nominations.--The district school board
 3771 shall act not later than 3 weeks following the receipt of FCAT
 3772 scores and data, including school grades, or June 30 ~~after the~~
 3773 ~~end of the regular legislative session or May 31~~, whichever is
 3774 later, on the district school superintendent's nominations of
 3775 supervisors, principals, and members of the instructional staff.

3776 (c) Compensation and salary schedules.--

3777 1. The district school board shall adopt a salary schedule
 3778 or salary schedules designed to furnish incentives for
 3779 improvement in training and for continued efficient service to
 3780 be used as a basis for paying all school employees and fix and
 3781 authorize the compensation of school employees on the basis
 3782 thereof.

3783 2. A district school board, in determining the salary
 3784 schedule for instructional personnel, must base a portion of
 3785 each employee's compensation on performance demonstrated under
 3786 s. 1012.34, must consider the prior teaching experience of a
 3787 person who has been designated state teacher of the year by any
 3788 state in the United States, and must consider prior professional
 3789 experience in the field of education gained in positions in

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3790 addition to district level instructional and administrative
 3791 positions.

3792 3. In developing the salary schedule, the district school
 3793 board shall seek input from parents, teachers, and
 3794 representatives of the business community.

3795 4. Beginning with the 2002-2003 fiscal year, each district
 3796 school board must adopt a performance-pay policy for school
 3797 administrators and instructional personnel. The district's
 3798 performance-pay policy is subject to negotiation as provided in
 3799 chapter 447; however, the adopted salary schedule must allow
 3800 school administrators and instructional personnel who
 3801 demonstrate outstanding performance, as measured under s.
 3802 1012.34, to earn a 5-percent supplement in addition to their
 3803 individual, negotiated salary. The supplements shall be funded
 3804 from the performance-pay reserve funds adopted in the salary
 3805 schedule. ~~Beginning with the 2004-2005 academic year, the~~
 3806 ~~district's 5-percent performance-pay policy must provide for the~~
 3807 ~~evaluation of classroom teachers within each level of the salary~~
 3808 ~~career ladder provided in s. 1012.231.~~ The Commissioner of
 3809 Education shall determine whether the district school board's
 3810 adopted policy and salary schedule complies with the requirement
 3811 for performance-based pay. If the district school board fails to
 3812 comply with this section, the commissioner may ~~shall~~ withhold
 3813 disbursements from the Educational Enhancement Trust Fund to the
 3814 district and take any other measure provided by law necessary to
 3815 ensure compliance until compliance is verified.

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3816 5. Beginning with the 2007-2008 academic year, each
 3817 district school board shall adopt a salary schedule with
 3818 differentiated pay for both instructional personnel and school-
 3819 based administrators. The salary schedule is subject to
 3820 negotiation as provided in chapter 447 and must allow
 3821 differentiated pay based on district-determined factors,
 3822 including, but not limited to, additional responsibilities,
 3823 school demographics, critical shortage areas, and level of job
 3824 performance difficulties.

3825 (h) Planning and training time for teachers.--The district
 3826 school board shall ~~may~~ adopt rules to make provisions for
 3827 teachers to have time for lunch, professional ~~and some~~ planning,
 3828 and professional development training time when they will not be
 3829 directly responsible for the children if, ~~provided that~~ some
 3830 adult supervision is ~~shall be~~ furnished for the students during
 3831 such periods.

3832 (i) Comprehensive program of staff development.--The
 3833 district school board shall establish a comprehensive program of
 3834 staff development that incorporates school improvement plans
 3835 pursuant to s. 1001.42 and is aligned with principal leadership
 3836 training pursuant to s. 1012.985 as a part of the plan.

3837 (3) Annually provide to the Department of Education the
 3838 negotiated collective bargaining contract for the school
 3839 district and the salary and benefits for the personnel or
 3840 officers of any educator association which are paid by the
 3841 school district. The district school board shall report using

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3842 the computer format prescribed by the department pursuant to s.
3843 1012.21.

