

By the Committee on Education Pre-K - 12; and Senator Gaetz

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1 A bill to be entitled

2 An act relating to education; amending s. 1000.21, F.S.;

3 providing definitions; amending s. 1001.452, F.S.;

4 revising provisions relating to membership of school

5 advisory councils; amending s. 1003.41, F.S.; requiring

6 that the State Board of Education replace the Sunshine

7 State Standards with the Sunshine State Standards 2.0;

8 providing for application of the Sunshine State Standards

9 pending adoption of the Sunshine State Standards 2.0;

10 providing requirements concerning the content and

11 organization of the Sunshine State Standards 2.0;

12 requiring that the Sunshine State Standards 2.0 establish

13 core curricular content in specified areas for certain

14 grades or strands; requiring that the state board

15 establish schedules for the adoption and revision of the

16 Sunshine State Standards 2.0; requiring that the state

17 board adopt the Sunshine State Standards 2.0 by a

18 specified date; requiring the Commissioner of Education to

19 provide proposed Sunshine State Standards 2.0 or proposed

20 revisions of such standards to the state board; providing

21 requirements concerning the commissioner's development of

22 the proposed standards or revisions; requiring

23 consultation with certain experts; requiring distribution

24 of a proposal developed by the commissioner for review and

25 comment by certain experts; requiring a written evaluation

26 of the proposal developed by the commissioner by a

27 research institution meeting specified criteria; requiring

28 provision of the commissioner's proposed standards and the

29 written evaluation and comments to the Governor, the

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30 President of the Senate, and the Speaker of the House of
31 Representatives; authorizing rulemaking by the State Board
32 of Education; amending s. 1008.22, F.S.; revising
33 provisions governing application of testing requirements
34 for high school graduation; providing requirements
35 concerning the Commissioner of Education's scoring of a
36 statewide assessment when such assessment is revised;
37 providing criteria concerning the testing and scores
38 required for a continuously enrolled student to earn a
39 standard high school diploma; authorizing the commissioner
40 to discontinue administration of an outdated assessment
41 under certain conditions; amending s. 1008.31, F.S.;
42 declaring the legislative intent that the K-20 education
43 system comply with the Individuals with Disabilities
44 Education Act; amending s. 1012.71, F.S.; revising
45 requirements for the use of program funds by classroom
46 teachers; providing for the disbursement of funds to
47 school districts; specifying the means for providing a
48 classroom teacher with his or her proportionate share of
49 program funds; providing that funds received are not
50 subject to collective bargaining; providing for
51 retroactive effect; providing requirements for accounting
52 of expenditures and reimbursement of funds under certain
53 conditions; amending s. 1013.12, F.S.; requiring that a
54 school cafeteria post certain information concerning its
55 sanitation certificate and inspection; providing effective
56 dates.

57
58 Be It Enacted by the Legislature of the State of Florida:

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59
60 Section 1. Subsection (7) of section 1000.21, Florida
61 Statutes, is amended to read:

62 1000.21 Systemwide definitions.--As used in the Florida K-
63 20 Education Code:

64 (7) "Sunshine State Standards" or "Sunshine State Standards
65 2.0" means the state's public K-12 curricular ~~are~~ standards
66 established under s. 1003.41. The term includes the Sunshine
67 State Standards that are in place for a subject until the
68 standards for that subject are replaced under s. 1003.41 by the
69 Sunshine State Standards 2.0. ~~that identify what public school~~
70 ~~students should know and be able to do. These standards delineate~~
71 ~~the academic achievement of students for which the state will~~
72 ~~hold its public schools accountable in grades K-2, 3-5, 6-8, and~~
73 ~~9-12, in the subjects of language arts, mathematics, science,~~
74 ~~social studies, the arts, health and physical education, foreign~~
75 ~~languages, reading, writing, history, government, geography,~~
76 ~~economics, and computer literacy.~~

77 Section 2. Paragraph (a) of subsection (1) of section
78 1001.452, Florida Statutes, is amended to read:

79 1001.452 District and school advisory councils.--

80 (1) ESTABLISHMENT.--

81 (a) The district school board shall establish an advisory
82 council for each school in the district and shall develop
83 procedures for the election and appointment of advisory council
84 members. Each school advisory council shall include in its name
85 the words "school advisory council." The school advisory council
86 shall be the sole body responsible for final decisionmaking at
87 the school relating to implementation of the provisions of ss.

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88 | 1001.42(16) and 1008.345. A majority of the members of each
89 | school advisory council must be persons who are not employed by
90 | the school district. Each advisory council shall be composed of
91 | the principal and an appropriately balanced number of teachers,
92 | education support employees, students, parents, and other
93 | business and community citizens who are representative of the
94 | ethnic, racial, and economic community served by the school.
95 | Career center and high school advisory councils shall include
96 | students, and middle and junior high school advisory councils may
97 | include students. School advisory councils of career centers and
98 | adult education centers are not required to include parents as
99 | members. Council members representing teachers, education support
100 | employees, students, and parents shall be elected by their
101 | respective peer groups at the school in a fair and equitable
102 | manner as follows:

103 | 1. Teachers shall be elected by teachers.

