

FOR CONSIDERATION By the Committee on Education

581-664D-06

1 A bill to be entitled
2 An act relating to education; amending s.
3 11.90, F.S.; requiring that the Legislative
4 Budget Commission review proposed federal
5 education plans; amending s. 20.15, F.S.;
6 establishing the Division of Accountability,
7 Research, and Measurement in the Department of
8 Education; amending s. 1000.03, F.S.;
9 specifying that the mission of the state's K-20
10 education system is to provide high quality,
11 rigorous, and relevant learning opportunities
12 for students; repealing s. 1000.041, F.S., to
13 conform provisions relating to the 2005 repeal
14 of the BEST Florida Teaching salary career
15 ladder program; amending s. 1001.02, F.S.;
16 requiring legislative approval of a revised
17 state plan to implement certain federal
18 requirements; amending s. 1001.03, F.S.;
19 requiring the State Board of Education to
20 facilitate the review of the Sunshine State
21 Standards and provide a report to the Governor
22 and Legislature; requiring the maintenance of a
23 uniform school district personnel
24 classification system; amending s. 1001.10,
25 F.S.; requiring legislative approval of a
26 revised state plan to implement certain federal
27 requirements; creating s. 1001.215, F.S.;
28 creating the Just Read, Florida! Office in the
29 Department of Education; providing duties;
30 amending s. 1001.33, F.S.; conforming
31 provisions relating to the 2005 repeal of the

1 BEST Florida Teaching salary career ladder
2 program; amending s. 1001.41, F.S.; requiring
3 district school boards to adopt standards and
4 policies to provide to each student a complete
5 education program; amending s. 1001.42, F.S.,
6 relating to requirements of district plans for
7 school improvements; requiring alignment with
8 the Sunshine State Standards; providing certain
9 limitations of the start of the school year;
10 repealing s. 1001.51(24), F.S., and amending s.
11 1001.54, F.S.; conforming provisions relating
12 to the 2005 repeal of the BEST Florida Teaching
13 salary career ladder program; requiring each
14 secondary school principal to implement a
15 school redesign plan; amending s. 1003.01,
16 F.S.; revising the definition of the terms
17 "special education services" and "career
18 education"; defining the terms "career
19 academies" and "small learning communities" and
20 providing requirements; amending s. 1003.05,
21 F.S.; deleting the requirement that certain
22 children receive preference for admission to
23 special academic programs even if maximum
24 enrollment has been reached; revising programs
25 defined as "special academic programs" for
26 purposes of such preference; amending s.
27 1003.415, F.S.; renaming the Middle Grades
28 Reform Act as the "Florida Secondary Schools
29 Redesign Act"; providing legislative purpose
30 and intent; requiring that school boards adopt
31 policies for individual secondary school

1 redesign plans; providing requirements for the
2 middle school redesign plans and high school
3 redesign plans; requiring each middle school to
4 develop a personalized academic and career plan
5 for each student; requiring that the plan be
6 refined each year; providing requirements for
7 remediation; requiring that the academic and
8 career plan be incorporated into the individual
9 student plan; requiring that the Department of
10 Education provide model personalized academic
11 and career plans; requiring public schools and
12 charter schools to provide an academic
13 improvement plan for students who score below a
14 specified level on the FCAT; creating s.
15 1003.4156, F.S.; specifying general
16 requirements for middle school promotion;
17 requiring an intensive reading course under
18 certain circumstances; requiring school
19 district policies for implementation and
20 authorizing alternative methods for
21 progression; amending s. 1003.42, F.S.,
22 relating to required instruction; revising the
23 requirements for studying U.S. history and free
24 enterprise; amending s. 1003.43, F.S., relating
25 to requirements for high school graduation;
26 revising requirements for graduation;
27 conforming cross-references; amending s.
28 1003.437, F.S.; including middle grades in the
29 uniform grading system; amending s. 1003.491,
30 F.S.; including within career education the
31 academic and career plans and career academies;

1 amending s. 1003.62, F.S.; conforming
2 provisions relating to the designation of
3 school grades and differentiated-pay polices;
4 amending s. 1003.57, F.S.; providing guidelines
5 for determining the residency of a student who
6 receives instruction as an exceptional student
7 with a disability; requiring the student's
8 placing authority or parent to pay the cost of
9 such instruction, facilities, and services;
10 providing responsibilities of the Department of
11 Education; providing responsibilities of
12 residential facilities that educate exceptional
13 students with disabilities; providing
14 applicability; amending s. 1003.58, F.S.;
15 correcting a cross-reference; creating s.
16 1003.576, F.S.; requiring the Department of
17 Education to develop an individual education
18 plan form for use in developing and
19 implementing individual education plans for
20 exceptional students; requiring school
21 districts to use the form; creating s. 1004.64,
22 F.S.; establishing the Florida Center for
23 Reading Research; specifying the duties of the
24 center; amending s. 1006.09, F.S.; conforming a
25 cross-reference; amending s. 1007.21, F.S.;
26 revising the readiness requirements for
27 postsecondary education and the workplace;
28 amending s. 1007.271, F.S.; revising the
29 weighting systems for certain high school
30 courses; amending s. 1008.22, F.S.; specifying
31 FCAT grade level and subject area testing

1 requirements; requiring documentation of
2 procedures that ensure test difficulty under
3 certain circumstances; requiring the State
4 Board of Education to conduct concordance
5 studies to determine FCAT equivalencies for
6 high school graduation; deleting a limitation
7 on and specifying requirements for the use of
8 alternative assessments to the grade 10 FCAT;
9 requiring an annual report on student
10 performance; amending s. 1008.25, F.S.;
11 revising requirements for assessment and
12 remediation; requiring that students be
13 provided with strategies for intervention and
14 instruction; requiring that the academic
15 improvement plan be incorporated into the
16 personalized academic and career plan;
17 repealing s. 1008.301, F.S., relating to a
18 concordance study of FCAT equivalencies for
19 high school graduation; amending s. 1008.31,
20 F.S.; revising goals and measures of the K-20
21 performance accountability system and requiring
22 data quality improvements; providing for
23 development of reporting or data collection
24 requirements; amending s. 1008.33, F.S.;
25 conforming a cross-reference and provisions
26 relating to the designation of school grades;
27 amending s. 1008.34, F.S.; revising terminology
28 and provisions relating to designation and
29 determination of school grades; providing for
30 the designation of school grades for feeder
31 pattern schools under certain circumstances;

1 specifying use of assessment data with respect
2 to alternative schools; defining the term "home
3 school"; requiring an annual school report card
4 to be published by the department and
5 distributed by school districts; creating s.
6 1008.341, F.S.; requiring improvement ratings
7 for certain alternative schools; providing the
8 basis for such ratings and requiring annual
9 performance reports; providing for
10 determination of school improvement ratings,
11 identification of learning gains, and
12 eligibility for school recognition awards;
13 requiring the development and distribution of
14 an annual school report card; amending s.
15 1008.345, F.S.; conforming cross-references and
16 provisions relating to the designation of
17 school grades; amending s. 1011.62, F.S.;
18 providing FTE funding for juveniles enrolled in
19 specified education programs; providing funding
20 for supplemental educational programs;
21 providing funding for supplemental educational
22 services for certain students; conforming
23 cross-references and provisions relating to the
24 designation of school grades; establishing a
25 research-based reading instruction allocation
26 to provide funds for a comprehensive reading
27 instruction system; requiring school district
28 plans for use of the allocation and approval
29 thereof; including the allocation in the total
30 amount allocated to each school district for
31 current operation; amending s. 1011.64, F.S.;

1 conforming terminology and a cross-reference;
2 amending s. 1011.685, F.S.; conforming
3 provisions relating to the 2005 repeal of the
4 BEST Florida Teaching salary career ladder
5 program and implementation of a
6 differentiated-pay policy; amending s. 1011.71,
7 F.S.; correcting a cross-reference; amending s.
8 1012.21, F.S.; requiring the department to
9 annually post online school district collective
10 bargaining contracts and the salary and
11 benefits of certain personnel; amending s.
12 1012.22, F.S.; deleting a requirement that each
13 district school board adopt a performance-pay
14 policy; requiring each district school board to
15 annually provide to the department its
16 negotiated collective bargaining contract and
17 the salary and benefits of certain personnel;
18 creating s. 1012.2312, F.S.; requiring each
19 district school board to adopt a
20 differentiated-pay policy for instructional
21 personnel; providing factors on which
22 differentiated pay shall be based; authorizing
23 the withholding of funds from school districts
24 under certain circumstances; creating s.
25 1012.2313, F.S.; requiring each district school
26 board to have a differentiated-pay policy for
27 school administrators; providing factors on
28 which differentiated pay shall be based;
29 authorizing the withholding of funds from
30 school districts under certain circumstances;
31 creating s. 1012.2315, F.S.; providing school

1 district requirements for the assignment of
2 teachers and authorizing incentives; providing
3 procedures for noncompliance; providing
4 requirements relating to collective bargaining;
5 amending s. 1012.27, F.S.; conforming
6 provisions relating to the 2005 repeal of the
7 BEST Florida Teaching salary career ladder
8 program and implementation of a
9 differentiated-pay policy; amending s. 1012.28,
10 F.S.; conforming a cross-reference; amending s.
11 1012.34, F.S.; conforming provisions relating
12 to deletion of a rigorous reading requirement;
13 amending s. 1012.56, F.S., relating to middle
14 grades certification; encouraging school
15 districts to provide for additional
16 certification for teachers; amending s.
17 1012.98, F.S., relating to the School Community
18 Professional Development Act; revising the
19 purpose of the professional development system;
20 providing for additional activities; requiring
21 instructional strategies and methods that
22 support rigorous, relevant, and challenging
23 curriculum; providing requirements for followup
24 support and the master plan for inservice
25 activities; providing requirements for the
26 individual professional development plan for
27 instructional employees; deleting a provision
28 authorizing an organization of private schools
29 to develop a professional development system;
30 requiring the department to disseminate
31 best-practice methods and model professional

1 development programs; amending s. 1012.985,
2 F.S.; providing for a statewide system for the
3 professional development of school leaders
4 consisting of a collaborative network of
5 professional organizations; providing goals of
6 the network; repealing s. 1012.987, F.S., which
7 requires the State Board of Education to adopt
8 rules through which school principals may earn
9 a leadership designation; providing an
10 effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Subsection (8) is added to section 11.90,
15 Florida Statutes, to read:

16 11.90 Legislative Budget Commission.--

17 (8) The commission shall review the proposed state
18 plans of the State Board of Education and the Commissioner of
19 Education which are required under federal law before those
20 plans are submitted.

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

23 20.15 Department of Education.--There is created a
24 Department of Education.

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

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

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

31

1 1000.03 Function, mission, and goals of the Florida
2 K-20 education system.--

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

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

11 Section 5. Paragraph (g) of subsection (2) of section
12 1001.02, Florida Statutes, is amended to read:

13 1001.02 General powers of State Board of Education.--

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

16 (g) To approve plans for cooperating with the Federal
17 Government. Upon the 2007 reauthorization of the federal No
18 Child Left Behind Act of 2001, the Commissioner of Education
19 shall seek public input and secure legislative approval of the
20 revised state plan prior to submission.

21 Section 6. Subsections (1) and (14) of section
22 1001.03, Florida Statutes, are amended to read:

23 1001.03 Specific powers of State Board of Education.--

24 (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The
25 State Board of Education shall approve the student performance
26 standards known as the Sunshine State Standards in key
27 academic subject areas and grade levels. The state board shall
28 facilitate the review and refinement of the standards to
29 ensure adequate rigor, relevance, and appropriate student
30 progression. The process for review and proposed revisions
31 must include leadership and input from the state's classroom

1 teachers, school administrators, community colleges and
2 universities, and representatives from business and industry
3 identified by local education foundations. Proposed revisions
4 must be completed by December 1, 2006, and a report submitted
5 to the Governor, the President of the Senate, and the Speaker
6 of the House of Representatives by January 1, 2007.

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

14 Section 7. Subsection (8) of section 1001.10, Florida
15 Statutes, is amended to read:

16 1001.10 Commissioner of Education; general powers and
17 duties.--The Commissioner of Education is the chief
18 educational officer of the state, and is responsible for
19 giving full assistance to the State Board of Education in
20 enforcing compliance with the mission and goals of the
21 seamless K-20 education system. To facilitate innovative
22 practices and to allow local selection of educational methods,
23 the State Board of Education may authorize the commissioner to
24 waive, upon the request of a district school board, State
25 Board of Education rules that relate to district school
26 instruction and school operations, except those rules
27 pertaining to civil rights, and student health, safety, and
28 welfare. The Commissioner of Education is not authorized to
29 grant waivers for any provisions in rule pertaining to the
30 allocation and appropriation of state and local funds for
31 public education; the election, compensation, and organization

1 of school board members and superintendents; graduation and
2 state accountability standards; financial reporting
3 requirements; reporting of out-of-field teaching assignments
4 under s. 1012.42; public meetings; public records; or due
5 process hearings governed by chapter 120. No later than
6 January 1 of each year, the commissioner shall report to the
7 Legislature and the State Board of Education all approved
8 waiver requests in the preceding year. Additionally, the
9 commissioner has the following general powers and duties:

10 (8) To develop and implement a plan for cooperating
11 with the Federal Government in carrying out any or all phases
12 of the educational program and to recommend policies for
13 administering funds that are appropriated by Congress and
14 apportioned to the state for any or all educational purposes.
15 Upon the 2007 reauthorization of the federal No Child Left
16 Behind Act of 2001, the Commissioner of Education shall seek
17 public input and secure legislative approval of the revised
18 state plan prior to submission.

19
20 The commissioner's office shall operate all statewide
21 functions necessary to support the State Board of Education
22 and the K-20 education system, including strategic planning
23 and budget development, general administration, and assessment
24 and accountability.

25 Section 8. Section 1001.215, Florida Statutes, is
26 created to read:

27 1001.215 Just Read, Florida! Office.--There is created
28 in the Department of Education the Just Read, Florida! office.
29 The office shall be fully accountable to the Commissioner of
30 Education and shall:

1 (1) Train professionally certified teachers to become
2 reading coaches.

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

7 (3) Train K-12 teachers, school principals, and
8 parents on research-based reading instructional strategies and
9 secondary teachers on effective reading in the content area
10 strategies.

11 (4) Provide technical assistance to school districts
12 in the development and implementation of district plans for
13 use of the research-based reading instruction allocation
14 provided in s. 1011.62(8) and annually review and approve such
15 plans.

16 (5) Review, evaluate, and provide technical assistance
17 to school districts' implementation of the K-12 comprehensive
18 reading plan required in s. 1011.62(8).

19 (6) Work with the Florida Center for Reading Research
20 to provide information on research-based reading programs and
21 effective reading in the content area strategies.

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

24 (8) Periodically review teacher certification
25 examinations, including alternative certification exams, to
26 ascertain whether the examinations measure the skills needed
27 for research-based reading instructional and reading in the
28 content area strategies.

29 (9) Work with teacher preparation programs approved
30 pursuant to s. 1004.04 to integrate research-based reading
31

1 instructional strategies and reading in the content area into
2 teacher preparation programs.

3 (10) Administer grants and perform other functions as
4 necessary to meet the goal that all students read at grade
5 level.

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

8 1001.33 Schools under control of district school board
9 and district school superintendent.--

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

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

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

20 ~~(b) Teachers maintain orderly, disciplined classrooms~~
21 ~~conducive to student learning.~~

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

24 ~~(d) Teachers are well rewarded for their students'~~
25 ~~high performance.~~

26 ~~(e) Teachers are most effective when served by~~
27 ~~exemplary school administrators.~~

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

30 1001.41 General powers of district school board.--The
31 district school board, after considering recommendations

1 submitted by the district school superintendent, shall
2 exercise the following general powers:

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

13 Section 11. Paragraph (f) of subsection (4) of section
14 1001.42, Florida Statutes, is amended, paragraph (c) of
15 subsection (5) of that section is repealed, and subsection
16 (16) of that section is amended, to read:

17 1001.42 Powers and duties of district school
18 board.--The district school board, acting as a board, shall
19 exercise all powers and perform all duties listed below:

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

24 (f) Opening and closing of schools; fixing uniform
25 date.--Adopt policies for the opening and closing of schools
26 and fix uniform dates. Beginning with the 2007-2008 school
27 year, the opening date of the school year may not be earlier
28 than 7 days before Labor Day each year.

29 (5) PERSONNEL.--
30
31

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

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

14 (a) School improvement plans.--Annually approve and
15 require implementation of a new, amended, or continuation
16 school improvement plan for each school in the district,
17 except that a district school board may establish a district
18 school improvement plan that includes all schools in the
19 district operating for the purpose of providing educational
20 services to youth in Department of Juvenile Justice programs.
21 Such plan shall be designed to achieve the state education
22 priorities pursuant to s. 1000.03(5) and student performance
23 standards. In addition, any school required to implement a
24 rigorous reading requirement pursuant to s. 1003.415 must
25 include such component in its school improvement plan. Each
26 plan shall also address issues relative to budget, training,
27 instructional materials, technology, staffing, student support
28 services, specific school safety and discipline strategies,
29 student health and fitness, including physical fitness,
30 parental information on student health and fitness, and indoor
31 environmental air quality, and other matters of resource

1 allocation, as determined by district school board policy, and
2 shall be based on an analysis of student achievement and other
3 school performance data.