3844 Section 57. Section 1012.2315, Florida Statutes, is
3845 created to read:

3846 1012.2315 Assignment of teachers.--

3847 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
3848 finds disparities between teachers assigned to teach in a
3849 majority of "A" graded schools and teachers assigned to teach in
3850 a majority of "F" graded schools. The disparities can be found
3851 in the average years of experience, the median salary, and the
3852 performance of the teachers on teacher certification
3853 examinations. It is the intent of the Legislature that district
3854 school boards have flexibility through the collective bargaining
3855 process to assign teachers more equitably across the schools in
3856 the district.

3857 (2) ASSIGNMENT TO SCHOOLS GRADED "D" OR "F."--School
3858 districts may not assign a higher percentage than the school
3859 district average of first-time teachers, temporarily certified
3860 teachers, teachers in need of improvement, or out-of-field
3861 teachers to schools with above the school district average of
3862 minority and economically disadvantaged students or schools that
3863 are graded "D" or "F." Each school district shall annually
3864 certify to the Commissioner of Education that this requirement
3865 has been met. If the commissioner determines that a school
3866 district is not in compliance with this subsection, the State
3867 Board of Education shall be notified and shall take action

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3868 pursuant to s. 1008.32 in the next regularly scheduled meeting
 3869 to require compliance.

3870 (3) SALARY INCENTIVES.--District school boards are
 3871 authorized to provide salary incentives to meet the requirement
 3872 of subsection (2). A district school board may not sign a
 3873 collective bargaining agreement that precludes the school
 3874 district from providing sufficient incentives to meet this
 3875 requirement.

3876 (4) COLLECTIVE BARGAINING.--Notwithstanding provisions of
 3877 chapter 447 relating to district school board collective
 3878 bargaining, collective bargaining provisions may not preclude a
 3879 school district from providing incentives to high-quality
 3880 teachers and assigning such teachers to low-performing schools.

3881 (5) REPORT.--Schools graded "D" or "F" shall annually
 3882 report their teacher-retention rate. Included in this report
 3883 shall be reasons listed for leaving by each teacher who left the
 3884 school for any reason.

3885 Section 58. Subsection (2) of section 1012.27, Florida
 3886 Statutes, is amended to read:

3887 1012.27 Public school personnel; powers and duties of
 3888 district school superintendent.--The district school
 3889 superintendent is responsible for directing the work of the
 3890 personnel, subject to the requirements of this chapter, and in
 3891 addition the district school superintendent shall perform the
 3892 following:

3893 (2) COMPENSATION AND SALARY SCHEDULES.--Prepare and
 3894 recommend to the district school board for adoption a salary

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3895 | schedule or salary schedules. The district school superintendent
 3896 | must recommend a salary schedule for instructional personnel
 3897 | which bases a portion of each employee's compensation on
 3898 | performance demonstrated under s. 1012.34. In developing the
 3899 | recommended salary schedule, the district school superintendent
 3900 | shall include input from parents, teachers, and representatives
 3901 | of the business community. Beginning with the 2007-2008 ~~2004-~~
 3902 | ~~2005~~ academic year, the recommended salary schedule for
 3903 | classroom teachers shall be consistent with the district's
 3904 | differentiated-pay policy ~~career ladder~~ based upon s. 1012.22 ~~s.~~
 3905 | ~~1012.231~~.

3906 | Section 59. Subsection (6) of section 1012.28, Florida
 3907 | Statutes, is amended to read:

3908 | 1012.28 Public school personnel; duties of school
 3909 | principals.--

3910 | (6) A school principal who fails to comply with this
 3911 | section shall be ineligible for any portion of the performance
 3912 | pay policy incentive and differentiated pay under s. 1012.22 ~~s.~~
 3913 | ~~1012.22(1)(c)~~.