104 | 2. Education support employees shall be elected by
105 | education support employees.

106 | 3. Students shall be elected by students.

107 | 4. Parents shall be elected by parents.

108 |
109 | The district school board shall establish procedures for use by
110 | schools in selecting business and community members that include
111 | means of ensuring wide notice of vacancies and of taking input on
112 | possible members from local business, chambers of commerce,
113 | community and civic organizations and groups, and the public at
114 | large. The district school board shall review the membership
115 | composition of each advisory council. If the district school
116 | board determines that the membership elected by the school is not

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117 representative of the ethnic, racial, and economic community
118 served by the school, the district school board shall appoint
119 additional members to achieve proper representation. The
120 commissioner shall determine if schools have maximized their
121 efforts to include on their advisory councils minority persons
122 and persons of lower socioeconomic status. Although schools are
123 strongly encouraged to establish school advisory councils, the
124 district school board of any school district that has a student
125 population of 10,000 or fewer may establish a district advisory
126 council which shall include at least one duly elected teacher
127 from each school in the district. For the purposes of school
128 advisory councils and district advisory councils, the term
129 "teacher" shall include classroom teachers, certified student
130 services personnel, and media specialists. For purposes of this
131 paragraph, "education support employee" means any person employed
132 by a school who is not defined as instructional or administrative
133 personnel pursuant to s. 1012.01 and whose duties require 20 or
134 more hours in each normal working week.

135 Section 3. Section 1003.41, Florida Statutes, is amended to
136 read:

137 1003.41 Sunshine State Standards.--

138 (1) Until the Sunshine State Standards 2.0 are adopted,
139 public K-12 educational instruction in Florida is based on the
140 "Sunshine State Standards previously." ~~These standards have been~~
141 ~~adopted by the State Board of Education and delineate the~~
142 ~~academic achievement of students, for which the state will hold~~
143 ~~schools accountable, in grades K-2, 3-5, 6-8, and 9-12 in the~~
144 ~~subjects of language arts, mathematics, science, social studies,~~
145 ~~the arts, health and physical education, and foreign languages.~~

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146 ~~They include standards in reading, writing, history, government,~~
147 ~~geography, economics, and computer literacy.~~ After adoption of
148 the Sunshine State Standards 2.0, such instruction shall be based
149 on the Sunshine State Standards 2.0 as revised by the State Board
150 of Education.

151 (2) The State Board of Education shall review and replace
152 the Sunshine State Standards with the Sunshine State Standards
153 2.0 that establish the core content of the curricula to be taught
154 in this state and that specify the core curricular content and
155 the knowledge and skills that K-12 public school students are
156 expected to learn. The Sunshine State Standards 2.0 must, at a
157 minimum:

158 (a) Establish the core curricular content for language
159 arts, science, mathematics, and social studies. Standards for
160 these subjects must identify specific curricular content and the
161 knowledge and skills that a student is expected to have learned
162 by each individual grade level from kindergarten through grade 8.
163 The standards for grades 9 through 12 may be organized by grade
164 clusters of more than one grade level or strands within the
165 content area.

166 1. Language arts standards shall establish core curricular
167 content for, at a minimum, the reading process, literary
168 analysis, the writing process, writing applications,
169 communication, and information and media literacy.

170 2. Science standards shall establish core curricular
171 content for, at a minimum, nature of science, earth and space
172 science, physical science, and life science.

173 3. Mathematics standards shall establish core curricular
174 content for, at a minimum, algebra, calculus, discrete

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175 mathematics, financial literacy, geometry, probability,
176 statistics, and trigonometry.

177 4. Social studies standards shall establish core curricular
178 content for, at a minimum, civics and government, United States
179 history, world history, economics, humanities, and geography.

180 (b) Establish the core curricular content for visual and
181 performing arts, physical education, health, and world languages.
182 Standards for these subjects must identify specific curricular
183 content and the knowledge and skills that a student is expected
184 to have learned by each individual grade level from kindergarten
185 through grade 8. The standards for grades 9 through 12 may be
186 organized by grade clusters of more than one grade level or
187 strands within the content area.

188 (c) Identify the core curricular content that a student is
189 expected to learn, for each subject at each individual grade
190 level, in order to acquire the broad background knowledge needed
191 for reading comprehension.

192 (d) Be rigorous, relevant, and provide for the logical,
193 sequential progression of core curricular content that
194 incrementally increases a student's core content knowledge and
195 skills over time.