4 (b) Alignment with Sunshine State Standards.--Design
5 the school district's system of school improvement and student
6 progression to provide frequent and accurate information to
7 the teacher and student regarding each student's progress
8 toward mastering the Sunshine State Standards. The system must
9 support the alignment of the Sunshine State Standards,
10 monitoring of individual student progress, and enhanced
11 instructional strategies, assessment, and professional
12 development. Each school improvement plan must include:

13 1. Professional development that supports enhanced
14 instructional strategies, improves teaching and learning, and
15 addresses skill gaps.

16 2. Evidence of continuous use of disaggregated student
17 achievement data to determine effectiveness of instructional
18 strategies.

19 3. Ongoing assessment to monitor individual student
20 progress and to redesign instruction, if needed.

21 4. Alternative instructional delivery methods to
22 support remediation and enrichment strategies.

23 (c)(b) Approval process.--Develop a process for
24 approval of a school improvement plan presented by an
25 individual school and its advisory council. In the event a
26 district school board does not approve a school improvement
27 plan after exhausting this process, the Department of
28 Education shall be notified of the need for assistance.

29 (d)(e) Assistance and intervention.--

30 1. Develop a 2-year plan of increasing individualized
31 assistance and intervention for each school in danger of not

1 meeting state standards or making adequate progress, as
2 defined pursuant to statute and State Board of Education rule,
3 toward meeting the goals and standards of its approved school
4 improvement plan.

5 2. Provide assistance and intervention to a school
6 that is identified as being in performance grade category "D"
7 pursuant to s. 1008.34 and is in danger of failing.

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

20 4. Prioritize, to the extent possible, the
21 expenditures of funds received from the supplemental academic
22 instruction categorical fund under s. 1011.62(1)(f) to improve
23 student performance in schools that receive a performance
24 grade category designation of "D" or "F."

25 ~~(e)(d)~~ After 2 years.--Notify the Commissioner of
26 Education and the State Board of Education in the event any
27 school does not make adequate progress toward meeting the
28 goals and standards of a school improvement plan by the end of
29 2 years of failing to make adequate progress and proceed
30 according to guidelines developed pursuant to statute and
31 State Board of Education rule. School districts shall provide

1 intervention and assistance to schools in danger of being
2 designated as performance grade category "F," failing to make
3 adequate progress.

4 ~~(f)~~(e) Public disclosure.--Provide information
5 regarding performance of students and educational programs as
6 required pursuant to ss. 1008.22 and 1008.385 and implement a
7 system of school reports as required by statute and State
8 Board of Education rule that shall include schools operating
9 for the purpose of providing educational services to youth in
10 Department of Juvenile Justice programs, and for those
11 schools, report on the elements specified in s. 1003.52(19).
12 Annual public disclosure reports shall be in an easy-to-read
13 report card format and shall include the school's student and
14 school performance grade category designation and performance
15 data as specified in state board rule.

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

20 Section 12. Subsection (24) of section 1001.51,
21 Florida Statutes, is repealed.

22 Section 13. Paragraphs (c) and (d) of subsection (1)
23 and subsection (2) of section 1001.54, Florida Statutes, are
24 amended to read:

25 1001.54 Duties of school principals.--

26 (1)

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

31

1 ~~(c)(d)~~ The school principal shall fully support the
2 authority of each teacher and school bus driver to remove
3 disobedient, disrespectful, violent, abusive, uncontrollable,
4 or disruptive students from the classroom and the school bus
5 and, when appropriate and available, place such students in an
6 alternative educational setting.

7 (2) Each school principal shall provide instructional
8 leadership in the development, ~~or~~ revision, and implementation
9 of a school improvement plan, pursuant to s. 1001.42(16), and,
10 for secondary school principals, an integrated school redesign
11 plan pursuant to s. 1003.415(4).

12 Section 14. Paragraph (b) of subsection (3) and
13 subsection (4) of section 1003.01, Florida Statutes, are
14 amended to read:

15 1003.01 Definitions.--As used in this chapter, the
16 term:

17 (3)

18 (b) "Special education services" means specially
19 designed instruction and such related services as are
20 necessary for an exceptional student to benefit from
21 education. Such services may include: transportation;
22 diagnostic and evaluation services; social services; physical
23 and occupational therapy; speech and language pathology
24 services; job placement; orientation and mobility training;
25 brailleists, typists, and readers for the blind; interpreters
26 and auditory amplification; rehabilitation counseling;
27 transition services; mental health services; guidance and
28 career counseling; specified materials, assistive technology
29 devices, and other specialized equipment; and other such
30 services as approved by rules of the state board.

31

1 (4)(a) "Career education" means education that
2 provides instruction for the following purposes:

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

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

19 3.(c) At the postsecondary education level, courses of
20 study that provide competencies needed for entry into specific
21 occupations or for advancement within an occupation.

22 (b) "Career academies" are defined as strategic
23 educational training opportunities provided in small learning
24 communities to ensure outcomes and skills based on viable
25 careers, occupations, and industry needs. The academic focus
26 of individual career academies must be determined
27 cooperatively among school districts, postsecondary
28 institutions, local workforce boards, and chambers of
29 commerce. Career academies shall use existing infrastructure
30 whenever possible and include, at a minimum:
31

1 1. Rigorous coursework based on industry performance
2 standards;

3 2. Attainment of a high school diploma;

4 3. Preparation for careers based on local, regional,
5 and national economic trends to provide a skilled Florida
6 workforce;

7 4. Industry certification, if applicable, for
8 occupations based on local and national economic indicators;

9 5. Opportunities to earn college credit; and

10 6. Ease of access into postsecondary education or the
11 workforce, or both.

12 (c) "Small learning communities" are defined as
13 schools within a school, magnet programs within a school, or a
14 similar model having an emphasis on a particular subject, area
15 of study, or career themes or clusters. Small learning
16 communities shall use existing infrastructure whenever
17 possible and include:

18 1. Rigorous coursework based on state and
19 career-related standards;

20 2. Attainment of a high school diploma;

21 3. Preparation for careers based on student interests
22 and a skilled Florida workforce;

23 4. Opportunities to earn college credit; and

24 5. Ease of access into postsecondary education or the
25 workforce, or both.

26 Section 15. Subsection (3) of section 1003.05, Florida
27 Statutes, is amended to read:

28 1003.05 Assistance to transitioning students from
29 military families.--

30 (3) Dependent children of active duty military
31 personnel who otherwise meet the eligibility criteria for

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

15 Section 16. Section 1003.415, Florida Statutes, is
16 amended to read:

17 1003.415 The Florida Secondary Schools Redesign Middle
18 ~~Grades Reform Act~~.--

19 (1) SHORT TITLE POPULAR NAME.--This section may be
20 cited as ~~shall be known by the popular name~~ the "Florida
21 Secondary Schools Redesign Middle Grades Reform Act."

22 (2) PURPOSE AND INTENT.--The purpose of this section
23 is to provide added academic focus, and rigor, relevance, and
24 opportunity for relationships to academics in the secondary
25 ~~middle~~ grades. Using integrated reading instruction as the
26 foundation, all secondary middle grade students shall ~~should~~
27 receive rigorous academic instruction through challenging and
28 relevant curricula delivered by highly qualified teachers in
29 schools that have with outstanding principal leadership and,
30 ~~which schools~~ are supported by engaged and informed parents
31 and business partners. It is the intent of the Legislature

1 that students entering 9th ~~promoted from the eighth~~ grade will
2 be prepared ~~ready~~ for success in high school and that students
3 graduating from high school will be prepared for postsecondary
4 education and the workforce.

5 (3) DEFINITION.--As used in this section, the term
6 "secondary schools ~~middle grades~~" means grades 6 through 12,
7 ~~7, and 8.~~

8 (4) REDESIGN PLANS.--Beginning with the 2006-2007
9 school year, each district school board shall adopt policies
10 to provide support for all secondary schools to develop an
11 individual school redesign plan. The primary goal of the
12 redesign plan is to increase student engagement and
13 achievement through enhanced instructional opportunities that
14 stress rigor, relevance, and relationships; to encourage
15 students to remain in school and graduate on time; and to
16 prepare students for postsecondary education and the world of
17 work. Each secondary school's plan must include a timeline, a
18 comprehensive professional development plan, and designation
19 of the responsibilities of teachers, administrators, parents,
20 students, the business community, and district staff.
21 Secondary school redesign plans must be integral to school and
22 district improvement plans pursuant to s. 1001.42(16)(a) and
23 district professional development plans pursuant to s.
24 1012.98(4)(b).

25 (a) The middle school redesign plans must be based on
26 a sound and strategic preparation for high school success and
27 include the following:

28 1. Instructional strategies to increase rigor and
29 relevance throughout the curriculum to prepare middle school
30 students for rigorous high school courses, postsecondary
31 studies, and the world of work;

1 2. Instructional strategies to increase annually the
2 percentage of students enrolled in and successfully completing
3 algebra. Middle schools are encouraged to provide at least one
4 high school course with priority given to algebra;

5 3. Integration of reading strategies in all content
6 areas;

7 4. Comprehensive career exploration, which results in
8 the development of individual 4- to 5-year academic plans for
9 every student by the end of grade 8 pursuant to s. 1006.02;

10 5. Organizational strategies as specified in s.
11 1003.02(4) which include small-group advisement, small
12 learning communities, or similar models to ensure enhanced
13 adult relationships for every student to support and sustain
14 rigorous and relevant academics;

15 6. Intensive remediation strategies to close skill
16 gaps, including summer bridge academies;

17 7. Organizational strategies to encourage common
18 planning time and professional learning communities for
19 instructional and administrative staff;

20 8. Strategies to increase continuous monitoring of
21 student achievement using data and data analysis; and

22 9. Strategies to communicate redesign plans with
23 feeder pattern high schools in order to obtain input and
24 feedback and ensure continuous improvement of academic
25 achievement for all students.

26 (b) The high school redesign plans must be based on a
27 sound and strategic preparation for postsecondary education
28 and the workforce and include the following:

29 1. Instructional strategies to increase rigor and
30 relevance throughout the curriculum to prepare high school
31

1 students for rigorous postsecondary studies and the demands of
2 the workplace;
3 2. Instructional strategies to increase annually the
4 percentage of students enrolled in and successful in
5 higher-level math courses, including algebra II and above;
6 3. Integration of reading strategies in all content
7 areas;
8 4. Use and refinement of individual student 4- to
9 5-year academic and career plans as the basis for course
10 selection and enrollment pursuant to s. 1006.02;
11 5. Organizational strategies as specified in s.
12 1003.02(4) which include small group advisement, small
13 learning communities, or similar models to ensure enhanced
14 adult relationships with every student to support and sustain
15 rigorous and relevant academics;
16 6. Intensive remediation strategies to close skill
17 gaps, including summer bridge academies;
18 7. Organizational strategies to encourage common
19 planning time and professional learning communities for
20 instructional and administrative staff;
21 8. Strategies to develop and refine 9th grade
22 academies as the cornerstone year to ensure successful
23 transition to high school, student engagement in rigorous
24 coursework, and preparation for postsecondary education and
25 the workforce pursuant to s. 1006.02;
26 9. Strategies to share redesign plans with feeder
27 pattern middle schools in order to obtain input and feedback
28 and ensure continuous improvement of academic achievement for
29 all students;
30
31

1 10. Strategies to transform the senior year as the
2 capstone year to enhance student transition to postsecondary
3 school and the workforce; and

4 11. Strategies for developing or enhancing existing
5 professional career academies as defined in s. 1003.01(4).

6 (5) PERSONALIZED ACADEMIC AND CAREER PLANS.--

7 (a) Beginning with the 2006-2007 school year, each
8 middle school shall begin development of personalized academic
9 and career plans based on a comprehensive career exploration
10 course. Beginning with the 2007-2008 school year, personalized
11 academic and career plans shall be developed by the end of
12 grade 8 as a collaborative effort between the student and the
13 student's teachers, teacher advisors, guidance counselors, and
14 parents. The purpose of the plan is to provide each student
15 with a 4- to 5-year plan based on individual aspirations and
16 goals for postsecondary education and possible careers. The
17 plan shall be developed and refined yearly in collaboration
18 with the student and his or her parent, teachers, teacher
19 advisors, and guidance staff, and shall be focused on rigorous
20 coursework that is aligned to the student's plans for
21 postsecondary education or the workforce, or both.

22 (b) For secondary students who score below Level 3 in
23 reading or math on the most recently administered FCAT, the
24 personalized academic and career plan must also include a
25 provision for instructional assistance pursuant to s.
26 1008.25(4) and must include identification of the student's
27 strengths and weaknesses, intervention strategies, and
28 continuous monitoring of the student's progress in academic
29 performance.

30 (c) The personalized academic and career plan must be
31 seamlessly incorporated into individual student plans required

1 by federal or state law, including the academic improvement
2 plan required in s. 1008.25, an individual education plan
3 (IEP) for a student with disabilities, a federal 504 plan, or
4 an ESOL plan.

5 (d) The Department of Education, with input from
6 school-based instructional leaders, shall provide model 4- to
7 5-year personalized academic and career plans in order to
8 provide resource samples to secondary schools. Model plans
9 shall be made available on the department's website by
10 December 1, 2006. The assistance model shall include
11 strategies to synchronize and integrate existing plans
12 required by state or federal law in order to minimize
13 paperwork.

14 (6) CHALLENGE SECONDARY SCHOOLS AWARD PROGRAM.--The
15 Commissioner of Education shall create and implement the
16 Challenge Secondary Schools Award Program to reward public
17 middle and high schools that demonstrate continuous academic
18 improvement and show the greatest gains in student academic
19 achievement in reading and mathematics.

20 ~~(4) CURRICULA AND COURSES. The Department of~~
21 ~~Education shall review course offerings, teacher~~
22 ~~qualifications, instructional materials, and teaching~~
23 ~~practices used in reading and language arts programs in the~~
24 ~~middle grades. The department must consult with the Florida~~
25 ~~Center for Reading Research at Florida State University, the~~
26 ~~Just Read, Florida! Office, reading researchers, reading~~
27 ~~specialists, and district supervisors of curriculum in the~~
28 ~~development of findings and recommendations. The Commissioner~~
29 ~~of Education shall make recommendations to the State Board of~~
30 ~~Education regarding changes to reading and language arts~~
31 ~~curricula in the middle grades based on research based proven~~

1 ~~effective programs. The State Board of Education shall adopt~~
2 ~~rules based upon the commissioner's recommendations no later~~
3 ~~than March 1, 2005. Implementation of new or revised reading~~
4 ~~and language arts courses in all middle grades shall be phased~~
5 ~~in beginning no later than the 2005-2006 school year with~~
6 ~~completion no later than the 2008-2009 school year.~~

7 ~~(7)(5) ACADEMIC IMPROVEMENT PLAN RIGOROUS READING~~
8 ~~REQUIREMENT.--~~

9 ~~(a) Beginning with the 2007-2008 ~~2004-2005~~ school~~
10 ~~year, each public school serving middle grade students in~~
11 ~~grades 6 through 12, including charter schools, must include,~~
12 ~~as a component of the personalized academic and career plan,~~
13 ~~an academic improvement plan pursuant to s. 1008.25(4), for~~
14 ~~students scoring below with fewer than 75 percent of its~~
15 ~~students reading at or above grade level in grade 6, grade 7,~~
16 ~~or grade 8 as measured by a student scoring at Level 3 on the~~
17 ~~most recently administered or above on the FCAT. during the~~
18 ~~prior school year, must incorporate by October 1 a rigorous~~
19 ~~reading requirement for reading and language arts programs as~~
20 ~~the primary component of its school improvement plan. The~~
21 ~~department shall annually provide to each district school~~
22 ~~board by June 30 a list of its schools that are required to~~
23 ~~incorporate a rigorous reading requirement as the primary~~
24 ~~component of the school's improvement plan. The department~~
25 ~~shall provide technical assistance to school districts and~~
26 ~~school administrators required to implement the rigorous~~
27 ~~reading requirement. The department shall annually provide to~~
28 ~~each district school board by June 30 a list of its schools~~
29 ~~that are required to incorporate a rigorous reading~~
30 ~~requirement as the primary component of the school's~~
31 ~~improvement plan. The department shall provide technical~~

1 ~~assistance to school districts and school administrators~~
2 ~~required to implement the rigorous reading requirement.~~

3 ~~(b) The purpose of the rigorous reading requirement is~~
4 ~~to assist each student who is not reading at or above grade~~
5 ~~level to do so before entering high school. The rigorous~~
6 ~~reading requirement must include for a middle school's~~
7 ~~low performing student population specific areas that address~~
8 ~~phonemic awareness, phonics, fluency, comprehension, and~~
9 ~~vocabulary; the desired levels of performance in those areas;~~
10 ~~and the instructional and support services to be provided to~~
11 ~~meet the desired levels of performance. The school shall use~~
12 ~~research based reading activities that have been shown to be~~
13 ~~successful in teaching reading to low performing students.~~

14 ~~(c) Schools required to implement the rigorous reading~~
15 ~~requirement must provide quarterly reports to the district~~
16 ~~school superintendent on the progress of students toward~~
17 ~~increased reading achievement.~~

18 ~~(d) The results of implementation of a school's~~
19 ~~rigorous reading requirement shall be used as part of the~~
20 ~~annual evaluation of the school's instructional personnel and~~
21 ~~school administrators as required in s. 1012.34.~~