3914 | Section 60. Paragraph (a) of subsection (3) of section
 3915 | 1012.34, Florida Statutes, is amended to read:

3916 | 1012.34 Assessment procedures and criteria.--

3917 | (3) The assessment procedure for instructional personnel
 3918 | and school administrators must be primarily based on the
 3919 | performance of students assigned to their classrooms or schools,
 3920 | as appropriate. Pursuant to this section, a school district's
 3921 | performance assessment is not limited to basing unsatisfactory

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3922 performance of instructional personnel and school administrators
3923 upon student performance, but may include other criteria
3924 approved to assess instructional personnel and school
3925 administrators' performance, or any combination of student
3926 performance and other approved criteria. The procedures must
3927 comply with, but are not limited to, the following requirements:

3928 (a) An assessment must be conducted for each employee at
3929 least once a year. The assessment must be based upon sound
3930 educational principles and contemporary research in effective
3931 educational practices. The assessment must primarily use data
3932 and indicators of improvement in student performance assessed
3933 annually as specified in s. 1008.22 and may consider results of
3934 peer reviews in evaluating the employee's performance. Student
3935 performance must be measured by state assessments required under
3936 s. 1008.22 and by local assessments for subjects and grade
3937 levels not measured by the state assessment program. The
3938 assessment criteria must include, but are not limited to,
3939 indicators that relate to the following:

- 3940 1. Performance of students.
- 3941 2. Ability to maintain appropriate discipline.
- 3942 3. Knowledge of subject matter. The district school board
3943 shall make special provisions for evaluating teachers who are
3944 assigned to teach out-of-field.
- 3945 4. Ability to plan and deliver instruction, ~~including~~
3946 ~~implementation of the rigorous reading requirement pursuant to~~
3947 ~~s. 1003.415, when applicable,~~ and the use of technology in the
3948 classroom.

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- 3949 | 5. Ability to evaluate instructional needs.
- 3950 | 6. Ability to establish and maintain a positive
- 3951 | collaborative relationship with students' families to increase
- 3952 | student achievement.
- 3953 | 7. Other professional competencies, responsibilities, and
- 3954 | requirements as established by rules of the State Board of
- 3955 | Education and policies of the district school board.

3956 | Section 61. Subsection (4) of section 1012.56, Florida
 3957 | Statutes, is amended to read:

3958 | 1012.56 Educator certification requirements.--

3959 | (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable means
 3960 | of demonstrating mastery of subject area knowledge are:

3961 | (a) Achievement of passing scores on subject area
 3962 | examinations required by state board rule;

3963 | (b) Completion of the subject area specialization
 3964 | requirements specified in state board rule and verification of
 3965 | the attainment of the essential subject matter competencies by
 3966 | the district school superintendent of the employing school
 3967 | district or chief administrative officer of the employing state-
 3968 | supported or private school for a subject area for which a
 3969 | subject area examination has not been developed and required by
 3970 | state board rule;

3971 | (c) Completion of the subject area specialization
 3972 | requirements specified in state board rule for a subject
 3973 | coverage requiring a master's or higher degree and achievement
 3974 | of a passing score on the subject area examination specified in
 3975 | state board rule;

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3976 (d) A valid professional standard teaching certificate
 3977 issued by another state; or

3978 (e) A valid certificate issued by the National Board for
 3979 Professional Teaching Standards or a national educator
 3980 credentialing board approved by the State Board of Education.

3981
 3982 School districts are encouraged to provide mechanisms for those
 3983 middle school teachers holding only a K-6 teaching certificate
 3984 to obtain a subject area coverage for middle grades through
 3985 postsecondary coursework or district add-on certification.

3986 Section 62. Section 1012.98, Florida Statutes, is amended
 3987 to read:

3988 1012.98 School Community Professional Development Act.--

3989 (1) The Department of Education, public postsecondary
 3990 educational institutions, public school districts, public
 3991 schools, state education foundations, consortia, and
 3992 professional organizations ~~and public schools~~ in this state
 3993 shall work collaboratively ~~collaborate~~ to establish a
 3994 coordinated system of professional development. The purpose of
 3995 the professional development system is to increase student
 3996 achievement, enhance classroom instructional strategies that
 3997 promote rigor and relevance throughout the curriculum, and
 3998 prepare students for continuing education and the workforce. The
 3999 system of professional development must align to the standards
 4000 adopted by the state and support the framework for standards
 4001 adopted by the National Staff Development Council ~~enable the~~
 4002 ~~school community to meet state and local student achievement~~

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4003 ~~standards and the state education goals and to succeed in school~~
 4004 ~~improvement as described in s. 1000.03.~~

4005 (2) The school community includes students and parents,
 4006 administrative personnel, managers, instructional personnel,
 4007 support personnel, members of district school boards, members of
 4008 school advisory councils, business partners, and personnel that
 4009 provide health and social services to students.

