

By the Committee on Education

581-2180-06

1 A bill to be entitled
2 An act relating to education; providing
3 guidelines for implementing the E-COMP plan or
4 a comparable performance pay plan, policy, or
5 rule adopted by the State Board of Education
6 after a specified date; providing for the
7 implementation of the Ready to Work Initiative;
8 amending s. 11.90, F.S.; requiring that the
9 Legislative Budget Commission review proposed
10 federal education plans; amending s. 20.15,
11 F.S.; establishing the Division of
12 Accountability, Research, and Measurement in
13 the Department of Education; repealing s.
14 446.609, F.S., relating to the "Jobs for
15 Florida's Graduates Act"; amending s. 1000.03,
16 F.S.; specifying that the mission of the
17 state's K-20 education system is to provide
18 rigorous and relevant learning opportunities
19 for students; repealing s. 1000.041, F.S., to
20 conform provisions relating to the 2005 repeal
21 of the BEST Florida Teaching salary career
22 ladder program; amending s. 1001.02, F.S.;
23 requiring legislative approval of a revised
24 state plan to implement certain federal
25 requirements; amending s. 1001.03, F.S.;
26 requiring the State Board of Education to
27 facilitate the review of the Sunshine State
28 Standards and provide a report to the Governor
29 and Legislature; requiring the maintenance of a
30 uniform school district personnel
31 classification system; amending s. 1001.10,

1 F.S.; requiring legislative approval of a
2 revised state plan to implement certain federal
3 requirements; creating s. 1001.215, F.S.;
4 creating the Just Read, Florida! Office in the
5 Department of Education; providing duties;
6 amending s. 1001.33, F.S.; conforming
7 provisions relating to the 2005 repeal of the
8 BEST Florida Teaching salary career ladder
9 program; amending s. 1001.41, F.S.; requiring
10 district school boards to adopt standards and
11 policies to provide to each student a complete
12 education program; amending s. 1001.42, F.S.,
13 relating to requirements of district plans for
14 school improvement; providing requirements for
15 district school boards in developing the plans;
16 repealing s. 1001.51(24), F.S., and amending s.
17 1001.54, F.S.; conforming provisions relating
18 to the 2005 repeal of the BEST Florida Teaching
19 salary career ladder program; requiring each
20 secondary school principal to implement a
21 school redesign component; amending s. 1003.01,
22 F.S.; revising the definition of the terms
23 "special education services" and "career
24 education"; amending s. 1003.05, F.S.; deleting
25 the requirement that certain children receive
26 preference for admission to special academic
27 programs; revising programs defined as "special
28 academic programs" for purposes of such
29 preference; amending s. 1003.21, F.S.;
30 requiring student exit interviews prior to
31 terminating school enrollment; amending s.

1 1003.415, F.S.; renaming the Middle Grades
2 Reform Act as the "Florida Secondary Schools
3 Redesign Act"; providing legislative purpose
4 and intent; requiring that school boards adopt
5 policies for the secondary school redesign
6 component; providing requirements for the
7 middle school plans and high school plans;
8 requiring each middle school to develop a
9 personalized academic and career plan for each
10 student; requiring that the plan be refined
11 each year; providing requirements for
12 remediation; requiring that the Department of
13 Education provide model personalized academic
14 and career plans; requiring public schools and
15 charter schools to provide a progress
16 monitoring plan for students who score below a
17 specified level on the FCAT; creating s.
18 1003.4156, F.S.; specifying general
19 requirements for middle school promotion;
20 requiring an intensive reading course under
21 certain circumstances; requiring school
22 district policies for implementation and
23 authorizing alternative methods for
24 progression; amending s. 1003.42, F.S.,
25 relating to required instruction; revising the
26 requirements for studying U.S. history and free
27 enterprise; creating s. 1003.428, F.S.;
28 providing revised requirements for high school
29 graduation; specifying the required courses;
30 requiring that certain courses be based on the
31 student's performance on the FCAT; requiring