196 (e) Use interdisciplinary methods to integrate critical
197 thinking and problem-solving skills; communication, reading, and
198 writing skills; mathematics skills; collaboration skills;
199 contextual and applied-learning skills; technology-literacy
200 skills; information-literacy and media-literacy skills; and
201 civic-engagement skills. Such integration must occur within and
202 between the subjects listed in paragraphs (a) and (b).

203 (f) Be organized according to a uniform structure and

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204 format that is consistent for each subject.

205 (g) Be aligned to expectations for success in postsecondary
206 education and high-skill, high-wage employment.

207 (3) By December 31, 2008, the State Board of Education
208 shall establish an expedited schedule for adoption of the
209 Sunshine State Standards 2.0 and shall establish by rule a
210 schedule for the periodic review and revision of the standards.
211 The state board shall adopt the new standards for each subject by
212 December 31, 2011.

213 (4) (a) The Commissioner of Education shall submit to the
214 State Board of Education proposed Sunshine State Standards 2.0,
215 and periodically submit proposed revisions to the standards, for
216 adoption by the state board according to the schedules
217 established under subsection (3). In developing the proposed
218 standards, the commissioner shall consult with research
219 institutions having expertise in K-20 curriculum and standards
220 development in each subject listed in paragraphs (2) (a) and (b)
221 and shall review and consider standards implemented by other
222 states or nations which such experts regard as exceptionally
223 rigorous. The commissioner shall require that the research
224 experts involve curriculum specialists in a cross-section of
225 subject areas in order to address the need for integrated and
226 alternative curriculum, courses, and instruction.

227 (b) The commissioner shall effectively communicate and
228 distribute the proposed standards for review and comment by this
229 state's educators, school administrators, representatives of
230 community colleges and state universities who have expertise and
231 knowledge of the content areas addressed by the standards and the
232 skills necessary to prepare a student for postsecondary

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233 education, and leaders in current and emerging fields of business
234 and industry. The commissioner, after considering any comments
235 and making any revisions to the proposed standards, shall submit
236 the standards for written evaluation by a research institution
237 having expertise in the development of K-20 curriculum and
238 standards and a proven record of working collaboratively with
239 multiple national and international research institutions and
240 organizations and with community and business shareholders.

241 (c) The commissioner, upon finalizing the proposed
242 standards, shall submit the proposed standards and a copy of the
243 comments and written evaluation required under paragraph (b) to
244 the Governor, the President of the Senate, and the Speaker of the
245 House of Representatives at least 21 days before the State Board
246 of Education considers adoption of the proposed standards.

247 (5) The State Board of Education may adopt rules under ss.
248 120.536(1) and 120.54 to administer this section.

249 Section 4. Subsection (8) of section 1008.22, Florida
250 Statutes, is amended to read:

251 1008.22 Student assessment program for public schools.--

252 (8) APPLICABILITY OF TESTING STANDARDS.--

253 (a) If the Commissioner of Education revises a statewide
254 assessment and the revisions require the State Board of Education
255 to modify the assessment's proficiency levels or modify the
256 passing scores required for a standard high school diploma, until
257 the state board adopts the modifications by rule the commissioner
258 shall use calculations for scoring the assessment which adjust
259 student scores on the revised assessment for statistical
260 equivalence to student scores on the former assessment.

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261 (b) A student must attain ~~meet~~ the passing scores on the
262 statewide assessment required ~~testing requirements~~ for a standard
263 high school diploma which are ~~graduation that were~~ in effect at
264 the time the student enters ~~entered~~ 9th grade 9, if ~~provided~~ the
265 student's enrollment is ~~was~~ continuous.

266 (c) If the commissioner revises a statewide assessment and
267 the revisions require the State Board of Education to modify the
268 passing scores required for a standard high school diploma, the
269 commissioner may, with approval of the state board, discontinue
270 administration of the former assessment upon the graduation,
271 based on normal student progression, of students participating in
272 the final regular administration of the former assessment. The
273 state board shall adopt by rule passing scores for the revised
274 assessment which are statistically equivalent to passing scores
275 on the discontinued assessment for a student required under
276 paragraph (b) to attain passing scores on the discontinued
277 assessment.

278 Section 5. Paragraph (c) of subsection (1) of section
279 1008.31, Florida Statutes, is amended to read:

280 1008.31 Florida's K-20 education performance accountability
281 system; legislative intent; mission, goals, and systemwide
282 measures; data quality improvements.--

283 (1) LEGISLATIVE INTENT.--It is the intent of the
284 Legislature that:

285 (c) The K-20 education performance accountability system
286 comply with the ~~accountability~~ requirements of the "No Child Left
287 Behind Act of 2001," Pub. L. No. 107-110, and the Individuals
288 with Disabilities Education Act (IDEA).