4010 (3) The activities designed to implement this section
 4011 must:

4012 (a) Support and increase the success of educators through
 4013 collaboratively developed school improvement plans that focus
 4014 on:

4015 1. Enhanced and differentiated instructional strategies to
 4016 engage students in rigorous and relevant curriculum based on ~~in~~
 4017 guiding student learning and development so as to implement
 4018 state and local educational standards, goals, and initiatives;

4019 2. Increased opportunities to provide meaningful
 4020 relationships between teachers and all students; and

4021 3. Increased opportunities for professional collaboration
 4022 among and between teachers, guidance counselors, instructional
 4023 leaders, postsecondary educators engaged in preservice training
 4024 for new teachers, and the workforce community.

4025 (b) Assist the school community in providing stimulating,
 4026 scientific ~~scientifically~~ research-based educational activities
 4027 that encourage and motivate students to achieve at the highest
 4028 levels and to participate as ~~become~~ active learners and that

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4029 prepare students for success at subsequent educational levels
 4030 and the workforce.

4031 (c) Provide continuous support for all education
 4032 professionals as well as temporary intervention for education
 4033 professionals who need improvement in knowledge, skills, and
 4034 performance.

4035 (4) The Department of Education, school districts,
 4036 schools, community colleges, and state universities share the
 4037 responsibilities described in this section. These
 4038 responsibilities include the following:

4039 (a) The department shall ~~develop and~~ disseminate to the
 4040 school community research-based ~~model~~ professional development
 4041 methods and programs that have demonstrated success in meeting
 4042 identified student needs. The Commissioner of Education shall
 4043 use data on student achievement to identify student needs. The
 4044 methods of dissemination must include a web-based statewide
 4045 performance support system, including a database of exemplary
 4046 professional development activities, a listing of available
 4047 professional development resources, training programs, and
 4048 available assistance.

4049 (b) Each school district shall develop a professional
 4050 development system as specified in subsection (3). The system
 4051 shall be developed in consultation with teachers, teacher-
 4052 educators ~~and representatives~~ of community colleges ~~college~~ and
 4053 state universities ~~university faculty~~, business and community
 4054 representatives ~~agencies~~, and local education foundations,
 4055 consortia, and professional organizations ~~other interested~~

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4056 ~~citizen groups to establish policy and procedures to guide the~~
4057 ~~operation of the district professional development program.~~ The
4058 professional development system must:

4059 1. Be approved by the department. All substantial
4060 revisions to the system shall be submitted to the department for
4061 review for continued approval.

4062 2. Be based on analyses ~~Require the use of student~~
4063 achievement data and instructional strategies and methods that
4064 support rigorous, relevant, and challenging curricula for all
4065 students. Schools and districts, in developing and refining the
4066 professional development system, shall also review and monitor,
4067 school discipline data; school environment surveys; assessments
4068 of parental satisfaction; performance appraisal data of
4069 teachers, managers, and administrative personnel; and other
4070 performance indicators to identify school and student needs that
4071 can be met by improved professional performance.

4072 3. Provide inservice activities coupled with followup
4073 support ~~that are~~ appropriate to accomplish district-level and
4074 school-level improvement goals and standards. The inservice
4075 activities for instructional personnel shall ~~primarily~~ focus on
4076 analysis of student achievement data, ongoing formal and
4077 informal assessments of student achievement, identification and
4078 use of enhanced and differentiated instructional strategies that
4079 emphasize rigor, relevance, and reading in the content areas,
4080 enhancement of subject content expertise, integrated use of
4081 classroom technology that enhances teaching and learning and
4082 ~~teaching methods, including technology, as related to the~~

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4083 ~~Sunshine State Standards, assessment and data analysis,~~
 4084 classroom management, parent involvement, and school safety.