22 ~~(6) COMPREHENSIVE REFORM STUDY ON THE ACADEMIC~~
23 ~~PERFORMANCE OF STUDENTS AND SCHOOLS.—~~

24 ~~(a) The department shall conduct a study on how the~~
25 ~~overall academic performance of middle grade students and~~
26 ~~schools can be improved. The department must consult with the~~
27 ~~Florida Center for Reading Research at Florida State~~
28 ~~University, the Just Read, Florida! Office, and key education~~
29 ~~stakeholders, including district school board members,~~
30 ~~district school superintendents, principals, parents,~~
31 ~~teachers, district supervisors of curriculum, and students~~

1 ~~across the state, in the development of its findings and~~
2 ~~recommendations. The department shall review, at a minimum,~~
3 ~~each of the following elements:~~
4 1. ~~Academic expectations, which include, but are not~~
5 ~~limited to:~~
6 a. ~~Alignment of middle school expectations with~~
7 ~~elementary and high school graduation requirements.~~
8 b. ~~Best practices to improve reading and language arts~~
9 ~~courses based on research based programs for middle school~~
10 ~~students in alignment with the Sunshine State Standards.~~
11 c. ~~Strategies that focus on improving academic success~~
12 ~~for low performing students.~~
13 d. ~~Rigor of curricula and courses.~~
14 e. ~~Instructional materials.~~
15 f. ~~Course enrollment by middle school students.~~
16 g. ~~Student support services.~~
17 h. ~~Measurement and reporting of student achievement.~~
18 2. ~~Attendance policies and student mobility issues.~~
19 3. ~~Teacher quality, which includes, but is not limited~~
20 ~~to:~~
21 a. ~~Preparedness of teachers to teach rigorous courses~~
22 ~~to middle school students.~~
23 b. ~~Teacher evaluations.~~
24 c. ~~Substitute teachers.~~
25 d. ~~Certification and recertification requirements.~~
26 e. ~~Staff development requirements.~~
27 f. ~~Availability of effective staff development~~
28 ~~training.~~
29 g. ~~Teacher recruitment and vacancy issues.~~
30 h. ~~Federal requirements for highly qualified teachers~~
31 ~~pursuant to the No Child Left Behind Act of 2001.~~

1 ~~4. Identification and availability of diagnostic~~
2 ~~testing.~~

3 ~~5. Availability of personnel and scheduling issues.~~

4 ~~6. Middle school leadership and performance.~~

5 ~~7. Parental and community involvement.~~

6 ~~(b) By December 1, 2004, the Commissioner of Education~~
7 ~~shall submit to the President of the Senate, the Speaker of~~
8 ~~the House of Representatives, the chairs of the education~~
9 ~~committees in the Senate and the House of Representatives, and~~
10 ~~the State Board of Education recommendations to increase the~~
11 ~~academic performance of middle grade students and schools.~~

12 ~~(7) PERSONALIZED MIDDLE SCHOOL SUCCESS PLAN.~~

13 ~~(a) Beginning with the 2004-2005 school year, each~~
14 ~~principal of a school with a middle grade shall designate~~
15 ~~certified staff members at the school to develop and~~
16 ~~administer a personalized middle school success plan for each~~
17 ~~entering sixth grade student who scored below Level 3 in~~
18 ~~reading on the most recently administered FCAT. The purpose of~~
19 ~~the success plan is to assist the student in meeting state and~~
20 ~~school district expectations in academic proficiency and to~~
21 ~~prepare the student for a rigorous high school curriculum. The~~
22 ~~success plan shall be developed in collaboration with the~~
23 ~~student and his or her parent and must be implemented until~~
24 ~~the student completes the eighth grade or achieves a score at~~
25 ~~Level 3 or above in reading on the FCAT, whichever occurs~~
26 ~~first. The success plan must minimize paperwork and may be~~
27 ~~incorporated into a parent/teacher conference, included as~~
28 ~~part of a progress report or report card, included as part of~~
29 ~~a general orientation at the beginning of the school year, or~~
30 ~~provided by electronic mail or other written correspondence.~~

31 ~~(b) The personalized middle school success plan must:~~

1 ~~1. Identify educational goals and intermediate~~
2 ~~benchmarks for the student in the core curriculum areas which~~
3 ~~will prepare the student for high school.~~

4 ~~2. Be based upon academic performance data and an~~
5 ~~identification of the student's strengths and weaknesses.~~

6 ~~3. Include academic intervention strategies with~~
7 ~~frequent progress monitoring.~~

8 ~~4. Provide innovative methods to promote the student's~~
9 ~~advancement which may include, but not be limited to, flexible~~
10 ~~scheduling, tutoring, focus on core curricula, online~~
11 ~~instruction, an alternative learning environment, or other~~
12 ~~interventions that have been shown to accelerate the learning~~
13 ~~process.~~

14 ~~(c) The personalized middle school success plan must~~
15 ~~be incorporated into any individual student plan required by~~
16 ~~federal or state law, including the academic improvement plan~~
17 ~~required in s. 1008.25, an individual education plan (IEP) for~~
18 ~~a student with disabilities, a federal 504 plan, or an ESOL~~
19 ~~plan.~~

20 ~~(d) The Department of Education shall provide~~
21 ~~technical assistance for districts, school administrators, and~~
22 ~~instructional personnel regarding the development of~~
23 ~~personalized middle school success plans. The assistance shall~~
24 ~~include strategies and techniques designed to maximize~~
25 ~~interaction between students, parents, teachers, and other~~
26 ~~instructional and administrative staff while minimizing~~
27 ~~paperwork.~~

28 ~~(8) STATE BOARD OF EDUCATION AUTHORITY.—~~

29 ~~(a) The State Board of Education shall have authority~~
30 ~~to adopt rules pursuant to ss. 120.536(1) and 120.54 to~~
31 ~~implement the provisions of this section.~~

1 ~~(b) The State Board of Education shall have authority~~
2 ~~pursuant to s. 1008.32 to enforce the provisions of this~~
3 ~~section.~~

4 Section 17. Section 1003.4156, Florida Statutes, is
5 created to read:

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

8 (1) Beginning with students entering grade 6 in the
9 2007-2008 school year, promotion from a middle school with
10 grades 6 through 8 requires that:

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

13 1. Three middle school or higher courses in
14 English/language arts.

15 2. Three middle school or higher courses in
16 mathematics.

17 3. Two middle school or higher courses in social
18 studies.

19 4. Two middle school or higher courses in science.

20 5. One and one-half middle school or higher elective
21 courses.

22 6. One-half course in comprehensive career
23 exploration, to be completed by the end of seventh grade.

24 (b) For each year in which a student scores at Level 1
25 or Level 2 on FCAT Reading, the student must the following
26 year be enrolled in and complete a full-year intensive reading
27 course. Reading courses shall be designed and offered pursuant
28 to the reading instruction plan required by s. 1011.62(8). To
29 provide flexibility for students to enroll in elective courses
30 and meet required course competencies, school districts are
31

1 encouraged to provide applied, integrated academic courses for
2 students enrolled in intensive reading.

3 (c) Additional course requirements for middle-grades
4 promotion shall be determined by each school district in the
5 pupil progression plan, which may include additional academic
6 courses, including the fine and performing arts, physical
7 education, or career and technical education, in order to
8 provide a complete education program as defined in s.
9 1001.41(3).

10 (2) District school boards shall establish policies to
11 implement the requirements of this section. The policies must
12 include procedures for placing and promoting students who
13 enter a Florida public school at the sixth, seventh, or eighth
14 grade from out of state or from a foreign country. The policies
15 may allow alternative methods for students to demonstrate
16 competency in the courses required by this section. School
17 districts shall emphasize alternative methods for students
18 scoring at Level 1 on FCAT Reading who have retained in
19 elementary school. The alternatives shall include, but are not
20 limited to, opportunities for students to:

21 (a) Be promoted on time to high school.

22 (b) Be placed in programs that emphasize applied
23 integrated curricula, small learning communities, career
24 exploration, support services, alternative discipline, or
25 other strategies documented to improve student achievement.

26
27 Within 30 days after adoption, the school district's policies
28 shall be submitted to the State Board of Education for
29 approval. The school district's policies shall be
30 automatically approved unless specifically rejected by the
31 State Board of Education within 60 days after receipt.

1 (3) Students in the sixth, seventh, or eighth grade
2 who are not enrolled in schools having a middle grades
3 configuration are subject to the promotion requirements of
4 this section.

5 Section 18. Section 1003.42, Florida Statutes, is
6 amended to read:

7 1003.42 Required instruction.--

8 (1) Each district school board shall provide all
9 courses required for high school graduation and appropriate
10 instruction designed to ensure that students meet State Board
11 of Education adopted standards in the following subject areas:
12 reading and other language arts, mathematics, science, social
13 studies, foreign languages, health and physical education, and
14 the arts.

15 (2) Members of the instructional staff of the public
16 schools, subject to the rules of the State Board of Education
17 and the district school board, shall teach efficiently and
18 faithfully, using the books and materials required that meet
19 the highest standards for professionalism and historic
20 accuracy, following the prescribed courses of study, and
21 employing approved methods of instruction, the following:

22 (a) The history and content of the Declaration of
23 Independence, including national sovereignty, natural law,
24 self-evident truth, equality of all persons, limited
25 government, popular sovereignty, and inalienable rights of
26 life, liberty, and property, and how they form ~~it forms~~ the
27 philosophical foundation of our government.

28 (b) The history, meaning, significance, and effect of
29 the provisions of the Constitution of the United States and
30 amendments thereto, with emphasis on each of the 10 amendments
31

1 that make up the Bill of Rights and how the constitution
2 provides the structure of our government.

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

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

8 (d) Flag education, including proper flag display and
9 flag salute.

10 (e) The elements of civil government, including the
11 primary functions of and interrelationships between the
12 Federal Government, the state, and its counties,
13 municipalities, school districts, and special districts.

14 (f) The history of the United States, including the
15 period of discovery, early colonies, the War for Independence,
16 the Civil War, the expansion of the United States to its
17 present boundaries, the world wars, and the civil rights
18 movement to the present. American history shall be viewed as
19 factual, not as constructed, shall be viewed as knowable,
20 teachable, and testable, and shall be defined as the creation
21 of a new nation based largely on the universal principles
22 stated in the Declaration of Independence.

23 ~~(g)(f)~~ The history of the Holocaust (1933-1945), the
24 systematic, planned annihilation of European Jews and other
25 groups by Nazi Germany, a watershed event in the history of
26 humanity, to be taught in a manner that leads to an
27 investigation of human behavior, an understanding of the
28 ramifications of prejudice, racism, and stereotyping, and an
29 examination of what it means to be a responsible and
30 respectful person, for the purposes of encouraging tolerance
31

1 of diversity in a pluralistic society and for nurturing and
2 protecting democratic values and institutions.

3 ~~(h)~~~~(g)~~ The history of African Americans, including the
4 history of African peoples before the political conflicts that
5 led to the development of slavery, the passage to America, the
6 enslavement experience, abolition, and the contributions of
7 African Americans to society.

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

9 ~~(j)~~~~(i)~~ The true effects of all alcoholic and
10 intoxicating liquors and beverages and narcotics upon the
11 human body and mind.

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

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

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

15 ~~(n)~~~~(m)~~ Comprehensive health education that addresses
16 concepts of community health; consumer health; environmental
17 health; family life, including an awareness of the benefits of
18 sexual abstinence as the expected standard and the
19 consequences of teenage pregnancy; mental and emotional
20 health; injury prevention and safety; nutrition; personal
21 health; prevention and control of disease; and substance use
22 and abuse.

23 ~~(o)~~~~(n)~~ Such additional materials, subjects, courses,
24 or fields in such grades as are prescribed by law or by rules
25 of the State Board of Education and the district school board
26 in fulfilling the requirements of law.

27 ~~(p)~~~~(o)~~ The study of Hispanic contributions to the
28 United States.

29 ~~(q)~~~~(p)~~ The study of women's contributions to the
30 United States.

31

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

3 ~~(s)(q)~~ A character-development program in the
4 elementary schools, similar to Character First or Character
5 Counts, which is secular in nature ~~and stresses such character~~
6 ~~qualities as attentiveness, patience, and initiative.~~

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

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

23
24 The State Board of Education is encouraged to adopt standards
25 and pursue assessment of the requirements of this subsection.

26 (3) Any student whose parent makes written request to
27 the school principal shall be exempted from the teaching of
28 reproductive health or any disease, including HIV/AIDS, its
29 symptoms, development, and treatment. A student so exempted
30 may not be penalized by reason of that exemption. Course
31 descriptions for comprehensive health education shall not

1 | interfere with the local determination of appropriate
2 | curriculum which reflects local values and concerns.

3 | Section 19. Subsections (1), (5), (7), and (10) of
4 | section 1003.43, Florida Statutes, are amended to read:

5 | 1003.43 General requirements for high school
6 | graduation.--

7 | (1) Graduation requires successful completion of
8 | either a minimum of 24 academic credits in grades 9 through
9 | 12, ~~or~~ an International Baccalaureate curriculum, or an
10 | Advanced International Certification curriculum. The 24
11 | credits shall be distributed as follows:

12 | (a) Four credits in English, with major concentration
13 | in composition and literature.

14 | (b) Four ~~Three~~ credits in mathematics, effective for
15 | the 2008-2009 school year. Effective for students entering
16 | the 9th grade in the 1997-1998 school year and thereafter, one
17 | of these credits must be Algebra I, a series of courses
18 | equivalent to Algebra I, or a higher-level mathematics course.

19 | (c) Three credits in science, two of which must have a
20 | laboratory component. Agriscience Foundations I, the core
21 | course in secondary Agriscience and Natural Resources
22 | programs, counts as one of the science credits.

23 | (d) One credit in American history.

24 | (e) One credit in world history, including a
25 | comparative study of the history, doctrines, and objectives of
26 | all major political systems.

27 | (f) One-half credit in economics, including a
28 | comparative study of the history, doctrines, and objectives of
29 | all major economic systems. The Florida Council on Economic
30 | Education shall provide technical assistance to the department
31 |

1 and district school boards in developing curriculum materials
2 for the study of economics.

3 (g) One-half credit in American government, including
4 study of the Constitution of the United States. For students
5 entering the 9th grade in the 1997-1998 school year and
6 thereafter, the study of Florida government, including study
7 of the State Constitution, the three branches of state
8 government, and municipal and county government, shall be
9 included as part of the required study of American government.

10 (h)1. One credit in practical arts career education or
11 exploratory career education. Any career education course as
12 defined in s. 1003.01 may be taken to satisfy the high school
13 graduation requirement for one credit in practical arts or
14 exploratory career education provided in this subparagraph;

15 2. One credit in performing fine arts to be selected
16 from music, dance, drama, painting, or sculpture. A course in
17 any art form, in addition to painting or sculpture, that
18 requires manual dexterity, or a course in speech and debate,
19 may be taken to satisfy the high school graduation requirement
20 for one credit in performing arts pursuant to this
21 subparagraph; or

22 3. One-half credit each in practical arts career
23 education or exploratory career education and performing fine
24 arts, as defined in this paragraph.

25
26 Such credit for practical arts career education or exploratory
27 career education or for performing fine arts shall be made
28 available in the 9th grade, and students shall be scheduled
29 into a 9th grade course as a priority.

30 (i) One-half credit in life management skills to
31 include consumer education, positive emotional development,

1 marriage and relationship skill-based education, nutrition,
2 parenting skills, prevention of human immunodeficiency virus
3 infection and acquired immune deficiency syndrome and other
4 sexually transmissible diseases, benefits of sexual abstinence
5 and consequences of teenage pregnancy, information and
6 instruction on breast cancer detection and breast
7 self-examination, cardiopulmonary resuscitation, drug
8 education, and the hazards of smoking.

9 (j) One credit in physical education to include
10 assessment, improvement, and maintenance of personal fitness.
11 Participation in an interscholastic sport at the junior
12 varsity or varsity level, for two full seasons, shall satisfy
13 the one-credit requirement in physical education if the
14 student passes a competency test on personal fitness with a
15 score of "C" or better. The competency test on personal
16 fitness must be developed by the Department of Education. A
17 district school board may not require that the one credit in
18 physical education be taken during the 9th grade year.
19 Completion of one semester with a grade of "C" or better in a
20 marching band class, in a physical activity class that
21 requires participation in marching band activities as an
22 extracurricular activity, or in a Reserve Officer Training
23 Corps (R.O.T.C.) class a significant component of which is
24 drills shall satisfy a one-half credit requirement in physical
25 education. This one-half credit may not be used to satisfy
26 the personal fitness requirement or the requirement for
27 adaptive physical education under an individual educational
28 plan (IEP) or 504 plan.

29 (k) Seven ~~Eight~~ and one-half elective credits.

1 District school boards may award a maximum of one-half credit
2 in social studies and one-half elective credit for student
3 completion of nonpaid voluntary community or school service
4 work. Students choosing this option must complete a minimum
5 of 75 hours of service in order to earn the one-half credit in
6 either category of instruction. Credit may not be earned for
7 service provided as a result of court action. District school
8 boards that approve the award of credit for student volunteer
9 service shall develop guidelines regarding the award of the
10 credit, and school principals are responsible for approving
11 specific volunteer activities. A course designated in the
12 Course Code Directory as grade 9 through grade 12 that is
13 taken below the 9th grade may be used to satisfy high school
14 graduation requirements or Florida Academic Scholars award
15 requirements as specified in a district school board's student
16 progression plan. A student shall be granted credit toward
17 meeting the requirements of this subsection for equivalent
18 courses, as identified pursuant to s. 1007.271(6), taken
19 through dual enrollment.