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289 Section 6. Effective upon this act becoming a law, section
290 1012.71, Florida Statutes, is amended to read:

291 (Substantial rewording of section. See
292 s. 1012.71, F.S., for present text.)

293 1012.71 The Florida Teachers Lead Program.--

294 (1) For purposes of the Florida Teachers Lead Program, the
295 term "classroom teacher" means a certified teacher employed by a
296 public school district or a public charter school in that
297 district on or before September 1 of each year whose full-time or
298 job-share responsibility is the classroom instruction of students
299 in prekindergarten through grade 12, including full-time media
300 specialists and guidance counselors serving students in
301 prekindergarten through grade 12, who are funded through the
302 Florida Education Finance Program. A "job-share classroom
303 teacher" is one of two teachers whose combined full-time
304 equivalent employment for the same teaching assignment equals one
305 full-time classroom teacher.

306 (2) The Legislature, in the General Appropriations Act,
307 shall determine funding for the Florida Teachers Lead Program.
308 The funds appropriated are for classroom teachers to purchase, on
309 behalf of the school district or charter school, classroom
310 materials and supplies for the public school students assigned to
311 them and may not be used to purchase equipment. The funds
312 appropriated shall be used to supplement the materials and
313 supplies otherwise available to classroom teachers. From the
314 funds appropriated for the Florida Teachers Lead Program, the
315 Commissioner of Education shall calculate an amount for each
316 school district based upon each school district's proportionate

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317 share of the state's total unweighted FTE student enrollment and
318 shall disburse the funds to the school districts by July 15.

319 (3) From the funds allocated to each school district for
320 the Florida Teachers Lead Program, the district school board
321 shall calculate an identical amount for each classroom teacher,
322 which is that teacher's proportionate share of the total amount
323 allocated to the district. A job-share classroom teacher may
324 receive a prorated share of the amount provided to a full-time
325 classroom teacher. The district school board and each charter
326 school board shall provide each classroom teacher with his or her
327 total proportionate share by September 30 of each year by any
328 means determined appropriate by the district school board or
329 charter school board, including, but not limited to, direct
330 deposit, check, debit card, or purchasing card, notwithstanding
331 any law to the contrary. Expenditures under the program are not
332 subject to state or local competitive bidding requirements. Funds
333 received by a classroom teacher do not affect wages, hours, or
334 terms and conditions of employment and, therefore, are not
335 subject to collective bargaining. Any classroom teacher may
336 decline receipt of or return the funds without explanation or
337 cause. This subsection applies retroactively to July 1, 2007.

338 (4) Each classroom teacher must sign a statement
339 acknowledging receipt of the funds, keep receipts for no less
340 than 4 years to show that funds expended meet the requirements of
341 this section, and return any unused funds to the district school
342 board at the end of the regular school year. Any unused funds
343 that are returned to the district school board shall be deposited
344 into the school advisory council account of the school at which
345 the classroom teacher returning the funds was employed when that

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346 teacher received the funds or shall be deposited into the Florida
347 Teachers Lead Program account of the school district in which a
348 charter school is sponsored, as applicable.

349 (5) The statement must be signed and dated by each
350 classroom teacher before receipt of the Florida Teachers Lead
351 Program funds and shall include the wording: "I, (name of
352 teacher) , am employed by the County District School Board
353 or by the Charter School as a full-time classroom teacher. I
354 acknowledge that Florida Teachers Lead Program funds are
355 appropriated by the Legislature for the sole purpose of
356 purchasing classroom materials and supplies to be used in the
357 instruction of students assigned to me. In accepting custody of
358 these funds, I agree to keep the receipts for all expenditures
359 for no less than 4 years. I understand that if I do not keep the
360 receipts, it will be my personal responsibility to pay any
361 federal taxes due on these funds. I also agree to return any
362 unexpended funds to the district school board at the end of the
363 regular school year for deposit into the school advisory council
364 account of the school where I was employed at the time I received
365 the funds or for deposit into the Florida Teachers Lead Program
366 account of the school district in which the charter school is
367 sponsored, as applicable."

368 Section 7. Present paragraphs (b) and (c) of subsection (2)
369 of section 1013.12, Florida Statutes, are redesignated as
370 paragraphs (c) and (d), respectively, and a new paragraph (b) is
371 added to that subsection, to read:

372 1013.12 Casualty, safety, sanitation, and firesafety
373 standards and inspection of property.--

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374 (2) PERIODIC INSPECTION OF PROPERTY BY DISTRICT SCHOOL
375 BOARDS.--

376 (b) Each school cafeteria must post in a visible location
377 and on the school website the school's biannual sanitation
378 certificate and a copy of its most recent sanitation inspection
379 report.

380 Section 8. Except as otherwise expressly provided in this
381 act and except for this section, which shall take effect upon
382 becoming a law, this act shall take effect July 1, 2008.