4085 4. Include a master plan for inservice activities,
 4086 pursuant to rules of the State Board of Education, for all
 4087 district employees from all fund sources. The master plan shall
 4088 be updated annually by September 1, must be based on input from
 4089 teachers and district and school instructional leaders, and must
 4090 use the latest available student achievement data and research
 4091 to enhance rigor and relevance in the classroom. Each district
 4092 inservice plan must be aligned to and support the school-based
 4093 inservice plans and school improvement plans pursuant to s.
 4094 1001.42(16). District plans using criteria for continued
 4095 ~~approval as specified by rules of the State Board of Education.~~
 4096 ~~Written verification that the inservice plan meets all~~
 4097 ~~requirements of this section must be approved by the district~~
 4098 school board submitted annually in order to ensure compliance
 4099 with subsection (1) and to allow for dissemination of research-
 4100 based best practices to other districts to the commissioner by
 4101 October 1. District school boards must submit verification of
 4102 their approval to the Commissioner of Education no later than
 4103 October 1, annually.

4104 5. Require each school principal to establish and maintain
 4105 an individual professional development plan for each
 4106 instructional employee assigned to the school as a seamless
 4107 component to the school improvement plans developed pursuant to
 4108 1001.42(16). The individual professional development plan must:

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- 4109 a. Be related to specific performance data for the
 4110 students to whom the teacher is assigned.
- 4111 b. Define the inservice objectives and specific measurable
 4112 improvements expected in student performance as a result of the
 4113 inservice activity.
- 4114 c. Include an evaluation component that determines the
 4115 effectiveness of the professional development plan.
- 4116 6. Include inservice activities for school administrative
 4117 personnel that address updated skills necessary for ~~effective~~
 4118 ~~school management and instructional leadership and effective~~
 4119 school management pursuant to s. 1012.986.
- 4120 7. Provide for systematic consultation with regional and
 4121 state personnel designated to provide technical assistance and
 4122 evaluation of local professional development programs.
- 4123 8. Provide for delivery of professional development by
 4124 distance learning and other technology-based delivery systems to
 4125 reach more educators at lower costs.
- 4126 9. Provide for the continuous evaluation of the quality
 4127 and effectiveness of professional development programs in order
 4128 to eliminate ineffective programs and strategies and to expand
 4129 effective ones. Evaluations must consider the impact of such
 4130 activities on the performance of participating educators and
 4131 their students' achievement and behavior.
- 4132 ~~(c) Each community college and state university shall~~
 4133 ~~assist the department, school districts, and schools in the~~
 4134 ~~design, delivery, and evaluation of professional development~~
 4135 ~~activities. This assistance must include active participation in~~

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4136 | ~~state and local activities required by the professional~~
 4137 | ~~development system.~~

4138 | (c) ~~(d)~~ The Department of Education shall approve a public
 4139 | state university having an approved physical education teacher
 4140 | preparation program within its college of education to develop
 4141 | and implement an Internet-based clearinghouse for physical
 4142 | education professional development programs that may be accessed
 4143 | and used by all instructional personnel. The development of
 4144 | these programs shall be financed primarily by private funds and
 4145 | shall be available for use no later than August 1, 2005.

4146 | (5) Each district school board shall provide funding for
 4147 | the professional development system as required by s. 1011.62
 4148 | and the General Appropriations Act, and shall direct
 4149 | expenditures from other funding sources to continuously
 4150 | strengthen the system in order to increase student achievement
 4151 | and support instructional staff in enhancing rigor and relevance
 4152 | in the classroom ~~and make it uniform and coherent.~~ A school
 4153 | district may coordinate its professional development program
 4154 | with that of another district, with an educational consortium,
 4155 | or with a community college or university, especially in
 4156 | preparing and educating personnel. Each district school board
 4157 | shall make available inservice activities to instructional
 4158 | personnel of nonpublic schools in the district and the state
 4159 | certified teachers who are not employed by the district school
 4160 | board on a fee basis not to exceed the cost of the activity per
 4161 | all participants.

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4162 (6) An organization of private schools which has no fewer
 4163 than 10 member schools in this state, which publishes and files
 4164 with the Department of Education copies of its standards, and
 4165 the member schools of which comply with the provisions of part
 4166 II of chapter 1003, relating to compulsory school attendance,
 4167 may also develop a professional development system that includes
 4168 a master plan for inservice activities. The system and inservice
 4169 plan must be submitted to the commissioner for approval pursuant
 4170 to rules of the State Board of Education.