20 (5) Each district school board shall establish
21 standards for graduation from its schools, and these standards
22 must include:

23 (a) Earning passing scores on the FCAT, as defined in
24 s. 1008.22(3)(c), or scores on a standardized test that are
25 concordant with passing scores on the FCAT as defined in s.
26 1008.22(9).

27 (b) Policies that encourage and recognize rigorous
28 coursework and student areas of specialization and expertise
29 on the high school diploma. Such recognition may include
30 successful completion of IB, AICE, or dual enrollment;
31

1 content-area proficiency; and portfolio development and
2 demonstration.

3 ~~(c)(b)~~ Completion of all other applicable requirements
4 prescribed by the district school board pursuant to s.
5 1008.25.

6 ~~(d)(e)~~ Achievement of a cumulative grade point average
7 of 1.5 on a 4.0 scale, or its equivalent, for students
8 entering 9th grade before the 1997-1998 school year; however,
9 these students must earn a cumulative grade point average of
10 2.0 on a 4.0 scale, or its equivalent, in the courses required
11 by subsection (1) that are taken after July 1, 1997, or have
12 an overall cumulative grade point average of 2.0 or above.

13 ~~(e)(d)~~ Achievement of a cumulative grade point average
14 of 2.0 on a 4.0 scale, or its equivalent, in the courses
15 required by subsection (1), for students entering 9th grade in
16 the 1997-1998 school year and thereafter.

17 ~~(f)(e)~~ For purposes of paragraphs ~~(d)(e)~~ and ~~(e)(d)~~:

18 1. Each district school board shall adopt policies
19 designed to assist students in meeting these requirements.
20 These policies may include, but are not limited to:
21 forgiveness policies, summer school or before or after school
22 attendance, special counseling, volunteer and/or peer tutors,
23 school-sponsored help sessions, homework hotlines, and study
24 skills classes. Beginning in the 2000-2001 school year and
25 each year thereafter, forgiveness policies for required
26 courses shall be limited to replacing a grade of "D" or "F,"
27 or the equivalent of a grade of "D" or "F," with a grade of
28 "C" or higher, or the equivalent of a grade of "C" or higher,
29 earned subsequently in the same or comparable course.
30 Forgiveness policies for elective courses shall be limited to
31 replacing a grade of "D" or "F," or the equivalent of a grade

1 of "D" or "F," with a grade of "C" or higher, or the
2 equivalent of a grade of "C" or higher, earned subsequently in
3 another course. Any course grade not replaced according to a
4 district school board forgiveness policy shall be included in
5 the calculation of the cumulative grade point average required
6 for graduation.

7 2. At the end of each semester, the parent of each
8 student in grades 9, 10, 11, and 12 who has a cumulative grade
9 point average of less than 0.5 above the cumulative grade
10 point average required for graduation shall be notified that
11 the student is at risk of not meeting the requirements for
12 graduation. The notice shall contain an explanation of the
13 policies the district school board has in place to assist the
14 student in meeting the grade point average requirement.

15 3. Special assistance to obtain a high school
16 equivalency diploma pursuant to s. 1003.435 may be given only
17 when the student has completed all requirements for graduation
18 except the attainment of the required cumulative grade point
19 average.

20
21 The standards required in this subsection, and any subsequent
22 modifications, shall be reprinted in the Florida
23 Administrative Code even though not defined as "rules."

24 (7) No student may be granted credit toward high
25 school graduation for enrollment in the following courses or
26 programs:

27 (a) More than a total of nine elective credits in
28 remedial programs.

29 (b) More than one credit in exploratory career
30 education courses as defined in s. 1003.01(4)(a)1.

31

1 (c) More than three credits in practical arts family
2 and consumer sciences classes as defined in s. 1003.01(4)(a)1.

3 (d) Any Level I course unless the student's assessment
4 indicates that a more rigorous course of study would be
5 inappropriate, in which case a written assessment of the need
6 must be included in the student's individual educational plan
7 or in a student performance plan, signed by the principal, the
8 guidance counselor, and the parent of the student, or the
9 student if the student is 18 years of age or older.

10 (10)(a) A student who meets all requirements
11 prescribed in subsections (1), (4), and (5) shall be awarded a
12 standard diploma in a form prescribed by the State Board of
13 Education. A district school board may attach the Florida gold
14 seal career endorsement to a standard diploma or, instead of
15 the standard diploma, award differentiated diplomas to those
16 exceeding the prescribed minimums, as specified in paragraph
17 (5)(b).

18 (b) A student who completes the minimum number of
19 credits and other requirements prescribed by subsections (1)
20 and (4), but who is unable to meet the standards of paragraph
21 (5)(a), paragraph(5)(c)(5)(b), or paragraph(5)(d)(5)(e),
22 shall be awarded a certificate of completion in a form
23 prescribed by the State Board of Education. However, any
24 student who is otherwise entitled to a certificate of
25 completion may elect to remain in the secondary school either
26 as a full-time student or a part-time student for up to 1
27 additional year and receive special instruction designed to
28 remedy his or her identified deficiencies.

29 Section 20. Section 1003.437, Florida Statutes, is
30 amended to read:

31

1 1003.437 Middle and high school grading system.--The
2 grading system and interpretation of letter grades used for
3 students in public ~~high~~ schools in grades 6-12 shall be as
4 follows:

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

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

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

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

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

20 (6) Grade "I" equals zero percent, has a grade point
21 average value of zero, and is defined as "incomplete."
22

23 For the purposes of class ranking, district school boards may
24 exercise a weighted grading system.

25 Section 21. Section 1003.491, Florida Statutes, is
26 amended to read:

27 1003.491 Career education.--

28 (1) School board, superintendent, and school
29 accountability for career education within elementary and
30 secondary schools includes, but is not limited to:
31

1 (a) Student exposure to a variety of careers and
2 provision of instruction to explore specific careers in
3 greater depth.

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

6 (c) Student development of individual academic and
7 career plans as specified in s. 1003.415(5).

8 (d) Integration of academic and career skills in the
9 secondary curriculum.

10 (e) Implementation of career academies and small
11 learning communities as defined in s. 1003.01(4).

12 ~~(f)(e)~~ Student preparation to enter the workforce and
13 enroll in postsecondary education without being required to
14 complete college preparatory or career preparatory
15 instruction.

16 ~~(g)(f)~~ Student retention in school through high school
17 graduation.

18 ~~(h)(g)~~ Career education curriculum articulation with
19 corresponding postsecondary programs in the career center or
20 community college, or both.

21 (2) ~~A No~~ school board or public school ~~may not shall~~
22 require a student to participate in any school-to-work or job
23 training program. A district school board or school ~~may shall~~
24 not require a student to meet occupational standards for grade
25 level promotion or graduation unless the student is
26 voluntarily enrolled in a job training program.

27 (3) Each district school board and superintendent
28 shall implement all components required to obtain the career
29 education certification on the high school diploma if the
30 school district chooses to offer the certification.

31

1 Section 22. Paragraph (a) of subsection (1) and
2 paragraph (a) of subsection (2) of section 1003.62, Florida
3 Statutes, are amended to read:

4 1003.62 Academic performance-based charter school
5 districts.--The State Board of Education may enter into a
6 performance contract with district school boards as authorized
7 in this section for the purpose of establishing them as
8 academic performance-based charter school districts. The
9 purpose of this section is to examine a new relationship
10 between the State Board of Education and district school
11 boards that will produce significant improvements in student
12 achievement, while complying with constitutional and statutory
13 requirements assigned to each entity.

14 (1) ACADEMIC PERFORMANCE-BASED CHARTER SCHOOL
15 DISTRICT.--

16 (a) A school district shall be eligible for
17 designation as an academic performance-based charter school
18 district if it is a high-performing school district in which a
19 minimum of 50 percent of the schools earn a ~~performance~~ grade
20 of category "A" or "B" and in which no school earns a
21 ~~performance~~ grade of category "D" or "F" for 2 consecutive
22 years pursuant to s. 1008.34. Schools that receive a
23 ~~performance~~ grade of category "I" or "N" shall not be included
24 in this calculation. The performance contract for a school
25 district that earns a charter based on school ~~performance~~
26 grades shall be predicated on maintenance of at least 50
27 percent of the schools in the school district earning a
28 ~~performance~~ grade of category "A" or "B" with no school in the
29 school district earning a ~~performance~~ grade of category "D" or
30 "F" for 2 consecutive years. A school district in which the
31 number of schools that earn a ~~performance~~ grade of "A" or "B"

1 is less than 50 percent may have its charter renewed for 1
2 year; however, if the percentage of "A" or "B" schools is less
3 than 50 percent for 2 consecutive years, the charter shall not
4 be renewed.

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

6 (a) An academic performance-based charter school
7 district shall operate in accordance with its charter and
8 shall be exempt from certain State Board of Education rules
9 and statutes if the State Board of Education determines such
10 an exemption will assist the district in maintaining or
11 improving its high-performing status pursuant to paragraph
12 (1)(a). However, the State Board of Education may not exempt
13 an academic performance-based charter school district from any
14 of the following statutes:

15 1. Those statutes pertaining to the provision of
16 services to students with disabilities.

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

19 3. Those statutes pertaining to student health,
20 safety, and welfare.

21 4. Those statutes governing the election or
22 compensation of district school board members.

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

25 6. Those statutes pertaining to financial matters,
26 including chapter 1010.

27 7. Those statutes pertaining to planning and
28 budgeting, including chapter 1011, except that ss. 1011.64 and
29 1011.69 shall be eligible for exemption.

30 8. Sections 1012.22(1)(c), 1012.2312, 1012.2313, and
31 1012.27(2), relating to performance-pay policies for school

1 administrators and instructional personnel. Professional
2 service contracts shall be subject to the provisions of ss.
3 1012.33 and 1012.34.

4 9. Those statutes pertaining to educational
5 facilities, including chapter 1013, except as specified under
6 contract with the State Board of Education. However, no
7 contractual provision that could have the effect of requiring
8 the appropriation of additional capital outlay funds to the
9 academic performance-based charter school district shall be
10 valid.

11 Section 23. Section 1003.57, Florida Statutes, is
12 amended to read:

13 1003.57 Exceptional students instruction.--

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

18 (a)(1) The district school board provide the necessary
19 professional services for diagnosis and evaluation of
20 exceptional students.

21 (b)(2) The district school board provide the special
22 instruction, classes, and services, either within the district
23 school system, in cooperation with other district school
24 systems, or through contractual arrangements with approved
25 private schools or community facilities that meet standards
26 established by the commissioner.

27 (c)(3) The district school board annually provide
28 information describing the Florida School for the Deaf and the
29 Blind and all other programs and methods of instruction
30 available to the parent of a sensory-impaired student.
31

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

5 ~~(e)(5)~~ A ~~No~~ student may not be given special
6 instruction or services as an exceptional student until after
7 he or she has been properly evaluated, classified, and placed
8 in the manner prescribed by rules of the State Board of
9 Education. The parent of an exceptional student evaluated and
10 placed or denied placement in a program of special education
11 shall be notified of each such evaluation and placement or
12 denial. Such notice shall contain a statement informing the
13 parent that he or she is entitled to a due process hearing on
14 the identification, evaluation, and placement, or lack
15 thereof. Such hearings shall be exempt from the provisions of
16 ss. 120.569, 120.57, and 286.011, except to the extent that
17 the State Board of Education adopts rules establishing other
18 procedures and any records created as a result of such
19 hearings shall be confidential and exempt from the provisions
20 of s. 119.07(1). The hearing must be conducted by an
21 administrative law judge from the Division of Administrative
22 Hearings of the Department of Management Services. The
23 decision of the administrative law judge shall be final,
24 except that any party aggrieved by the finding and decision
25 rendered by the administrative law judge shall have the right
26 to bring a civil action in the circuit court. In such an
27 action, the court shall receive the records of the
28 administrative hearing and shall hear additional evidence at
29 the request of either party. In the alternative, any party
30 aggrieved by the finding and decision rendered by the
31 administrative law judge shall have the right to request an

1 impartial review of the administrative law judge's order by
2 the district court of appeal as provided by s. 120.68.
3 Notwithstanding any law to the contrary, during the pendency
4 of any proceeding conducted pursuant to this section, unless
5 the district school board and the parents otherwise agree, the
6 student shall remain in his or her then-current educational
7 assignment or, if applying for initial admission to a public
8 school, shall be assigned, with the consent of the parents, in
9 the public school program until all such proceedings have been
10 completed.

11 ~~(f)(6)~~ In providing for the education of exceptional
12 students, the district school superintendent, principals, and
13 teachers shall utilize the regular school facilities and adapt
14 them to the needs of exceptional students to the maximum
15 extent appropriate. Segregation of exceptional students shall
16 occur only if the nature or severity of the exceptionality is
17 such that education in regular classes with the use of
18 supplementary aids and services cannot be achieved
19 satisfactorily.

20 ~~(g)(7)~~ In addition to the services agreed to in a
21 student's individual education plan, the district school
22 superintendent shall fully inform the parent of a student
23 having a physical or developmental disability of all available
24 services that are appropriate for the student's disability.
25 The superintendent shall provide the student's parent with a
26 summary of the student's rights.

27 (2)(a) An exceptional student with a disability who
28 resides in a residential facility and receives special
29 instruction or services is considered a resident of the state
30 in which the student's parent is a resident. The cost of such
31 instruction, facilities, and services for a nonresident

1 student with a disability shall be provided by the placing
2 authority in the student's state of residence, such as a
3 public school entity, other placing authority, or parent. A
4 nonresident student with a disability may not be reported by
5 any school district for FTE funding in the Florida Education
6 Finance Program.

7 (b) The Department of Education shall provide to each
8 school district a statement of the specific limitations of the
9 district's financial obligation for exceptional students with
10 disabilities under federal and state law. The department shall
11 also provide to each school district technical assistance as
12 necessary for developing a local plan to impose on a student's
13 home state the fiscal responsibility for educating a
14 nonresident exceptional student with a disability.

15 (c) The Department of Education shall develop a
16 process by which a school district must, before providing
17 services to an exceptional student with a disability who
18 resides in a residential facility in this state, review the
19 residency of the student. The residential facility, not the
20 district, is responsible for billing and collecting from a
21 nonresidential student's home state payment for the student's
22 educational and related services.

23 (d) This subsection applies to any nonresident student
24 with a disability who resides in a residential facility and
25 who receives instruction as an exceptional student with a
26 disability in any type of residential facility in this state,
27 including, but not limited to, a public school, a private
28 school, a group home facility as defined in s. 393.063, an
29 intensive residential treatment program for children and
30 adolescents as defined in s. 395.002, a facility as defined in
31 s. 394.455, an intermediate care facility for the

1 developmentally disabled or ICF/DD as defined in s. 393.063 or
2 s. 400.960, or a community residential home as defined in s.
3 419.001.

4 Section 24. Subsection (3) of section 1003.58, Florida
5 Statutes, is amended to read:

6 1003.58 Students in residential care facilities.--Each
7 district school board shall provide educational programs
8 according to rules of the State Board of Education to students
9 who reside in residential care facilities operated by the
10 Department of Children and Family Services.

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

16
17 Notwithstanding the provisions herein, the educational program
18 at the Marianna Sunland Center in Jackson County shall be
19 operated by the Department of Education, either directly or
20 through grants or contractual agreements with other public or
21 duly accredited educational agencies approved by the
22 Department of Education.

23 Section 25. Section 1003.576, Florida Statutes, is
24 created to read:

25 1003.576 Individual education plans for exceptional
26 students.--The Department of Education shall develop an
27 individual education plan (IEP) form for use in developing and
28 implementing individual education plans for exceptional
29 students. The IEP form must have a streamlined format and, to
30 provide for the use of an existing IEP form when a student
31 transfers from one school district to another, the IEP form

1 developed by the department must be used in each school
2 district in the state.

3 Section 26. Section 1004.64, Florida Statutes, is
4 created to read:

5 1004.64 Florida Center for Reading Research.--There is
6 created at the Florida State University, the Florida Center
7 for Reading Research (FCRR). The center shall include two
8 outreach centers, one at a central Florida community college
9 and one at a south Florida state university. The center and
10 the outreach centers, under the center's leadership, shall:

11 (1) Provide technical assistance and support to all
12 school districts and schools in this state in the
13 implementation of evidence-based literacy instruction,
14 assessments, programs, and professional development.

15 (2) Conduct applied research that will have an
16 immediate impact on policy and practices related to literacy
17 instruction and assessment in this state with an emphasis on
18 struggling readers and reading in the content area strategies
19 and methods for secondary teachers.

20 (3) Conduct basic research on reading, reading growth,
21 reading assessment, and reading instruction which will
22 contribute to scientific knowledge about reading.

23 (4) Develop frameworks for comprehensive reading
24 intervention courses for possible use in middle schools and
25 secondary schools.

26 (5) Develop frameworks for professional development
27 activities, using multiple delivery methods for teaching
28 reading in the content area.

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

1 (7) Collect, manage, and report on assessment
2 information from screening, progress monitoring, and outcome
3 assessments through the Florida Progress Monitoring and
4 Reporting Network. The network is a statewide resource that is
5 operated to provide valid and timely reading assessment data
6 for parents, teachers, principals, and district-level and
7 state-level staff in the management of instruction at the
8 individual, classroom, and school levels.