1 that district school boards establish policies
2 for implementing secondary school reform;
3 requiring the Department of Education to
4 increase the number of courses that are
5 available to school districts; providing for
6 the State Board of Education to adopt rules;
7 amending s. 1003.429, F.S.; revising
8 requirements applicable to selecting an option
9 for accelerated high school graduation;
10 revising required courses for the 3-year
11 standard college preparatory program; deleting
12 provisions authorizing a student to select a
13 3-year standard career preparatory program;
14 revising requirements for grades that must be
15 earned to participate in the accelerated
16 program; providing for default to the standard
17 graduation requirements in certain
18 circumstances; amending s. 1003.437, F.S.;
19 including middle grades in the uniform grading
20 system; amending s. 1003.491, F.S.; including
21 within career education personal and career
22 plans; creating s. 1003.493, F.S.; defining the
23 term "career and professional academy";
24 providing academy goals and duties; providing
25 types of career and professional academies;
26 providing for the approval of career education
27 courses as core curricula courses under certain
28 circumstances; creating s. 1003.494, F.S.;
29 requiring the Department of Education to
30 establish a Career High-Skill Occupational
31 Initiative for Career Education (CHOICE)

1 project as a competitive process for the
2 designation of school district participants and
3 CHOICE academies; providing eligibility
4 criteria for such designation; providing duties
5 of school districts and the department;
6 providing for the award to certain school
7 districts of startup funds for the development
8 of CHOICE academies; creating s. 1003.495,
9 F.S.; requiring the department to establish a
10 comprehensive career academy project to provide
11 for the designation of comprehensive career
12 academies; providing duties of the department;
13 providing for assessment of academies; amending
14 s. 1003.43, F.S.; requiring district school
15 board student progression plans to provide for
16 the substitution of certain courses for credit
17 requirements for high school graduation;
18 amending ss. 288.9015 and 445.004, F.S. ;
19 providing duties of Enterprise Florida, Inc.,
20 and Workforce Florida, Inc., to conform;
21 amending s. 1003.57, F.S.; providing guidelines
22 for determining the residency of a student who
23 receives instruction as an exceptional student
24 with a disability; requiring the student's
25 placing authority or parent to pay the cost of
26 such instruction, facilities, and services;
27 providing responsibilities of the Department of
28 Education; providing responsibilities of
29 residential facilities that educate exceptional
30 students with disabilities; providing
31 applicability; creating s. 1003.576, F.S. ;

1 requiring the Department of Education to
2 develop an individual education plan form for
3 use in developing and implementing individual
4 education plans for exceptional students;
5 requiring school districts to use the form;
6 amending s. 1003.58, F.S.; correcting a
7 cross-reference; amending s. 1003.62, F.S.;
8 conforming provisions relating to the
9 designation of school grades and
10 differentiated-pay polices; creating s.
11 1004.64, F.S.; establishing the Florida Center
12 for Reading Research; specifying the duties of
13 the center; amending s. 1006.09, F.S.;
14 conforming a cross-reference; amending s.
15 1007.21, F.S.; revising the readiness
16 requirements for postsecondary education and
17 the workplace; amending s. 1007.2615, F.S.;
18 revising the date by which a teacher of
19 American Sign Language must be certified;
20 deleting a provision allowing alternative
21 certification; amending s. 1007.271, F.S.;
22 revising the weighting systems for certain high
23 school courses; amending s. 1008.22, F.S.;
24 specifying FCAT grade level and subject area
25 testing requirements; requiring documentation
26 of procedures that ensure test difficulty under
27 certain circumstances; requiring the State
28 Board of Education to conduct concordance
29 studies to determine FCAT equivalencies for
30 high school graduation; deleting a limitation
31 on and specifying requirements for the use of