4171 (7) The Department of Education shall disseminate, using
 4172 web-based technology, research-based best-practice design
 4173 methods by which the state and district school boards may
 4174 evaluate and improve the professional development system. The
 4175 best practices evaluation must include ~~an annual assessment of~~
 4176 data that indicate the progress ~~or lack of progress~~ of all
 4177 students. ~~If the review of the data indicates progress, the~~
 4178 ~~department shall identify the best practices that contributed to~~
 4179 ~~the progress. If the review of the data indicates a lack of~~
 4180 ~~progress, the department shall investigate the causes of the~~
 4181 ~~lack of progress, provide technical assistance, and require the~~
 4182 ~~school district to employ a different approach to professional~~
 4183 ~~development.~~ The department shall report annually to the State
 4184 Board of Education and the Legislature any school district that,
 4185 in the determination of the department, has failed to provide an
 4186 adequate professional development system. This report must
 4187 include the results of the department's investigation and of any
 4188 intervention provided.

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4189 (8) The State Board of Education may adopt rules pursuant
 4190 to ss. 120.536(1) and 120.54 to administer this section.

4191 (9) This section does not limit or discourage a district
 4192 school board from contracting with independent entities for
 4193 professional development services and inservice education if the
 4194 district school board can demonstrate to the Commissioner of
 4195 Education that, through such a contract, a better product can be
 4196 acquired or its goals for education improvement can be better
 4197 met.

4198 (10) For teachers, managers, and administrative personnel
 4199 who have been evaluated as less than satisfactory, a district
 4200 school board shall require participation in specific
 4201 professional development programs as part of the improvement
 4202 prescription.

4203 (11) The department shall disseminate to the school
 4204 community proven model professional development programs that
 4205 have demonstrated success in increasing rigorous and relevant
 4206 content, increasing student achievement and engagement, and
 4207 meeting identified student needs. The methods of dissemination
 4208 must include a web-based statewide performance-support system
 4209 including a database of exemplary professional development
 4210 activities, a listing of available professional development
 4211 resources, training programs, and available technical
 4212 assistance.

4213 Section 63. Section 1012.986, Florida Statutes, is created
 4214 to read:

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4215 1012.986 William Cecil Golden Professional Development
 4216 Program for School Leaders.--
 4217 (1) There is established the William Cecil Golden
 4218 Professional Development Program for school leaders to provide
 4219 high standards and sustained support for principals as
 4220 instructional leaders. The program shall consist of a
 4221 collaborative network of state and national professional
 4222 leadership organizations to respond to instructional leadership
 4223 needs throughout the state. The network shall support the human-
 4224 resource development needs of principals, principal leadership
 4225 teams, and candidates for principal leadership positions using
 4226 the framework of leadership standards adopted by the State Board
 4227 of Education, the Southern Regional Education Board, and the
 4228 National Staff Development Council. The goal of the network
 4229 leadership program is to:
 4230 (a) Provide resources to support and enhance the
 4231 principal's role as the instructional leader.
 4232 (b) Maintain a clearinghouse and disseminate data-
 4233 supported information related to enhanced student achievement,
 4234 based on educational research and best practices.
 4235 (c) Build the capacity to increase the quality of programs
 4236 for preservice education for aspiring principals and inservice
 4237 professional development for principals and principal leadership
 4238 teams.
 4239 (d) Support best teaching and research-based instructional
 4240 practices through dissemination and modeling at the preservice
 4241 and inservice levels for both teachers and principals.

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4242 (2) The Department of Education shall coordinate through
 4243 the network identified in subsection (1) to offer the program
 4244 through multiple delivery systems, including:

4245 (a) Approved school district training programs.

4246 (b) Interactive technology-based instruction.

4247 (c) Regional consortium service organizations pursuant to
 4248 s. 1001.451.

4249 (d) State, regional, or local leadership academies.

4250 (3) The State Board of Education shall adopt rules
 4251 pursuant to ss. 120.536(1) and 120.54 to administer this
 4252 section.

4253 Section 64. Section 1012.987, Florida Statutes, is
 4254 repealed.

4255 Section 65. This act shall take effect upon becoming a
 4256 law.