9 Section 27. Subsection (4) of section 1006.09, Florida
10 Statutes, is amended to read:

11 1006.09 Duties of school principal relating to student
12 discipline and school safety.--

13 (4) When a student has been the victim of a violent
14 crime perpetrated by another student who attends the same
15 school, the school principal shall make full and effective use
16 of the provisions of subsection (2) and s. 1006.13(5). A
17 school principal who fails to comply with this subsection
18 shall be ineligible for any portion of the performance pay
19 policy incentive under s. 1012.2313(2)(b) ~~s. 1012.22(1)(c)~~.
20 However, if any party responsible for notification fails to
21 properly notify the school, the school principal shall be
22 eligible for the incentive.

23 Section 28. Section 1007.21, Florida Statutes, is
24 amended to read:

25 1007.21 Readiness for postsecondary education and the
26 workplace.--

27 (1) It is the intent of the Legislature that students
28 and parents develop academic ~~set early~~ achievement and career
29 goals for the student's post-high-school ~~post high school~~
30 experience during the middle grades. ~~This section sets forth a~~
31 ~~model which schools, through their school advisory councils,~~

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

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

- 27 1. Four-year college or university, community college
28 plus university, or military academy degree.
- 29 2. Two-year postsecondary degree.
- 30 3. Postsecondary career certificate.
- 31 4. Immediate employment or entry-level military.

1 | 5. A combination of the above.

2 | (b) The student progression model toward a chosen
3 | destination shall include:

4 | 1. A "path" of core courses leading to each of the
5 | destinations provided in paragraph (a).

6 | 2. A recommended group of electives which shall help
7 | define each path.

8 | 3. Provisions for a teacher, school administrator,
9 | other school staff member, or community volunteer to be
10 | assigned to a student as an "academic advocate" if parental
11 | involvement is lacking.

12 | (c) The common placement test authorized in ss.
13 | 1001.03(10) and 1008.30 or a similar test may be administered
14 | to all high school second semester sophomores who have chosen
15 | one of the four destinations. The results of the placement
16 | test shall be used to target additional instructional needs in
17 | reading, writing, and mathematics prior to graduation.

18 | (d) Ample opportunity shall be provided for students
19 | to move from one destination to another, and some latitude
20 | shall exist within each destination, to meet the individual
21 | needs of students.

22 | (e) Destinations specified in subparagraphs (a)1., 2.,
23 | and 3. shall support the goals of the Tech Prep program.
24 | Students participating in Tech Prep shall be enrolled in
25 | articulated, sequential programs of study that include a
26 | technical component and at least a minimum of a postsecondary
27 | certificate or 2-year degree.

28 | (f) In order for these destinations to be attainable,
29 | the business community shall be encouraged to support
30 | real-world internships and apprenticeships.
31 |

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

3 (h) High school equivalency diploma preparation
4 programs shall not be a choice for high school students
5 leading to any of the four destinations provided in paragraph
6 (a) since the appropriate coursework, counseling component,
7 and career preparation cannot be ensured.

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

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

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

20 (b) The school principal shall:

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

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

1 Section 29. Subsections (5) and (16) of section
2 1007.271, Florida Statutes, are amended to read:

3 1007.271 Dual enrollment programs.--

4 (5) Each district school board shall inform all
5 secondary students of dual enrollment as an educational option
6 and mechanism for acceleration. Students shall be informed of
7 eligibility criteria, the option for taking dual enrollment
8 courses beyond the regular school year, and the minimum
9 academic credits required for graduation. District school
10 boards shall annually assess the demand for dual enrollment
11 and other advanced courses, and the district school board
12 shall consider strategies and programs to meet that demand and
13 include access to dual enrollment on the high school campus
14 whenever possible. Alternative grade calculation, weighting
15 systems, or information regarding student education options
16 which discriminates against dual enrollment courses are
17 prohibited.

18 (16) School districts and community colleges must
19 weigh college-level dual enrollment courses the same as ~~honors~~
20 ~~courses and~~ advanced placement, International Baccalaureate,
21 and AICE courses when grade point averages are calculated.
22 Alternative grade calculation or weighting systems that
23 discriminate against dual enrollment courses are prohibited.

24 Section 30. Paragraph (f) of subsection (1),
25 paragraphs (c) and (e) of subsection (3), and subsection (9)
26 of section 1008.22, Florida Statutes, are amended, paragraph
27 (g) is added to subsection (3) of that section, present
28 subsection (10) of that section is redesignated as subsection
29 (11), and a new subsection (10) is added to that section, to
30 read:
31

1 1008.22 Student assessment program for public
2 schools.--

3 (1) PURPOSE.--The primary purposes of the student
4 assessment program are to provide information needed to
5 improve the public schools by enhancing the learning gains of
6 all students and to inform parents of the educational progress
7 of their public school children. The program must be designed
8 to:

9 (f) Provide information on the performance of Florida
10 students compared with that of other students ~~others~~ across
11 the United States.

12 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner
13 shall design and implement a statewide program of educational
14 assessment that provides information for the improvement of
15 the operation and management of the public schools, including
16 schools operating for the purpose of providing educational
17 services to youth in Department of Juvenile Justice programs.
18 The commissioner may enter into contracts for the continued
19 administration of the assessment, testing, and evaluation
20 programs authorized and funded by the Legislature. Contracts
21 may be initiated in 1 fiscal year and continue into the next
22 and may be paid from the appropriations of either or both
23 fiscal years. The commissioner is authorized to negotiate for
24 the sale or lease of tests, scoring protocols, test scoring
25 services, and related materials developed pursuant to law.
26 Pursuant to the statewide assessment program, the commissioner
27 shall:

28 (c) Develop and implement a student achievement
29 testing program known as the Florida Comprehensive Assessment
30 Test (FCAT) as part of the statewide assessment program, ~~to be~~
31 ~~administered annually in grades 3 through 10~~ to measure

1 reading, writing, science, and mathematics. Other content
2 areas may be included as directed by the commissioner. The
3 assessment of reading and mathematics shall be administered
4 annually in grades 3 through 10. The assessment of writing and
5 science shall be administered at least once at the elementary,
6 middle, and high school levels. The commissioner must document
7 the procedures used to ensure that the versions of the FCAT
8 which are taken by students retaking the grade 10 FCAT are
9 equally as challenging and difficult as the tests taken by
10 students in grade 10 which contain performance tasks. The
11 testing program must be designed so that:

12 1. The tests measure student skills and competencies
13 adopted by the State Board of Education as specified in
14 paragraph (a). The tests must measure and report student
15 proficiency levels in reading, writing, mathematics, and
16 science. The commissioner shall provide for the tests to be
17 developed or obtained, as appropriate, through contracts and
18 project agreements with private vendors, public vendors,
19 public agencies, postsecondary educational institutions, or
20 school districts. The commissioner shall obtain input with
21 respect to the design and implementation of the testing
22 program from state educators and the public.

23 2. The testing program will include a combination of
24 norm-referenced and criterion-referenced tests and include, to
25 the extent determined by the commissioner, questions that
26 require the student to produce information or perform tasks in
27 such a way that the skills and competencies he or she uses can
28 be measured. Beginning in the 2006-2007 school year for grade
29 10, and the 2007-2008 school year for all grades, all FCAT
30 test items must be machine-scorable, except for the writing
31 assessment required by subparagraph 3.

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

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

9 5. Except as provided in s. 1003.43(11)(b), students
10 must earn a passing score on the grade 10 assessment test
11 described in this paragraph or on an alternate assessment as
12 described in subsection (9) in reading, writing, and
13 mathematics to qualify for a regular high school diploma. The
14 State Board of Education shall designate a passing score for
15 each part of the grade 10 assessment test. In establishing
16 passing scores, the state board shall consider any possible
17 negative impact of the test on minority students. ~~All students~~
18 ~~who took the grade 10 FCAT during the 2000-2001 school year~~
19 ~~shall be required to earn the passing scores in reading and~~
20 ~~mathematics established by the State Board of Education for~~
21 ~~the March 2001 test administration. Such students who did not~~
22 ~~earn the established passing scores and must repeat the grade~~
23 ~~10 FCAT are required to earn the passing scores established~~
24 ~~for the March 2001 test administration. All students who take~~
25 ~~the grade 10 FCAT for the first time in March 2002 shall be~~
26 ~~required to earn the passing scores in reading and mathematics~~
27 ~~established by the State Board of Education for the March 2002~~
28 ~~test administration.~~ The State Board of Education shall adopt
29 rules which specify the passing scores for the grade 10 FCAT.
30 Any such rules, which have the effect of raising the required
31 passing scores, shall only apply to students taking the grade

1 10 FCAT for the first time after such rules are adopted by the
2 State Board of Education.

3 6. Participation in the testing program is mandatory
4 for all students attending public school, including students
5 served in Department of Juvenile Justice programs, except as
6 otherwise prescribed by the commissioner. If a student does
7 not participate in the statewide assessment, the district must
8 notify the student's parent and provide the parent with
9 information regarding the implications of such
10 nonparticipation. If modifications are made in the student's
11 instruction to provide accommodations that would not be
12 permitted on the statewide assessment tests, the district must
13 notify the student's parent of the implications of such
14 instructional modifications. A parent must provide signed
15 consent for a student to receive instructional modifications
16 that would not be permitted on the statewide assessments and
17 must acknowledge in writing that he or she understands the
18 implications of such accommodations. The State Board of
19 Education shall adopt rules, based upon recommendations of the
20 commissioner, for the provision of test accommodations and
21 modifications of procedures as necessary for students in
22 exceptional education programs and for students who have
23 limited English proficiency. Accommodations that negate the
24 validity of a statewide assessment are not allowable.

25 7. A student seeking an adult high school diploma must
26 meet the same testing requirements that a regular high school
27 student must meet.

28 8. District school boards must provide instruction to
29 prepare students to demonstrate proficiency in the skills and
30 competencies necessary for successful grade-to-grade
31 progression and high school graduation. If a student is

1 provided with accommodations or modifications that are not
2 allowable in the statewide assessment program, as described in
3 the test manuals, the district must inform the parent in
4 writing and must provide the parent with information regarding
5 the impact on the student's ability to meet expected
6 proficiency levels in reading, writing, and math. The
7 commissioner shall conduct studies as necessary to verify that
8 the required skills and competencies are part of the district
9 instructional programs.

10 9. District school boards must provide opportunities
11 for students to retake the FCAT following enrollment in summer
12 bridge academies pursuant to s. 1003.415(4).

13 ~~10.9.~~ The Department of Education must develop, or
14 select, and implement a common battery of assessment tools
15 that will be used in all juvenile justice programs in the
16 state. These tools must accurately measure the skills and
17 competencies established in the ~~Florida~~ Sunshine State
18 Standards.

19
20 ~~The commissioner may design and implement student testing~~
21 ~~programs, for any grade level and subject area, necessary to~~
22 ~~effectively monitor educational achievement in the state.~~

23 (e) Conduct ongoing research and analysis of student
24 achievement data, including, without limitation, monitoring
25 trends in student achievement by grade level and overall
26 student achievement, identifying school programs that are
27 successful, and analyzing correlates of school achievement.

28 (g) Encourage and assist school districts in
29 developing and establishing secondary school end-of-course
30 assessments. Such assessment shall be based on identified
31 course competencies and end-of-course expected outcomes and

1 may be administered by performance or alternative methods
2 other than paper and pencil.

3 (9) EQUIVALENCIES FOR STANDARDIZED TESTS.--

4 (a) The State Board of Education shall conduct
5 concordance studies, as necessary, in order to determine
6 scores on the SAT and the ACT which are equivalent to those
7 required on the FCAT for high school graduation pursuant to s.
8 1003.429(6)(a) or s. 1003.43(5)(a).

9 ~~(b)(a)~~ The Commissioner of Education shall approve the
10 use of the SAT and ACT tests as alternative assessments to the
11 grade 10 FCAT ~~for the 2003-2004 school year~~. Students who
12 attain scores on the SAT or ACT which equate to the passing
13 scores on the grade 10 FCAT for purposes of high school
14 graduation shall satisfy the assessment requirement for a
15 standard high school diploma as provided in s. 1003.429(6)(a)
16 or s. 1003.43(5)(a) ~~for the 2003-2004 school year~~ if the
17 students meet the requirement in paragraph ~~(c)(b)~~.

18 ~~(c)(b)~~ A student shall be required to take each
19 subject area of the grade 10 FCAT a total of three times
20 without earning a passing score in order to use the
21 corresponding subject area scores on an alternative assessment
22 pursuant to paragraph ~~(b)(a)~~. This requirement shall not
23 apply to a new student who enters ~~is a new student to~~ the
24 public school system in grade 12, who may take the FCAT or use
25 approved score equivalencies for the purpose of fulfilling the
26 graduation requirement.

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

31

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

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

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

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

9 (e) Other student performance data based on national
10 norm-referenced and criterion-referenced tests, when
11 available.

12 Section 31. Subsection (4) of section 1008.25, Florida
13 Statutes, is amended to read:

14 1008.25 Public school student progression; remedial
15 instruction; reporting requirements.--

16 (4) ASSESSMENT AND REMEDIATION.--

17 (a) Each student must participate in the statewide
18 assessment tests required by s. 1008.22. Each student who does
19 not meet specific levels of performance as determined by the
20 district school board in reading, writing, science, and
21 mathematics for each grade level, or who scores below Level 3
22 ~~in reading or math does not meet specific levels of~~
23 ~~performance as determined by the commissioner on statewide~~
24 ~~assessments at selected grade levels~~, must be provided with
25 additional diagnostic assessments to determine the nature of
26 the student's difficulty, the and areas of academic need, and
27 strategies for appropriate intervention and instruction.

28 (b) The school in which the student is enrolled must
29 develop, in consultation with the student's parent, and must
30 implement an academic improvement plan designed to assist the
31 student in meeting state and district expectations for

1 proficiency. ~~The~~ For a student for whom a personalized
2 academic and career plan must be incorporated into an academic
3 improvement plan required for any secondary student middle
4 ~~school success plan is required~~ pursuant to s. 1003.415, ~~the~~
5 ~~middle school success plan must be incorporated in the~~
6 ~~student's academic improvement plan.~~ Beginning with the
7 2006-2007 ~~2002-2003~~ school year, if the student has been
8 identified as having a deficiency in reading or math, the
9 academic improvement plan shall identify the student's
10 specific areas of deficiency or skills gaps in math and
11 reading phonemic awareness, phonics, fluency, comprehension,
12 ~~and vocabulary~~; the desired levels of performance in these
13 areas; and the instructional and support services to be
14 provided to meet the desired levels of performance. Schools
15 shall also provide for the frequent monitoring of the
16 student's progress in meeting the desired levels of
17 performance. District school boards shall assist schools and
18 teachers to implement research-based reading and math
19 activities and instructional strategies that have been shown
20 to be successful with ~~in teaching reading to~~ low-performing
21 students. Intensive remedial instruction provided during
22 middle and high school to students scoring at Level I on the
23 most recently administered FCAT may not be in lieu of English
24 and mathematics ~~credits required for graduation.~~

25 (c) Upon subsequent evaluation, if the documented
26 deficiency has not been remediated in accordance with the
27 academic improvement plan, the student may be retained. Each
28 student who does not meet the minimum performance expectations
29 defined by the Commissioner of Education for the statewide
30 assessment tests in reading, writing, science, and mathematics
31 must continue to be provided with remedial or supplemental

1 instruction until the expectations are met or the student
2 graduates from high school or is not subject to compulsory
3 school attendance.

4 Section 32. Section 1008.301, Florida Statutes, is
5 repealed.

6 Section 33. Section 1008.31, Florida Statutes, is
7 amended to read:

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

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

14 (a) The performance accountability system implemented
15 to assess the effectiveness of Florida's seamless K-20
16 education delivery system provide answers to the following
17 questions in relation to its mission and goals:

18 1. What is the public receiving in return for funds it
19 invests in education?

20 2. How effectively is Florida's K-20 education system
21 educating its students?

22 3. How effectively are the major delivery sectors
23 promoting student achievement?

24 4. How are individual schools and postsecondary
25 education institutions performing their responsibility to
26 educate their students as measured by how students are
27 performing, ~~and~~ how much they are learning, and what their
28 actual completion rates are?

29 (b) The K-20 education performance accountability
30 system be established as a single, unified accountability
31 system with multiple components, including, but not limited

1 to, measures of adequate yearly progress, individual student
2 learning gains in public schools, school grades, and return on
3 investment.

4 (c) The K-20 education performance accountability
5 system comply with the accountability requirements of the "No
6 Child Left Behind Act of 2001," Pub. L. No. 107-110.

7 (d) The State Board of Education recommend to the
8 Legislature systemwide performance standards; the Legislature
9 establish systemwide performance measures and standards; and
10 the systemwide measures and standards provide Floridians with
11 information on what the public is receiving in return for the
12 funds it invests in education and how well the K-20 system
13 educates its students.

14 (e) The State Board of Education establish performance
15 measures and set performance standards for individual
16 components of the public education system, including
17 individual schools and postsecondary educational institutions,
18 with measures and standards based primarily on student
19 achievement.

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

21 (a) The mission of Florida's K-20 education system
22 shall be to increase the proficiency of all students within
23 one seamless, efficient system, by allowing them the
24 opportunity to expand their knowledge and skills through
25 learning opportunities and research valued by students,
26 parents, and communities.