1 alternative assessments to the grade 10 FCAT;
2 requiring an annual report on student
3 performance; amending s. 1008.25, F.S.;
4 revising requirements for assessment and
5 remediation; requiring that students be
6 provided with strategies for intervention and
7 instruction; repealing s. 1008.301, F.S.,
8 relating to a concordance study of FCAT
9 equivalencies for high school graduation;
10 amending s. 1008.31, F.S.; revising goals and
11 measures of the K-20 performance accountability
12 system and requiring data quality improvements;
13 providing for development of reporting or data
14 collection requirements; amending s. 1008.33,
15 F.S.; conforming a cross-reference and
16 provisions relating to the designation of
17 school grades; amending s. 1008.34, F.S.;
18 revising terminology and provisions relating to
19 designation and determination of school grades;
20 providing for the designation of school grades
21 for feeder pattern schools under certain
22 circumstances; requiring that a school
23 performance grade category designation include
24 achievement scores and, by a specified
25 deadline, include learning gains for students
26 seeking a special diploma; specifying use of
27 assessment data with respect to alternative
28 schools; defining the term "home school";
29 requiring an annual school report card to be
30 published by the department and distributed by
31 school districts; creating s. 1008.341, F.S.;

1 requiring improvement ratings for certain
2 alternative schools; providing the basis for
3 such ratings and requiring annual performance
4 reports; providing for determination of school
5 improvement ratings, identification of learning
6 gains, and eligibility for school recognition
7 awards; requiring the development and
8 distribution of an annual school report card;
9 amending s. 1008.345, F.S.; conforming
10 cross-references and provisions relating to the
11 designation of school grades; amending s.
12 1011.62, F.S.; providing FTE funding for
13 juveniles enrolled in specified education
14 programs; providing funding for supplemental
15 educational programs; providing funding for
16 supplemental educational services for certain
17 students; conforming cross-references and
18 provisions relating to the designation of
19 school grades; establishing a research-based
20 reading instruction allocation to provide funds
21 for a comprehensive reading instruction system;
22 requiring school district plans for use of the
23 allocation and approval thereof; including the
24 allocation in the total amount allocated to
25 each school district for current operation;
26 amending s. 1011.64, F.S.; conforming
27 terminology and a cross-reference; amending s.
28 1011.685, F.S.; conforming provisions relating
29 to the 2005 repeal of the BEST Florida Teaching
30 salary career ladder program and implementation
31 of a differentiated-pay policy; amending s.

1 1011.71, F.S.; correcting a cross-reference;
2 amending s. 1012.21, F.S.; requiring the
3 department to annually post online school
4 district collective bargaining contracts and
5 the salary and benefits of certain personnel;
6 amending s. 1012.22, F.S.; requiring that each
7 school district adopt a differentiated-pay
8 policy meeting specified criteria; requiring
9 each district school board to annually provide
10 to the department its negotiated collective
11 bargaining contract and the salary and benefits
12 of certain personnel; creating s. 1012.2315,
13 F.S.; providing school district requirements
14 for the assignment of teachers and authorizing
15 incentives; providing procedures for
16 noncompliance; providing requirements relating
17 to collective bargaining; requiring reporting
18 by certain schools; amending s. 1012.27, F.S.;
19 conforming provisions relating to the 2005
20 repeal of the BEST Florida Teaching salary
21 career ladder program and implementation of a
22 differentiated-pay policy; amending s. 1012.28,
23 F.S.; conforming a cross-reference; amending s.
24 1012.34, F.S.; conforming provisions relating
25 to deletion of a rigorous reading requirement;
26 amending s. 1012.56, F.S., relating to middle
27 grades certification; encouraging school
28 districts to provide for additional
29 certification for teachers; amending s.
30 1012.98, F.S., relating to the School Community
31 Professional Development Act; revising the

1 purpose of the professional development system;
2 providing for additional activities; requiring
3 instructional strategies and methods that
4 support rigorous, relevant, and challenging
5 curriculum; providing requirements for followup
6 support and the master plan for inservice
7 activities; providing requirements for the
8 individual professional development plan for
9 instructional employees; requiring the
10 department to disseminate best-practice methods
11 and model professional development programs;
12 creating s. 1012.986, F.S.; providing for a
13 statewide system for the professional
14 development of school leaders consisting of a
15 collaborative network of professional
16 organizations; providing goals of the network;
17 repealing s. 1012.987, F.S., which requires the
18 State Board of Education to adopt rules through
19 which school principals may earn a leadership
20 designation; providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:
23

24 Section 1. The effectiveness-compensation plan known
25 as E-COMP or any comparable performance pay plan or policy, or
26 rule implementing such a plan or policy, adopted by the State
27 Board of Education on July 1, 2005, or thereafter may not
28 require school districts to implement such a plan, policy, or
29 rule before the beginning of the 2007-2008 school year.
30 However, a school district, in its sole discretion, may
31 voluntarily implement such a plan, policy, or rule before the

1 beginning of the 2007-2008 school year. This section shall
2 expire June 30, 2008.

3 Section 2. (1) The purpose of this section is to
4 implement the Ready to Work Initiative. The initiative is to
5 use assessments to identify specific skills that indicate a
6 competence level to enter a specific occupation and to provide
7 targeted instruction in the specific skills in which a student
8 has not demonstrated mastery. Upon the successful completion
9 of the assessments and instruction, the student is to be
10 provided a credential to inform prospective employers that he
11 or she has demonstrated the skills required for employment in
12 that occupation. Instruction must be Internet-based and must
13 be designed to address specific skill deficiencies identified
14 in the assessment. Instructors must be able to revise the
15 instruction for additional content or employer-identified
16 needs.

17 (2) The Ready to Work Initiative shall be conducted in
18 public schools, community colleges, area technical centers,
19 one-stop career centers, vocational rehabilitation centers,
20 and Department of Juvenile Justice programs and may be made
21 available to other entities that provide job training. The
22 Department of Education shall establish institutional
23 readiness criteria for program implementation and shall
24 coordinate with the Agency for Workforce Innovation to
25 implement the initiative, with full implementation in fiscal
26 year 2008-2009.

27 Section 3. Subsection (8) is added to section 11.90,
28 Florida Statutes, to read:

29 11.90 Legislative Budget Commission.--

30 (8) The commission shall review the proposed state
31 plans of the State Board of Education and the Commissioner of

1 Education which are required under federal law before those
2 plans are submitted.

3 Section 4. Paragraph (f) is added to subsection (3) of
4 section 20.15, Florida Statutes, to read:

5 20.15 Department of Education.--There is created a
6 Department of Education.

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

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

11 Section 5. Section 446.609, Florida Statutes, is
12 repealed.

13 Section 6. Subsection (4) of section 1000.03, Florida
14 Statutes, is amended to read:

15 1000.03 Function, mission, and goals of the Florida
16 K-20 education system.--

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

23 Section 7. Section 1000.041, Florida Statutes, is
24 repealed.

25 Section 8. Paragraph (g) of subsection (2) of section
26 1001.02, Florida Statutes, is amended to read:

27 1001.02 General powers of State Board of Education.--

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

30 (g) To approve plans for cooperating with the Federal
31 Government. Upon the 2007 reauthorization of the federal No

1 Child Left Behind Act of 2001, the Commissioner of Education
2 shall seek public input and secure legislative approval,
3 pursuant to s. 11.90(8), of the revised state plan prior to
4 submission.

5 Section 9. Subsections (1) and (14) of section
6 1001.03, Florida Statutes, are amended to read:

7 1001.03 Specific powers of State Board of Education.--

8 (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The
9 State Board of Education shall approve the student performance
10 standards known as the Sunshine State Standards in key
11 academic subject areas and grade levels. The state board shall
12 establish a schedule to facilitate the periodic review of the
13 standards to ensure adequate rigor, relevance, logical student
14 progression, and integration of reading, writing, and
15 mathematics across all subject areas. The standards review by
16 subject area must include participation of curriculum leaders
17 in other content areas, including the arts, to ensure valid
18 content area integration and to address the instructional
19 requirements of different learning styles. The process for
20 review and proposed revisions must include leadership and
21 input from the state's classroom teachers, school
22 administrators, and community colleges and universities, and
23 from representatives from business and industry who are
24 identified by local education foundations. A report including
25 proposed revisions must be submitted to the Governor, the
26 President of the Senate, and the Speaker of the House of
27 Representatives annually to coincide with the established
28 review schedule.