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

30 1. Focused on student success.

31 2. Addressable through policy and program changes.

- 1 3. Efficient and of high quality.
- 2 4. Measurable over time.
- 3 5. Simple to explain and display to the public.
- 4 6. Aligned with other measures and other sectors in
5 order to support a coordinated K-20 education system.

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

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

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

31

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

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

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

18 5. Other goals, as identified by law or rule.

19 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS
20 SYSTEMWIDE DATA COLLECTION.--In order to provide the data
21 required to implement education performance accountability
22 measures in state and federal law, the Commissioner of
23 Education shall initiate and maintain strategies to improve
24 data quality and timeliness.

25 (a) School districts and public postsecondary
26 educational institutions shall maintain information systems
27 that will provide the State Board of Education, the Board of
28 Governors of the State University System, and the Legislature
29 with information and reports necessary to address the
30 specifications of the accountability system. ~~The State Board~~
31 ~~of Education shall determine the standards for the required~~

1 ~~data.~~ The level of comprehensiveness and quality shall be no
2 less than that which was available as of June 30, 2001.

3 (b) The Commissioner of Education shall determine the
4 standards for the required data, monitor data quality, and
5 measure improvements. The commissioner shall report annually
6 to the State Board of Education, the Board of Governors of the
7 State University System, the President of the Senate, and the
8 Speaker of the House of Representatives the data quality
9 indicators, ratings for all school districts and public
10 postsecondary educational institutions, and information on
11 Florida's calculation of graduation rates and how this
12 compares to calculation methods by other states.

13 (4) REPORTING OR DATA COLLECTION.--The department
14 shall coordinate with school districts in developing any
15 reporting or data-collection requirements to address the
16 specifications of the accountability system. Before
17 establishing any new reporting or data-collection
18 requirements, the department shall use any existing data being
19 collected to reduce duplication and minimize paperwork.

20 Section 34. Subsections (1), (2), and (4) of section
21 1008.33, Florida Statutes, are amended to read:

22 1008.33 Authority to enforce public school
23 improvement.--It is the intent of the Legislature that all
24 public schools be held accountable for students performing at
25 acceptable levels. A system of school improvement and
26 accountability that assesses student performance by school,
27 identifies schools in which students are not making adequate
28 progress toward state standards, institutes appropriate
29 measures for enforcing improvement, and provides rewards and
30 sanctions based on performance shall be the responsibility of
31 the State Board of Education.

1 (1) Pursuant to Art. IX of the State Constitution
2 prescribing the duty of the State Board of Education to
3 supervise Florida's public school system and notwithstanding
4 any other statutory provisions to the contrary, the State
5 Board of Education shall intervene in the operation of a
6 district school system when one or more schools in the school
7 district have failed to make adequate progress for 2 school
8 years in a 4-year period. For purposes of determining when a
9 school is eligible for state board action and opportunity
10 scholarships for its students, the terms "2 years in any
11 4-year period" and "2 years in a 4-year period" mean that in
12 any year that a school has a grade of "F," the school is
13 eligible for state board action and opportunity scholarships
14 for its students if it also has had a grade of "F" in any of
15 the previous 3 school years. The State Board of Education may
16 determine that the school district or school has not taken
17 steps sufficient for students in the school to be academically
18 well served. Considering recommendations of the Commissioner
19 of Education, the State Board of Education shall recommend
20 action to a district school board intended to improve
21 educational services to students in each school that is
22 designated with a ~~as a performance~~ grade of category "F."
23 Recommendations for actions to be taken in the school district
24 shall be made only after thorough consideration of the unique
25 characteristics of a school, which shall include student
26 mobility rates, the number and type of exceptional students
27 enrolled in the school, and the availability of options for
28 improved educational services. The state board shall adopt by
29 rule steps to follow in this process. Such steps shall
30 provide school districts sufficient time to improve student
31 performance in schools and the opportunity to present evidence

1 of assistance and interventions that the district school board
2 has implemented.

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

8 (a) Provide additional resources, change certain
9 practices, and provide additional assistance if the state
10 board determines the causes of inadequate progress to be
11 related to school district policy or practice;

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

14 (c) Contract for the educational services of the
15 school, or reorganize the school at the end of the school year
16 under a new school principal who is authorized to hire new
17 staff and implement a plan that addresses the causes of
18 inadequate progress;

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

21 (e) Other action appropriate to improve the school's
22 performance.

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

1 penalty on any district school board that fails to develop and
2 implement a plan for assistance and intervention for
3 low-performing schools as specified in s. 1001.42(16)(d) ~~s.~~
4 ~~1001.42(16)(c)~~.

5 Section 35. Section 1008.34, Florida Statutes, is
6 amended to read:

7 1008.34 School grading system; school report cards;
8 district ~~performance~~ grade.--

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

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

- 27 (a) "A," schools making excellent progress.
28 (b) "B," schools making above average progress.
29 (c) "C," schools making satisfactory progress.
30 (d) "D," schools making less than satisfactory
31 progress.

1 (e) "F," schools failing to make adequate progress.

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

12 (3) DESIGNATION OF SCHOOL GRADES ~~PERFORMANCE GRADE~~
13 CATEGORIES.--Each school that has students who are tested and
14 included in the school grading system, except an alternative
15 school that receives a school-improvement rating pursuant to
16 s. 1008.341, shall receive a school grade; however, an
17 alternative school may choose to receive a school grade under
18 this section in lieu of a school-improvement rating.
19 Additionally, a school that serves any combination of students
20 in kindergarten through grade 3 which does not receive a
21 school grade because its students are not tested and included
22 in the school grading system shall receive the school grade
23 designation of a K-3 feeder pattern school identified by the
24 Department of Education and verified by the school district. A
25 school feeder pattern exists if at least 60 percent of the
26 students in the school serving a combination of students in
27 kindergarten through grade 3 are scheduled to be assigned to
28 the graded school. School grades ~~performance grade category~~
29 ~~designations~~ itemized in subsection (2) shall be based on the
30 following:
31

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

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

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

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

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

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

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

25 3. The achievement scores and learning gains of
26 eligible students attending alternative schools that provide
27 dropout-prevention and academic-intervention services pursuant
28 to s. 1003.53. The term "eligible students" in this
29 subparagraph does not include students attending an
30 alternative school who are subject to district school board
31 policies for expulsion for repeated or serious offenses, who

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

17
18 ~~The Department of Education shall study the effects of~~
19 ~~mobility on the performance of highly mobile students and~~
20 ~~recommend programs to improve the performance of such~~
21 ~~students.~~ The State Board of Education shall adopt appropriate
22 criteria for each school ~~performance~~ grade ~~category~~. The
23 criteria must also give added weight to student achievement in
24 reading. Schools designated with a ~~as~~ performance grade of
25 ~~category~~ "C," making satisfactory progress, shall be required
26 to demonstrate that adequate progress has been made by
27 students in the school who are in the lowest 25th percentile
28 in reading, math, or writing on the FCAT, including Florida
29 Writes, unless these students are exhibiting ~~performing~~ above
30 satisfactory performance.

31

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

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

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

28 (6)(7) PERFORMANCE-BASED FUNDING.--The Legislature may
29 factor in the performance of schools in calculating any
30 performance-based funding policy that is provided for annually
31 in the General Appropriations Act.

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

9 Section 36. Section 1008.341, Florida Statutes, is
10 created to read:

11 1008.341 School-improvement rating for alternative
12 schools.--

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

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

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

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

31

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

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

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

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

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

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

31

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

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

18 Section 37. Subsection (5), paragraphs (b) and (d) of
19 subsection (6), and subsection (7) of section 1008.345,
20 Florida Statutes, are amended to read:

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

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

1 pursuant to this subsection and s. 1001.42(16)(f) ~~s.~~
2 ~~1001.42(16)(e)~~ and according to rules adopted by the State
3 Board of Education.

4 (6)

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

17 (d) The department shall assign a community assessment
18 team to each school district with a school designated with a
19 ~~as performance~~ grade of category "D" or "F" to review the
20 school performance data and determine causes for the low
21 performance. The team shall make recommendations to the school
22 board, to the department, and to the State Board of Education
23 for implementing an assistance and intervention plan that will
24 address the causes of the school's low performance. The
25 assessment team shall include, but not be limited to, a
26 department representative, parents, business representatives,
27 educators, and community activists, and shall represent the
28 demographics of the community from which they are appointed.

29 (7)(a) Schools designated with a ~~in performance~~ grade
30 of category "A," making excellent progress, shall, if
31

1 requested by the school, be given deregulated status as
2 specified in s. 1003.63(5), (7), (8), (9), and (10).

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

8 Section 38. Paragraphs (f), (h), (l), (m), and (n) of
9 subsection (1) and paragraphs (a) and (b) of subsection (4) of
10 section 1011.62, Florida Statutes, are amended, present
11 subsections (8) and (9) of that section are redesignated as
12 subsections (9) and (10), respectively, and amended, and a new
13 subsection (8) is added to that section, to read:

14 1011.62 Funds for operation of schools.--If the annual
15 allocation from the Florida Education Finance Program to each
16 district for operation of schools is not determined in the
17 annual appropriations act or the substantive bill implementing
18 the annual appropriations act, it shall be determined as
19 follows:

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

24 (f) Supplemental academic instruction; categorical
25 fund.--

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

30 2. Categorical funds for supplemental academic
31 instruction shall be allocated annually to each school

1 district in the amount provided in the General Appropriations
2 Act. These funds shall be in addition to the funds
3 appropriated on the basis of FTE student membership in the
4 Florida Education Finance Program and shall be included in the
5 total potential funds of each district. These funds shall be
6 used to provide supplemental academic instruction to students
7 enrolled in the K-12 program. Supplemental instruction
8 strategies may include, but are not limited to: modified
9 curriculum, reading instruction, after-school instruction,
10 tutoring, mentoring, class size reduction, extended school
11 year, intensive skills development in summer school, and other
12 methods for improving student achievement. Supplemental
13 instruction may be provided to a student in any manner and at
14 any time during or beyond the regular 180-day term identified
15 by the school as being the most effective and efficient way to
16 best help that student progress from grade to grade and to
17 graduate.

18 3. Effective with the 1999-2000 fiscal year, funding
19 on the basis of FTE membership beyond the 180-day regular term
20 shall be provided in the FEFP only for students enrolled in
21 juvenile justice education programs or in an education program
22 for juveniles under s. 985.223. Funding for instruction beyond
23 the regular 180-day school year for all other K-12 students
24 shall be provided through the supplemental academic
25 instruction categorical fund and other state, federal, and
26 local fund sources with ample flexibility for schools to
27 provide supplemental instruction to assist students in
28 progressing from grade to grade and graduating.

29 4. The Florida State University School, as a lab
30 school, is authorized to expend from its FEFP or Lottery
31 Enhancement Trust Fund allocation the cost to the student of

1 remediation in reading, writing, or mathematics for any
2 graduate who requires remediation at a postsecondary
3 educational institution.

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

8 (h) Small, isolated high schools.--Districts which
9 levy the maximum nonvoted discretionary millage, exclusive of
10 millage for capital outlay purposes levied pursuant to s.
11 1011.71(2), may calculate full-time equivalent students for
12 small, isolated high schools by multiplying the number of
13 unweighted full-time equivalent students times 2.75; provided
14 the school has attained a ~~state accountability performance~~
15 ~~grade category~~ of "C" or better, pursuant to s. 1008.34, for
16 the previous school year. For the purpose of this section, the
17 term "small, isolated high school" means any high school which
18 is located no less than 28 miles by the shortest route from
19 another high school; which has been serving students primarily
20 in basic studies provided by sub-subparagraphs (c)1.b. and c.
21 and may include subparagraph (c)4.; and which has a membership
22 of no more than 100 students, but no fewer than 28 students,
23 in grades 9 through 12.

24 (l) Calculation of additional full-time equivalent
25 membership based on international baccalaureate examination
26 scores of students.--A value of 0.24 full-time equivalent
27 student membership shall be calculated for each student
28 enrolled in an international baccalaureate course who receives
29 a score of 4 or higher on a subject examination. A value of
30 0.3 full-time equivalent student membership shall be
31 calculated for each student who receives an international

1 | baccalaureate diploma. Such value shall be added to the total
2 | full-time equivalent student membership in basic programs for
3 | grades 9 through 12 in the subsequent fiscal year. The school
4 | district shall distribute to each classroom teacher who
5 | provided international baccalaureate instruction:

6 | 1. A bonus in the amount of \$50 for each student
7 | taught by the International Baccalaureate teacher in each
8 | international baccalaureate course who receives a score of 4
9 | or higher on the international baccalaureate examination.

10 | 2. An additional bonus of \$500 to each International
11 | Baccalaureate teacher in a school designated with a
12 | ~~performance grade of category~~ "D" or "F" who has at least one
13 | student scoring 4 or higher on the international baccalaureate
14 | examination, regardless of the number of classes taught or of
15 | the number of students scoring a 4 or higher on the
16 | international baccalaureate examination.

17 |
18 | Bonuses awarded to a teacher according to this paragraph shall
19 | not exceed \$2,000 in any given school year and shall be in
20 | addition to any regular wage or other bonus the teacher
21 | received or is scheduled to receive.

22 | (m) Calculation of additional full-time equivalent
23 | membership based on Advanced International Certificate of
24 | Education examination scores of students.--A value of 0.24
25 | full-time equivalent student membership shall be calculated
26 | for each student enrolled in a full-credit Advanced
27 | International Certificate of Education course who receives a
28 | score of E or higher on a subject examination. A value of 0.12
29 | full-time equivalent student membership shall be calculated
30 | for each student enrolled in a half-credit Advanced
31 | International Certificate of Education course who receives a

1 score of E or higher on a subject examination. A value of 0.3
2 full-time equivalent student membership shall be calculated
3 for each student who receives an Advanced International
4 Certificate of Education diploma. Such value shall be added to
5 the total full-time equivalent student membership in basic
6 programs for grades 9 through 12 in the subsequent fiscal
7 year. The school district shall distribute to each classroom
8 teacher who provided Advanced International Certificate of
9 Education instruction:

10 1. A bonus in the amount of \$50 for each student
11 taught by the Advanced International Certificate of Education
12 teacher in each full-credit Advanced International Certificate
13 of Education course who receives a score of E or higher on the
14 Advanced International Certificate of Education examination. A
15 bonus in the amount of \$25 for each student taught by the
16 Advanced International Certificate of Education teacher in
17 each half-credit Advanced International Certificate of
18 Education course who receives a score of E or higher on the
19 Advanced International Certificate of Education examination.

20 2. An additional bonus of \$500 to each Advanced
21 International Certificate of Education teacher in a school
22 designated with a performance grade of category "D" or "F" who
23 has at least one student scoring E or higher on the
24 full-credit Advanced International Certificate of Education
25 examination, regardless of the number of classes taught or of
26 the number of students scoring an E or higher on the
27 full-credit Advanced International Certificate of Education
28 examination.

29 3. Additional bonuses of \$250 each to teachers of
30 half-credit Advanced International Certificate of Education
31 classes in a school designated with a performance grade of

1 ~~category~~ "D" or "F" which has at least one student scoring an
2 E or higher on the half-credit Advanced International
3 Certificate of Education examination in that class. The
4 maximum additional bonus for a teacher awarded in accordance
5 with this subparagraph shall not exceed \$500 in any given
6 school year. Teachers receiving an award under subparagraph 2.
7 are not eligible for a bonus under this subparagraph.

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

13 (n) Calculation of additional full-time equivalent
14 membership based on college board advanced placement scores of
15 students.--A value of 0.24 full-time equivalent student
16 membership shall be calculated for each student in each
17 advanced placement course who receives a score of 3 or higher
18 on the College Board Advanced Placement Examination for the
19 prior year and added to the total full-time equivalent student
20 membership in basic programs for grades 9 through 12 in the
21 subsequent fiscal year. Each district must allocate at least
22 80 percent of the funds provided to the district for advanced
23 placement instruction, in accordance with this paragraph, to
24 the high school that generates the funds. The school district
25 shall distribute to each classroom teacher who provided
26 advanced placement instruction:

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

31

1 2. An additional bonus of \$500 to each Advanced
2 Placement teacher in a school designated with a performance
3 grade of category "D" or "F" who has at least one student
4 scoring 3 or higher on the College Board Advanced Placement
5 Examination, regardless of the number of classes taught or of
6 the number of students scoring a 3 or higher on the College
7 Board Advanced Placement Examination.

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

13 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL
14 EFFORT.--The Legislature shall prescribe the aggregate
15 required local effort for all school districts collectively as
16 an item in the General Appropriations Act for each fiscal
17 year. The amount that each district shall provide annually
18 toward the cost of the Florida Education Finance Program for
19 kindergarten through grade 12 programs shall be calculated as
20 follows:

21 (a) Estimated taxable value calculations.--
22 1.a. Not later than 2 working days prior to July 19,
23 the Department of Revenue shall certify to the Commissioner of
24 Education its most recent estimate of the taxable value for
25 school purposes in each school district and the total for all
26 school districts in the state for the current calendar year
27 based on the latest available data obtained from the local
28 property appraisers. Not later than July 19, the Commissioner
29 of Education shall compute a millage rate, rounded to the next
30 highest one one-thousandth of a mill, which, when applied to
31 95 percent of the estimated state total taxable value for

1 school purposes, would generate the prescribed aggregate
2 required local effort for that year for all districts. The
3 Commissioner of Education shall certify to each district
4 school board the millage rate, computed as prescribed in this
5 subparagraph, as the minimum millage rate necessary to provide
6 the district required local effort for that year.