29 (14) UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT
30 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.--The State Board of
31 Education shall maintain ~~recommend to the Legislature by~~

1 ~~February 1, 2003,~~ a uniform classification system for school
2 district administrative and management personnel that will
3 facilitate the uniform coding of administrative and management
4 personnel to total district employees.

5 Section 10. Subsection (8) of section 1001.10, Florida
6 Statutes, is amended to read:

7 1001.10 Commissioner of Education; general powers and
8 duties.--The Commissioner of Education is the chief
9 educational officer of the state, and is responsible for
10 giving full assistance to the State Board of Education in
11 enforcing compliance with the mission and goals of the
12 seamless K-20 education system. To facilitate innovative
13 practices and to allow local selection of educational methods,
14 the State Board of Education may authorize the commissioner to
15 waive, upon the request of a district school board, State
16 Board of Education rules that relate to district school
17 instruction and school operations, except those rules
18 pertaining to civil rights, and student health, safety, and
19 welfare. The Commissioner of Education is not authorized to
20 grant waivers for any provisions in rule pertaining to the
21 allocation and appropriation of state and local funds for
22 public education; the election, compensation, and organization
23 of school board members and superintendents; graduation and
24 state accountability standards; financial reporting
25 requirements; reporting of out-of-field teaching assignments
26 under s. 1012.42; public meetings; public records; or due
27 process hearings governed by chapter 120. No later than
28 January 1 of each year, the commissioner shall report to the
29 Legislature and the State Board of Education all approved
30 waiver requests in the preceding year. Additionally, the
31 commissioner has the following general powers and duties:

1 (8) To develop and implement a plan for cooperating
2 with the Federal Government in carrying out any or all phases
3 of the educational program and to recommend policies for
4 administering funds that are appropriated by Congress and
5 apportioned to the state for any or all educational purposes.
6 Upon the 2007 reauthorization of the federal No Child Left
7 Behind Act of 2001, the Commissioner of Education shall seek
8 public input and secure legislative approval, pursuant to s.
9 11.90(8), of the revised state plan prior to submission.

10
11 The commissioner's office shall operate all statewide
12 functions necessary to support the State Board of Education
13 and the K-20 education system, including strategic planning
14 and budget development, general administration, and assessment
15 and accountability.

16 Section 11. Section 1001.215, Florida Statutes, is
17 created to read:

18 1001.215 Just Read, Florida! Office.--There is created
19 in the Department of Education the Just Read, Florida! office.
20 The office shall be fully accountable to the Commissioner of
21 Education and shall:

22 (1) Train highly effective reading coaches.

23 (2) Create multiple designations of effective reading
24 instruction, with accompanying credentials, which encourage
25 all teachers to integrate reading instruction into their
26 content areas.

27 (3) Train K-12 teachers, school principals, and
28 parents on research-based reading instructional strategies and
29 secondary teachers on effective instructional strategies for
30 teaching reading in the content areas with an emphasis on
31 technical text.

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

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

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

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

14 (8) Periodically review teacher certification
15 examinations, including alternative certification exams, to
16 ascertain whether the examinations measure the skills needed
17 for research-based reading instruction and instructional
18 strategies for teaching reading in the content areas.

19 (9) Work with teacher preparation programs approved
20 pursuant to s. 1004.04 to integrate research-based reading
21 instructional strategies and reading in the content area
22 instructional strategies into teacher preparation programs.

23 (10) Administer grants and perform other functions as
24 necessary to meet the goal that all students read at grade
25 level.

26 Section 12. Section 1001.33, Florida Statutes, is
27 amended to read:

28 1001.33 Schools under control of district school board
29 and district school superintendent.--

30 ~~(1)~~ Except as otherwise provided by law, all public
31 schools conducted within the district shall be under the

1 direction and control of the district school board with the
2 district school superintendent as executive officer.

3 ~~(2) Each district school board, each district school~~
4 ~~superintendent, and each district and school based~~
5 ~~administrator shall cooperate to apply the following guiding~~
6 ~~principles of Better Educated Students and Teachers (BEST)~~
7 ~~Florida Teaching:~~

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

9 ~~(b) Teachers maintain orderly, disciplined classrooms~~
10 ~~conducive to student learning.~~

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

13 ~~(d) Teachers are well rewarded for their students'~~
14 ~~high performance.~~

15 ~~(e) Teachers are most effective when served by~~
16 ~~exemplary school administrators.~~

17 Section 13. Subsection (3) of section 1001.41, Florida
18 Statutes, is amended to read:

19 1001.41 General powers of district school board.--The
20 district school board, after considering recommendations
21 submitted by the district school superintendent, shall
22 exercise the following general powers:

23 (3) Prescribe and adopt standards and policies to
24 provide each student the opportunity to receive a complete
25 education program, including language arts, mathematics,
26 science, social studies, health, physical education, foreign
27 languages, and the arts, as defined by the Sunshine State
28 Standards. The standards and policies must emphasize
29 integration and reinforcement of reading, writing, and
30 mathematics skills across all subjects, including career
31 awareness, career exploration, and career and technical

1 ~~education as are considered desirable by it for improving the~~
2 ~~district school system.~~

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

6 1001.42 Powers and duties of district school
7 board.--The district school board, acting as a board, shall
8 exercise all powers and perform all duties listed below:

9 (5) PERSONNEL.--

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

13 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
14 ACCOUNTABILITY.--Maintain a system of school improvement and
15 education accountability as provided by statute and State
16 Board of Education rule. This system of school improvement and
17 education accountability shall be consistent with, and
18 implemented through, the district's continuing system of
19 planning and budgeting required by this section and ss.
20 1008.385, 1010.01, and 1011.01. This system of school
21 improvement and education accountability shall include, but is
22 not limited to, the following:

23 (a) School improvement plans.--Annually approve and
24 require implementation of a new, amended, or continuation
25 school improvement plan for each school in the district.
26 ~~except that~~ A district school board may establish a district
27 school improvement plan that includes all schools in the
28 district operating for the purpose of providing educational
29 services to youth in Department of Juvenile Justice programs.
30 Such plan shall be designed to achieve the state education
31 priorities pursuant to s. 1000.03(5) and student performance

1 standards. Each plan must emphasize budget allocations and
2 professional development based on an analysis of student
3 achievement and other school performance data and must
4 include:
5 1. Professional development that supports enhanced and
6 differentiated instructional strategies to improve teaching
7 and learning.
8 2. Continuous use of disaggregated student achievement
9 data to determine effectiveness of instructional strategies.
10 3. Ongoing informal and formal assessments to monitor
11 individual student progress, including progress toward mastery
12 of the Sunshine State Standards, and to redesign instruction
13 if needed.
14 4. Alternative instructional delivery methods to
15 support remediation, acceleration, and enrichment strategies.
16
17 District school boards shall require schools to address other
18 matters of resource allocation as appropriate, such as
19 instructional materials and technologies that enhance teaching
20 and learning, staffing, student support services, school
21 safety and discipline strategies, student health and fitness,
22 and parental involvement. In addition, any school required to
23 implement a rigorous reading requirement pursuant to s.
24 1003.415 must include such component in its school improvement
25 plan. Each plan shall also address issues relative to budget,
26 training, instructional materials, technology, staffing,
27 student support services, specific school safety and
28 discipline strategies, student health and fitness, including
29 physical fitness, parental information on student health and
30 fitness, and indoor environmental air quality, and other
31 matters of resource allocation, as determined by district

1 ~~school board policy, and shall be based on an analysis of~~
2 ~~student achievement and other school performance data.~~

3 (b) Approval process.--Develop a process for approval
4 of a school improvement plan presented by an individual school
5 and its advisory council. In the event a district school board
6 does not approve a school improvement plan after exhausting
7 this process, the Department of Education shall be notified of
8 the need for assistance.

9 (c) Assistance and intervention.--

10 1. Develop a 2-year plan of increasing individualized
11 assistance and intervention for each school in danger of not
12 meeting state standards or making adequate progress, as
13 defined pursuant to statute and State Board of Education rule,
14 toward meeting the goals and standards of its approved school
15 improvement plan.