7 b. The General Appropriations Act shall direct the
8 computation of the statewide adjusted aggregate amount for
9 required local effort for all school districts collectively
10 from ad valorem taxes to ensure that no school district's
11 revenue from required local effort millage will produce more
12 than 90 percent of the district's total Florida Education
13 Finance Program calculation, and the adjustment of the
14 required local effort millage rate of each district that
15 produces more than 90 percent of its total Florida Education
16 Finance Program entitlement to a level that will produce only
17 90 percent of its total Florida Education Finance Program
18 entitlement in the July calculation.

19 2. As revised data are received from property
20 appraisers, the Department of Revenue shall amend the
21 certification of the estimate of the taxable value for school
22 purposes. The Commissioner of Education, in administering the
23 provisions of subparagraph (10)(a)2.~~(9)(a)2.~~, shall use the
24 most recent taxable value for the appropriate year.

25 (b) Final calculation.--

26 1. The Department of Revenue shall, upon receipt of
27 the official final assessed value of property from each of the
28 property appraisers, certify to the Commissioner of Education
29 the taxable value total for school purposes in each school
30 district, subject to the provisions of paragraph (d). The
31 commissioner shall use the official final taxable value for

1 school purposes for each school district in the final
2 calculation of the annual Florida Education Finance Program
3 allocations.

4 2. For the purposes of this paragraph, the official
5 final taxable value for school purposes shall be the taxable
6 value for school purposes on which the tax bills are computed
7 and mailed to the taxpayers, adjusted to reflect final
8 administrative actions of value adjustment boards and judicial
9 decisions pursuant to part I of chapter 194. By September 1 of
10 each year, the Department of Revenue shall certify to the
11 commissioner the official prior year final taxable value for
12 school purposes. For each county that has not submitted a
13 revised tax roll reflecting final value adjustment board
14 actions and final judicial decisions, the Department of
15 Revenue shall certify the most recent revision of the official
16 taxable value for school purposes. The certified value shall
17 be the final taxable value for school purposes, and no further
18 adjustments shall be made, except those made pursuant to
19 subparagraph(10)(a)2.(9)(a)2-

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

21 (a) The research-based reading instruction allocation
22 is created to provide comprehensive reading instruction to
23 students in kindergarten through grade 12.

24 (b) Funds for comprehensive, research-based reading
25 instruction shall be allocated annually to each school
26 district in the amount provided in the General Appropriations
27 Act. Each eligible school district shall receive the same
28 minimum amount as specified in the General Appropriations Act,
29 and any remaining funds shall be distributed to eligible
30 school districts based on each school district's proportionate
31 share of K-12 base funding.

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

5 1. The provision of highly qualified reading coaches.

6 2. Professional development for school district
7 teachers in scientifically based reading instruction.

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

10 4. The provision of supplemental instructional
11 materials that are grounded in scientifically based reading
12 research.

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

15 6. The provision of integration of reading in the
16 content area strategies for all middle and high school
17 students.

18 (d) Annually, by a date determined by the Department
19 of Education but before May 1, school districts shall submit a
20 K-12 comprehensive reading plan for the specific use of the
21 research-based reading instruction allocation in the format
22 prescribed by the department for review and approval by the
23 Just Read, Florida! Office created pursuant to s. 1001.215.
24 The plan annually submitted by school districts shall be
25 deemed approved unless the department rejects the plan on or
26 before June 1. If a school district and the Just Read,
27 Florida! Office cannot reach agreement on the contents of the
28 plan, the school district may appeal to the State Board of
29 Education for resolution. School districts shall be allowed
30 reasonable flexibility in designing their plans and shall be
31 encouraged to offer reading remediation through innovative

1 methods, including career academies. The plan format shall be
2 developed with input from school district personnel, including
3 teachers and principals, and shall allow courses in core,
4 career, and alternative programs that deliver intensive
5 reading remediation through integrated curricula. No later
6 than July 1 annually, the department shall release the school
7 district's allocation of appropriated funds to those districts
8 having approved plans. A school district that spends 100
9 percent of this allocation on its approved plan shall be
10 deemed to have been in compliance with the plan. The
11 department may withhold funds upon a determination that
12 reading instruction allocation funds are not being used to
13 implement the approved plan.

14 ~~(9)(8)~~ QUALITY ASSURANCE GUARANTEE.--The Legislature
15 may annually in the General Appropriations Act determine a
16 percentage increase in funds per K-12 unweighted FTE as a
17 minimum guarantee to each school district. The guarantee shall
18 be calculated from prior year base funding per unweighted FTE
19 student which shall include the adjusted FTE dollars as
20 provided in subsection~~(10)(9)~~, quality guarantee funds, and
21 actual nonvoted discretionary local effort from taxes. From
22 the base funding per unweighted FTE, the increase shall be
23 calculated for the current year. The current year funds from
24 which the guarantee shall be determined shall include the
25 adjusted FTE dollars as provided in subsection~~(10)(9)~~ and
26 potential nonvoted discretionary local effort from taxes. A
27 comparison of current year funds per unweighted FTE to prior
28 year funds per unweighted FTE shall be computed. For those
29 school districts which have less than the legislatively
30 assigned percentage increase, funds shall be provided to
31 guarantee the assigned percentage increase in funds per

1 unweighted FTE student. Should appropriated funds be less than
2 the sum of this calculated amount for all districts, the
3 commissioner shall prorate each district's allocation. This
4 provision shall be implemented to the extent specifically
5 funded.

6 ~~(10)(9)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH
7 DISTRICT FOR CURRENT OPERATION.--The total annual state
8 allocation to each district for current operation for the FEFP
9 shall be distributed periodically in the manner prescribed in
10 the General Appropriations Act.

11 (a) The basic amount for current operation for the
12 FEFP as determined in subsection (1), multiplied by the
13 district cost differential factor as determined in subsection
14 (2), plus the amounts provided for categorical components
15 within the FEFP, plus the amount for the sparsity supplement
16 as determined in subsection (6), the decline in full-time
17 equivalent students as determined in subsection (7), the
18 research-based reading instruction allocation as determined in
19 subsection (8), and the quality assurance guarantee as
20 determined in subsection ~~(9)(8)~~, less the required local
21 effort as determined in subsection (4). If the funds
22 appropriated for the purpose of funding the total amount for
23 current operation as provided in this paragraph are not
24 sufficient to pay the state requirement in full, the
25 department shall prorate the available state funds to each
26 district in the following manner:

27 1. Determine the percentage of proration by dividing
28 the sum of the total amount for current operation, as provided
29 in this paragraph for all districts collectively, and the
30 total district required local effort into the sum of the state
31

1 funds available for current operation and the total district
2 required local effort.

3 2. Multiply the percentage so determined by the sum of
4 the total amount for current operation as provided in this
5 paragraph and the required local effort for each individual
6 district.

7 3. From the product of such multiplication, subtract
8 the required local effort of each district; and the remainder
9 shall be the amount of state funds allocated to the district
10 for current operation.

11 (b) The amount thus obtained shall be the net annual
12 allocation to each school district. However, if it is
13 determined that any school district received an
14 underallocation or overallocation for any prior year because
15 of an arithmetical error, assessment roll change, full-time
16 equivalent student membership error, or any allocation error
17 revealed in an audit report, the allocation to that district
18 shall be appropriately adjusted. Beginning with audits for the
19 2001-2002 fiscal year, if the adjustment is the result of an
20 audit finding in which group 2 FTE are reclassified to the
21 basic program and the district weighted FTE are over the
22 weighted enrollment ceiling for group 2 programs, the
23 adjustment shall not result in a gain of state funds to the
24 district. If the Department of Education audit adjustment
25 recommendation is based upon controverted findings of fact,
26 the Commissioner of Education is authorized to establish the
27 amount of the adjustment based on the best interests of the
28 state.

29 (c) The amount thus obtained shall represent the net
30 annual state allocation to each district; however,
31 notwithstanding any of the provisions herein, each district

1 shall be guaranteed a minimum level of funding in the amount
2 and manner prescribed in the General Appropriations Act.

3 Section 39. Paragraph (a) of subsection (2) of section
4 1011.64, Florida Statutes, is amended to read:

5 1011.64 School district minimum classroom expenditure
6 requirements.--

7 (2) For the purpose of implementing the provisions of
8 this section, the Legislature shall prescribe minimum academic
9 performance standards and minimum classroom expenditure
10 requirements for districts not meeting such minimum academic
11 performance standards in the General Appropriations Act.

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

15 Section 40. Paragraph (b) of subsection (2) of section
16 1011.685, Florida Statutes, is amended to read:

17 1011.685 Class size reduction; operating categorical
18 fund.--

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

21 (b) For any lawful operating expenditure, if the
22 district has met the constitutional maximums identified in s.
23 1003.03(1) or the reduction of two students per year required
24 by s. 1003.03(2); however, priority shall be given to increase
25 salaries of classroom teachers as defined in s. 1012.01(2)(a)
26 and to implement the differentiated-pay provisions detailed in
27 s. 1012.2312 ~~salary career ladder defined in s. 1012.231~~.

28 Section 41. Subsection (1) of section 1011.71, Florida
29 Statutes, is amended to read:

30 1011.71 District school tax.--

31

1 (1) If the district school tax is not provided in the
2 General Appropriations Act or the substantive bill
3 implementing the General Appropriations Act, each district
4 school board desiring to participate in the state allocation
5 of funds for current operation as prescribed by s. 1011.62(10)
6 ~~s. 1011.62(9)~~ shall levy on the taxable value for school
7 purposes of the district, exclusive of millage voted under the
8 provisions of s. 9(b) or s. 12, Art. VII of the State
9 Constitution, a millage rate not to exceed the amount
10 certified by the commissioner as the minimum millage rate
11 necessary to provide the district required local effort for
12 the current year, pursuant to s. 1011.62(4)(a)1. In addition
13 to the required local effort millage levy, each district
14 school board may levy a nonvoted current operating
15 discretionary millage. The Legislature shall prescribe
16 annually in the appropriations act the maximum amount of
17 millage a district may levy. The millage rate prescribed shall
18 exceed zero mills but shall not exceed the lesser of 1.6 mills
19 or 25 percent of the millage which is required pursuant to s.
20 1011.62(4), exclusive of millage levied pursuant to subsection
21 (2).

22 Section 42. Subsection (6) is added to section
23 1012.21, Florida Statutes, to read:

24 1012.21 Department of Education duties; K-12
25 personnel.--

26 (6) REPORTING.--The Department of Education shall
27 annually post online links to each school district's
28 collective bargaining contracts and the salary and benefits of
29 the personnel or officers of any educator association which
30 were paid by the school district pursuant to s. 1012.22. The
31

1 department shall prescribe the computer format for district
2 school boards to use in providing the information.

3 Section 43. Paragraphs (c), (h), and (i) of subsection
4 (1) of section 1012.22, Florida Statutes, are amended, and
5 subsection (3) is added to that section, to read:

6 1012.22 Public school personnel; powers and duties of
7 the district school board.--The district school board shall:

8 (1) Designate positions to be filled, prescribe
9 qualifications for those positions, and provide for the
10 appointment, compensation, promotion, suspension, and
11 dismissal of employees as follows, subject to the requirements
12 of this chapter:

13 (c) Compensation and salary schedules.--

14 1. The district school board shall adopt a salary
15 schedule or salary schedules designed to furnish incentives
16 for improvement in training and for continued efficient
17 service to be used as a basis for paying all school employees
18 and fix and authorize the compensation of school employees on
19 the basis thereof.

20 2. A district school board, in determining the salary
21 schedule for instructional personnel, must base a portion of
22 each employee's compensation on performance demonstrated under
23 s. 1012.34, must consider the prior teaching experience of a
24 person who has been designated state teacher of the year by
25 any state in the United States, and must consider prior
26 professional experience in the field of education gained in
27 positions in addition to district level instructional and
28 administrative positions.

29 3. In developing the salary schedule, the district
30 school board shall seek input from parents, teachers, and
31 representatives of the business community.

1 4. ~~Beginning with the 2002-2003 fiscal year, each~~
2 ~~district school board must adopt a performance pay policy for~~
3 ~~school administrators and instructional personnel. The~~
4 ~~district's performance pay policy is subject to negotiation as~~
5 ~~provided in chapter 447; however, the adopted salary schedule~~
6 ~~must allow school administrators and instructional personnel~~
7 ~~who demonstrate outstanding performance, as measured under s.~~
8 ~~1012.34, to earn a 5 percent supplement in addition to their~~
9 ~~individual, negotiated salary. The supplements shall be funded~~
10 ~~from the performance pay reserve funds adopted in the salary~~
11 ~~schedule. Beginning with the 2004-2005 academic year, the~~
12 ~~district's 5 percent performance pay policy must provide for~~
13 ~~the evaluation of classroom teachers within each level of the~~
14 ~~salary career ladder provided in s. 1012.231. The Commissioner~~
15 ~~of Education shall determine whether the district school~~
16 ~~board's adopted salary schedule complies with the requirement~~
17 ~~for performance based pay. If the district school board fails~~
18 ~~to comply with this section, the commissioner shall withhold~~
19 ~~disbursements from the Educational Enhancement Trust Fund to~~
20 ~~the district until compliance is verified.~~

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

28 (i) Comprehensive program of staff development.--The
29 district school board shall establish a comprehensive program
30 of staff development and incorporate secondary school redesign
31

1 plans pursuant to s. 1003.415 and principal leadership
2 training pursuant to s. 1012.985 as a part of the plan.

3 (3) Annually provide to the Department of Education
4 the negotiated collective bargaining contract for the school
5 district and the salary and benefits for the personnel or
6 officers of any educator association which are paid by the
7 school district. The district school board shall report using
8 the computer format prescribed by the department pursuant to
9 s. 1012.21.

10 Section 44. Section 1012.2312, Florida Statutes, is
11 created to read:

12 1012.2312 Differentiated pay for instructional
13 personnel.--

14 (1) Beginning with the 2006-2007 fiscal year, each
15 district school board shall have a differentiated-pay policy
16 for instructional personnel and incorporate it into the school
17 district's salary schedule.

18 (2) The differentiated-pay policy may be subject to
19 negotiation as provided in chapter 447; however, the adopted
20 salary schedule must allow instructional personnel to receive
21 differentiated pay based upon factors determined by the school
22 district, including, but not limited to, each of the
23 following:

24 (a) The subject areas taught, with classroom teachers
25 who teach in critical shortage areas receiving higher pay.

26 (b) The economic demographics of the school, with
27 instructional personnel in schools that have a majority of
28 students who qualify for free or reduced-price lunches
29 receiving higher pay.

30
31

1 (c) Additional responsibilities of instructional
2 personnel, including, but not limited to, lead and mentoring
3 responsibilities.

4 (d) A performance-pay policy that rewards
5 high-performing instructional personnel with at least a
6 5-percent performance-pay incentive.

7
8 The differentiated pay provided in the salary schedule for
9 each of the factors specified in paragraphs (a)-(d) shall
10 provide an incentive and not be nominal.

11 (3) The Commissioner of Education shall determine
12 whether the district school board's adopted salary schedule
13 complies with the requirements in subsection (2). If the
14 salary schedule does not comply, the commissioner shall
15 recommend to the State Board of Education and the state board
16 may withhold disbursements from the Educational Enhancement
17 Trust Fund to the school district until the district's salary
18 schedule is in compliance.

19 Section 45. Section 1012.2313, Florida Statutes, is
20 created to read:

21 1012.2313 Differentiated pay for school
22 administrators.--

23 (1) Beginning with the 2006-2007 fiscal year, each
24 district school board shall have a differentiated-pay policy
25 for school administrators and incorporate it into the school
26 district's salary schedule.

27 (2) The adopted salary schedule must allow school
28 administrators to receive differentiated pay based upon
29 factors determined by the school district, including, but not
30 limited to, each of the following:

31

1 (a) The economic demographics of the school, with
2 school administrators in schools that have a majority of
3 students who qualify for free or reduced-price lunches
4 receiving higher pay.

5 (b) A performance-pay policy that rewards
6 high-performing school administrators with at least a
7 5-percent performance-pay incentive.

8
9 The differentiated pay provided in the salary schedule for
10 each of the factors specified in paragraphs (a) and (b) shall
11 provide an incentive and not be nominal.

12 (3) The Commissioner of Education shall determine
13 whether the district school board's adopted salary schedule
14 complies with the requirements in subsection (2). If the
15 salary schedule does not comply, the commissioner shall
16 recommend to the State Board of Education and the state board
17 may withhold disbursements from the Educational Enhancement
18 Trust Fund to the school district until the district's salary
19 schedule is in compliance.

20 Section 46. Section 1012.2315, Florida Statutes, is
21 created to read:

22 1012.2315 Assignment of teachers.--

23 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
24 finds disparities between teachers assigned to teach in a
25 majority of "A" graded schools and teachers assigned to teach
26 in a majority of "F" graded schools. The disparities can be
27 found in the average years of experience, the median salary,
28 and the performance of the teachers on teacher certification
29 examinations. It is the intent of the Legislature that
30 district school boards have flexibility through the collective
31

1 bargaining process to assign teachers more equitably across
2 the schools in the district.