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

20 3. Develop a plan to encourage teachers with
21 demonstrated mastery in improving student performance to
22 remain at or transfer to a school with a designated as
23 ~~performance~~ grade of category "D" or "F" or to an alternative
24 school that serves disruptive or violent youths. If a
25 classroom teacher, as defined by s. 1012.01(2)(a), who meets
26 the definition of teaching mastery developed according to the
27 provisions of this paragraph, requests assignment to a school
28 designated with a ~~as~~ performance grade of category "D" or "F"
29 or to an alternative school that serves disruptive or violent
30 youths, the district school board shall make every practical
31 effort to grant the request.

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

6 (d) After 2 years.--Notify the Commissioner of
7 Education and the State Board of Education in the event any
8 school does not make adequate progress toward meeting the
9 goals and standards of a school improvement plan by the end of
10 2 years of failing to make adequate progress and proceed
11 according to guidelines developed pursuant to statute and
12 State Board of Education rule. School districts shall provide
13 intervention and assistance to schools in danger of being
14 designated with a ~~as~~ performance grade of ~~category~~ "F,"
15 failing to make adequate progress.

16 (e) Public disclosure.--Provide information regarding
17 performance of students and educational programs as required
18 pursuant to ss. 1008.22 and 1008.385 and implement a system of
19 school reports as required by statute and State Board of
20 Education rule that shall include schools operating for the
21 purpose of providing educational services to youth in
22 Department of Juvenile Justice programs, and for those
23 schools, report on the elements specified in s. 1003.52(19).
24 Annual public disclosure reports shall be in an easy-to-read
25 report card format and shall include the school's ~~student and~~
26 ~~school performance grade, high school graduation rate~~
27 calculated without GED tests, disaggregated by student
28 ethnicity, category designation and performance data as
29 specified in state board rule.

30 (f) School improvement funds.--Provide funds to
31 schools for developing and implementing school improvement

1 plans. Such funds shall include those funds appropriated for
2 the purpose of school improvement pursuant to s. 24.121(5)(c).

3 Section 15. Subsection (24) of section 1001.51,
4 Florida Statutes, is repealed.

5 Section 16. Paragraphs (c) and (d) of subsection (1)
6 and subsection (2) of section 1001.54, Florida Statutes, are
7 amended to read:

8 1001.54 Duties of school principals.--

9 (1)

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

14 ~~(c)(d)~~ The school principal shall fully support the
15 authority of each teacher and school bus driver to remove
16 disobedient, disrespectful, violent, abusive, uncontrollable,
17 or disruptive students from the classroom and the school bus
18 and, when appropriate and available, place such students in an
19 alternative educational setting.

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

23 Section 17. Paragraph (b) of subsection (3) and
24 subsection (4) of section 1003.01, Florida Statutes, are
25 amended to read:

26 1003.01 Definitions.--As used in this chapter, the
27 term:

28 (3)

29 (b) "Special education services" means specially
30 designed instruction and such related services as are
31 necessary for an exceptional student to benefit from

1 education. Such services may include: transportation;
2 diagnostic and evaluation services; social services; physical
3 and occupational therapy; speech and language pathology
4 services; job placement; orientation and mobility training;
5 brailleists, typists, and readers for the blind; interpreters
6 and auditory amplification; rehabilitation counseling;
7 transition services; mental health services; guidance and
8 career counseling; specified materials, assistive technology
9 devices, and other specialized equipment; and other such
10 services as approved by rules of the state board.

11 (4) "Career education" means education that provides
12 instruction for the following purposes:

13 (a) At the elementary, middle, and high ~~secondary~~
14 school levels, exploratory courses designed to give students
15 initial exposure to a broad range of occupations to assist
16 them in preparing their academic and occupational plans, and
17 practical arts courses that provide generic skills that may
18 apply to many occupations but are not designed to prepare
19 students for entry into a specific occupation. Career
20 education provided before high school completion must be
21 designed to strengthen ~~enhance~~ both occupational awareness and
22 academic skills integrated throughout all ~~through integration~~
23 ~~with~~ academic instruction.