3 (2) ASSIGNMENT TO SCHOOLS GRADED "D" OR "F."--School
4 districts may not assign a higher percentage than the school
5 district average of first-time teachers, temporarily certified
6 teachers, teachers in need of improvement, or out-of-field
7 teachers to schools with above the school district average of
8 minority and economically disadvantaged students or schools
9 that are graded "D" or "F." Each school district shall
10 annually certify to the Commissioner of Education that this
11 requirement has been met. If the commissioner determines that
12 a school district is not in compliance with this subsection,
13 the State Board of Education shall be notified and shall take
14 action pursuant to s. 1008.32 in the next regularly scheduled
15 meeting to require compliance.

16 (3) SALARY INCENTIVES.--District school boards are
17 authorized to provide salary incentives to meet the
18 requirement of subsection (2). A district school board may not
19 sign a collective bargaining agreement that precludes the
20 school district from providing sufficient incentives to meet
21 this requirement.

22 (4) COLLECTIVE BARGAINING.--Notwithstanding provisions
23 of chapter 447 relating to district school board collective
24 bargaining, collective bargaining provisions may not preclude
25 a school district from providing incentives to high-quality
26 teachers and assigning such teachers to low-performing
27 schools.

28 Section 47. Subsection (2) of section 1012.27, Florida
29 Statutes, is amended to read:

30 1012.27 Public school personnel; powers and duties of
31 district school superintendent.--The district school

1 superintendent is responsible for directing the work of the
2 personnel, subject to the requirements of this chapter, and in
3 addition the district school superintendent shall perform the
4 following:

5 (2) COMPENSATION AND SALARY SCHEDULES.--Prepare and
6 recommend to the district school board for adoption a salary
7 schedule or salary schedules. The district school
8 superintendent must recommend a salary schedule for
9 instructional personnel which bases a portion of each
10 employee's compensation on performance demonstrated under s.
11 1012.34. In developing the recommended salary schedule, the
12 district school superintendent shall include input from
13 parents, teachers, and representatives of the business
14 community. Beginning with the 2006-2007 ~~2004-2005~~ academic
15 year, the recommended salary schedule for classroom teachers
16 shall be consistent with the district's differentiated-pay
17 policy ~~career ladder~~ based upon s. 1012.2312 ~~s. 1012.231~~.

18 Section 48. Subsection (6) of section 1012.28, Florida
19 Statutes, is amended to read:

20 1012.28 Public school personnel; duties of school
21 principals.--

22 (6) A school principal who fails to comply with this
23 section shall be ineligible for any portion of the performance
24 pay policy incentive under s. 1012.2313(2)(b) ~~s.~~
25 ~~1012.22(1)(c)~~.

26 Section 49. Paragraph (a) of subsection (3) of section
27 1012.34, Florida Statutes, is amended to read:

28 1012.34 Assessment procedures and criteria.--

29 (3) The assessment procedure for instructional
30 personnel and school administrators must be primarily based on
31 the performance of students assigned to their classrooms or

1 | schools, as appropriate. Pursuant to this section, a school
2 | district's performance assessment is not limited to basing
3 | unsatisfactory performance of instructional personnel and
4 | school administrators upon student performance, but may
5 | include other criteria approved to assess instructional
6 | personnel and school administrators' performance, or any
7 | combination of student performance and other approved
8 | criteria. The procedures must comply with, but are not limited
9 | to, the following requirements:

10 | (a) An assessment must be conducted for each employee
11 | at least once a year. The assessment must be based upon sound
12 | educational principles and contemporary research in effective
13 | educational practices. The assessment must primarily use data
14 | and indicators of improvement in student performance assessed
15 | annually as specified in s. 1008.22 and may consider results
16 | of peer reviews in evaluating the employee's performance.
17 | Student performance must be measured by state assessments
18 | required under s. 1008.22 and by local assessments for
19 | subjects and grade levels not measured by the state assessment
20 | program. The assessment criteria must include, but are not
21 | limited to, indicators that relate to the following:

- 22 | 1. Performance of students.
23 | 2. Ability to maintain appropriate discipline.
24 | 3. Knowledge of subject matter. The district school
25 | board shall make special provisions for evaluating teachers
26 | who are assigned to teach out-of-field.
27 | 4. Ability to plan and deliver instruction, ~~including~~
28 | ~~implementation of the rigorous reading requirement pursuant to~~
29 | ~~s. 1003.415, when applicable,~~ and the use of technology in the
30 | classroom.
31 | 5. Ability to evaluate instructional needs.

1 6. Ability to establish and maintain a positive
2 collaborative relationship with students' families to increase
3 student achievement.

4 7. Other professional competencies, responsibilities,
5 and requirements as established by rules of the State Board of
6 Education and policies of the district school board.

7 Section 50. Subsection (4) of section 1012.56, Florida
8 Statutes, is amended to read:

9 1012.56 Educator certification requirements.--

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

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

14 (b) Completion of the subject area specialization
15 requirements specified in state board rule and verification of
16 the attainment of the essential subject matter competencies by
17 the district school superintendent of the employing school
18 district or chief administrative officer of the employing
19 state-supported or private school for a subject area for which
20 a subject area examination has not been developed and required
21 by state board rule;

22 (c) Completion of the subject area specialization
23 requirements specified in state board rule for a subject
24 coverage requiring a master's or higher degree and achievement
25 of a passing score on the subject area examination specified
26 in state board rule;

27 (d) A valid professional standard teaching certificate
28 issued by another state; or

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

1
2 School districts are encouraged to provide mechanisms for
3 those middle school teachers holding only a K-5 teaching
4 certificate to obtain a subject area coverage for middle
5 grades through postsecondary coursework or district add-on
6 certification.

7 Section 51. Section 1012.98, Florida Statutes, is
8 amended to read:

9 1012.98 School Community Professional Development
10 Act.--

11 (1) The Department of Education, public postsecondary
12 educational institutions, public school districts, state
13 education foundations, consortia, and professional
14 organizations ~~and public schools~~ in this state shall
15 collaborate to establish a coordinated system of professional
16 development. The purpose of the professional development
17 system is to increase student achievement, enhance classroom
18 instructional strategies that promote rigor and relevance
19 throughout the curriculum, and prepare students for continuing
20 education and the workforce. The system of professional
21 development must align to the standards adopted by the state
22 and support the framework for standards adopted by the
23 National Council for Staff Development ~~enable the school~~
24 ~~community to meet state and local student achievement~~
25 ~~standards and the state education goals and to succeed in~~
26 ~~school improvement as described in s. 1000.03.~~

27 (2) The school community includes students and
28 parents, administrative personnel, managers, instructional
29 personnel, support personnel, members of district school
30 boards, members of school advisory councils, business
31

1 partners, and personnel that provide health and social
2 services to students.

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

5 (a) Support and increase the success of educators
6 through collaboratively developed plans for secondary school
7 redesign which are focused on:

8 1. Enhanced instructional strategies to engage
9 students in rigorous and relevant curriculum that is based on
10 ~~in guiding student learning and development so as to implement~~
11 state and local educational standards, goals, and
12 initiatives;-

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

15 3. Increased opportunities for professional
16 collaboration among and between teachers, guidance counselors,
17 instructional leaders, postsecondary educators, and the
18 workforce community.

19 (b) Assist the school community in providing
20 stimulating, scientific ~~scientifically~~ research-based
21 educational activities that encourage and motivate students to
22 achieve at the highest levels and to participate as ~~become~~
23 active learners and that prepare students for success at
24 subsequent educational levels and the workforce.

25 (c) Provide continuous support for all education
26 professionals as well as temporary intervention for education
27 professionals who need improvement in knowledge, skills, and
28 performance.

29 (4) The Department of Education, school districts,
30 schools, community colleges, and state universities share the
31

1 responsibilities described in this section. These
2 responsibilities include the following:

3 (a) The department shall develop and disseminate to
4 the school community model professional development methods
5 and programs that have demonstrated success in meeting
6 identified student needs. The Commissioner of Education shall
7 use data on student achievement to identify student needs. The
8 methods of dissemination must include a statewide performance
9 support system, a database of exemplary professional
10 development activities, a listing of available professional
11 development resources, training programs, and available
12 assistance.

13 (b) Each school district shall develop a professional
14 development system as specified in subsection (3). The system
15 shall be developed in consultation with teachers, ~~and~~
16 representatives of community colleges ~~college~~ and state
17 universities ~~university faculty~~, business and community
18 representatives ~~agencies~~, and local education foundations,
19 consortia, and professional organizations ~~other interested~~
20 ~~citizen groups to establish policy and procedures to guide the~~
21 ~~operation of the district professional development program.~~
22 The professional development system must:

23 ~~1. Be approved by the department. All substantial~~
24 ~~revisions to the system shall be submitted to the department~~
25 ~~for review for continued approval.~~

26 1.2. Be based on an analysis ~~Require the use of~~
27 student achievement data and instructional strategies and
28 methods that support rigorous, relevant, and challenging
29 curricula for all students. Schools and districts, in
30 developing and refining the professional development system,
31 shall also review and monitor school discipline data; school

1 | environment surveys; assessments of parental satisfaction;
2 | performance appraisal data of teachers, managers, and
3 | administrative personnel; and other performance indicators to
4 | identify school and student needs that can be met by improved
5 | professional performance.

6 | ~~2.3.~~ Provide inservice activities coupled with
7 | followup support ~~that are~~ appropriate to accomplish
8 | district-level and school-level improvement goals and
9 | standards. The inservice activities for instructional
10 | personnel shall ~~primarily~~ focus on analysis of student
11 | achievement data, ongoing assessment of student achievement,
12 | identification and use of enhanced instructional strategies
13 | that emphasize rigor and relevance, enhancement of subject
14 | content expertise, strategies for reading in content areas,
15 | integrated use of technology and teaching methods, including
16 | technology, as related to the Sunshine State Standards,
17 | ~~assessment and data analysis~~, classroom management, parent
18 | involvement, and school safety.

19 | ~~3.4.~~ Include a master plan for inservice activities,
20 | pursuant to rules of the State Board of Education, for all
21 | district employees from all fund sources. The master plan
22 | shall be updated annually by September 1, must be based on
23 | input from teachers and district and school instructional
24 | leaders, and must use the latest student achievement data and
25 | research related to instructional strategies that enhance
26 | rigor and relevance in the classroom. Each district inservice
27 | plan must be aligned to and support the school-based inservice
28 | plans, school improvement plans, and secondary redesign plans
29 | pursuant to s. 1003.415. District plans using criteria for
30 | ~~continued approval as specified by rules of the State Board of~~
31 | ~~Education. Written verification that the inservice plan meets~~

1 ~~all requirements of this section~~ must be submitted annually to
2 the commissioner by October 1 in order to ensure compliance
3 with subsection (1) and to allow for dissemination of best
4 practices by the department.

5 ~~4.5.~~ Require each school principal to establish and
6 maintain an individual professional development plan for each
7 instructional employee assigned to the school, based on and
8 integral to the school improvement plan developed pursuant to
9 1001.42(16)(a) and the secondary redesign plan developed
10 pursuant to s. 1003.415(4). The individual professional
11 development plan must:

12 a. Be related to specific performance data for the
13 students to whom the teacher is assigned.

14 b. Define the inservice objectives and specific
15 measurable improvements expected in student performance as a
16 result of the inservice activity.

17 c. Include an evaluation component that determines the
18 effectiveness of the professional development plan.

19 ~~5.6.~~ Include inservice activities for school
20 administrative personnel which ~~that~~ address updated skills
21 necessary for ~~effective school management~~ and instructional
22 leadership and effective school management pursuant to s.
23 1012.985.

24 ~~6.7.~~ Provide for systematic consultation with regional
25 and state personnel designated to provide technical assistance
26 and evaluation of local professional development programs.

27 ~~7.8.~~ Provide for delivery of professional development
28 by distance learning and other technology-based delivery
29 systems to reach more educators at lower costs.

30 ~~8.9.~~ Provide for the continuous evaluation of the
31 quality and effectiveness of professional development programs

1 in order to eliminate ineffective programs and strategies and
2 to expand effective ones. Evaluations must consider the impact
3 of such activities on the performance of participating
4 educators and their students' achievement and behavior.

5 ~~(c) Each community college and state university shall~~
6 ~~assist the department, school districts, and schools in the~~
7 ~~design, delivery, and evaluation of professional development~~
8 ~~activities. This assistance must include active participation~~
9 ~~in state and local activities required by the professional~~
10 ~~development system.~~

11 ~~(c)(d)~~ The Department of Education shall approve a
12 public state university having an approved physical education
13 teacher preparation program within its college of education to
14 develop and implement an Internet-based clearinghouse for
15 physical education professional development programs that may
16 be accessed and used by all instructional personnel. The
17 development of these programs shall be financed primarily by
18 private funds and shall be available for use no later than
19 August 1, 2005.

20 (5) Each district school board shall provide funding
21 for the professional development system as required by s.
22 1011.62 and the General Appropriations Act, and shall direct
23 expenditures from other funding sources to continuously
24 strengthen the system in order to increase student achievement
25 and support instructional staff in enhancing rigor and
26 relevance in the classroom ~~and make it uniform and coherent.~~ A
27 school district may coordinate its professional development
28 program with that of another district, with an educational
29 consortium, or with a community college or university,
30 especially in preparing and educating personnel. Each district
31 school board shall make available inservice activities to

1 instructional personnel of nonpublic schools in the district
2 and the state certified teachers who are not employed by the
3 district school board on a fee basis not to exceed the cost of
4 the activity per all participants.

5 ~~(6) An organization of private schools which has no~~
6 ~~fewer than 10 member schools in this state, which publishes~~
7 ~~and files with the Department of Education copies of its~~
8 ~~standards, and the member schools of which comply with the~~
9 ~~provisions of part II of chapter 1003, relating to compulsory~~
10 ~~school attendance, may also develop a professional development~~
11 ~~system that includes a master plan for inservice activities.~~
12 ~~The system and inservice plan must be submitted to the~~
13 ~~commissioner for approval pursuant to rules of the State Board~~
14 ~~of Education.~~

15 ~~(6)(7)~~ The Department of Education shall disseminate
16 best-practice design methods by which the state and district
17 school boards may evaluate and improve the professional
18 development system. The best practices evaluation must include
19 ~~an annual assessment of data that indicate the progress or~~
20 ~~lack of progress of all students. If the review of the data~~
21 ~~indicates progress, the department shall identify the best~~
22 ~~practices that contributed to the progress. If the review of~~
23 ~~the data indicates a lack of progress, the department shall~~
24 ~~investigate the causes of the lack of progress, provide~~
25 ~~technical assistance, and require the school district to~~
26 ~~employ a different approach to professional development.~~ The
27 department shall report annually to the State Board of
28 Education and the Legislature any school district that, in the
29 determination of the department, has failed to provide an
30 adequate professional development system. This report must

31

1 include the results of the department's investigation and of
2 any intervention provided.

3 ~~(7)(8)~~ The State Board of Education may adopt rules
4 pursuant to ss. 120.536(1) and 120.54 to administer this
5 section.

6 ~~(8)(9)~~ This section does not limit or discourage a
7 district school board from contracting with independent
8 entities for professional development services and inservice
9 education if the district school board can demonstrate to the
10 Commissioner of Education that, through such a contract, a
11 better product can be acquired or its goals for education
12 improvement can be better met.

13 ~~(9)(10)~~ For teachers, managers, and administrative
14 personnel who have been evaluated as less than satisfactory, a
15 district school board shall require participation in specific
16 professional development programs as part of the improvement
17 prescription.

18 (b) The department shall disseminate to the school
19 community proven model professional development programs that
20 have demonstrated success in increasing rigorous and relevant
21 content, increasing student achievement and engagement, and
22 meeting identified student needs. The methods of dissemination
23 must include a statewide performance-support system, a
24 database of exemplary professional development activities, a
25 listing of available professional development resources,
26 training programs, and available technical assistance.

27 Section 52. Section 1012.985, Florida Statutes, is
28 amended to read:

29 (Substantial rewording of section. See
30 s. 1012.985, F.S., for present text.)

31

1 1012.985 Statewide system for professional development
2 of school leaders.--The intent of this section is to establish
3 a statewide system of professional development which provides
4 high standards and sustained support for principals as
5 instructional leaders. The system shall consist of a
6 collaborative network of professional leadership
7 organizations. The network shall be established to support the
8 human-resource-development needs of principals, principal
9 leadership teams, and candidates for principal leadership
10 positions using the framework of leadership standards adopted
11 by the Southern Regional Education Board, the National Council
12 of Staff Development, and the State Board of Education. Funds
13 appropriated for the leadership network for principals shall
14 be allocated annually in the General Appropriations Act,
15 contingent upon a commitment of financial support or
16 human-resource support from the Florida Association of
17 District School Superintendents, the Florida Association of
18 School Administrators, the Southern Regional Education Board,
19 the Department of Education, the Florida Regional Education
20 Consortia, and education leadership faculty from Florida's
21 community colleges and universities. The goal of the network
22 and the principal leadership training is to:

23 (1) Provide resources to support and enhance the
24 principal's role as the instructional leader.

25 (2) Maintain a clearinghouse and disseminate
26 data-supported information related to enhanced student
27 achievement, based on educational research and best practices.

28 (3) Build the capacity to increase the quality of
29 programs for preservice and inservice professional development
30 for principals and principal leadership teams.

31