24 (b) At the secondary school level, job-preparatory
25 instruction in the competencies that prepare students for
26 effective entry into an occupation, including diversified
27 cooperative education, work experience, and job-entry programs
28 that coordinate directed study and on-the-job training.

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

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

3 1003.05 Assistance to transitioning students from
4 military families.--

5 (3) Dependent children of active duty military
6 personnel who otherwise meet the eligibility criteria for
7 special academic programs offered through public schools shall
8 be given first preference for admission to such programs even
9 if the program is being offered through a public school other
10 than the school to which the student would generally be
11 assigned ~~and the school at which the program is being offered~~
12 ~~has reached its maximum enrollment~~. If such a program is
13 offered through a public school other than the school to which
14 the student would generally be assigned, the parent or
15 guardian of the student must assume responsibility for
16 transporting the student to that school. For purposes of this
17 subsection, special academic programs include ~~charter schools,~~
18 magnet schools, advanced studies programs, advanced placement,
19 dual enrollment, Advanced International Certificate of
20 Education, and International Baccalaureate.

21 Section 19. Paragraph (c) of subsection (1) of section
22 1003.21, Florida Statutes, is amended to read:

23 1003.21 School attendance.--

24 (1)

25 (c) A student who attains the age of 16 years during
26 the school year is not subject to compulsory school attendance
27 beyond the date upon which he or she attains that age if the
28 student files a formal declaration of intent to terminate
29 school enrollment with the district school board. The
30 declaration must acknowledge that terminating school
31 enrollment is likely to reduce the student's earning potential

1 and must be signed by the student and the student's parent.
2 The school district must notify the student's parent of
3 receipt of the student's declaration of intent to terminate
4 school enrollment. The student's guidance counselor or other
5 school personnel must conduct an exit interview with the
6 student to determine the reasons for the student's decision to
7 terminate school enrollment and actions that could be taken to
8 keep the student in school. The student must be informed of
9 opportunities to continue his or her education in a different
10 environment, including, but not limited to, adult education
11 and GED test preparation. Additionally, the student must
12 complete a survey in a format prescribed by the Department of
13 Education to provide data on student reasons for terminating
14 enrollment and actions taken by schools to keep students
15 enrolled.

16 Section 20. Section 1003.415, Florida Statutes, is
17 amended to read:

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

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

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

1 and business partners. It is the intent of the Legislature
2 that students entering 9th ~~promoted from the eighth~~ grade will
3 be prepared ~~ready~~ for success in high school and that students
4 graduating from high school will be prepared for postsecondary
5 education and the workforce.

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

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

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

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

1 students for rigorous high school courses, postsecondary
2 studies, and the world of work;
3 2. Instructional strategies to increase annually the
4 percentage of students enrolled in and successfully completing
5 algebra. Middle schools must provide at least one high school
6 course with priority given to algebra;
7 3. Integration of reading strategies in all content
8 areas, including the use of technical and informational text;
9 4. Comprehensive career exploration, which results in
10 the development of individual 4- to 5-year academic plans for
11 every student by the end of grade 8 pursuant to s. 1006.02.
12 The redesign component must include strategies for all
13 students to complete comprehensive career exploration
14 frameworks either through a stand-alone course or integrated
15 into other courses;
16 5. Organizational strategies as specified in s.
17 1003.02(4) which include small-group advisement, small
18 learning communities, or similar models to ensure enhanced
19 adult relationships for every student to support and sustain
20 rigorous and relevant academics;
21 6. Intensive remediation strategies to close skill
22 gaps, including summer academies;
23 7. Organizational strategies to encourage common
24 planning time and professional learning communities for
25 instructional and administrative staff;
26 8. Strategies to increase continuous monitoring of
27 student achievement using data and data analysis; and
28 9. Strategies to communicate redesign plans with
29 feeder pattern high schools in order to obtain input and
30 feedback and ensure continuous improvement of academic
31 achievement for all students.

1 (b) The high school redesign component must be based
2 on a sound and strategic preparation for postsecondary
3 education and the workforce and include the following:

4 1. Instructional strategies to increase rigor and
5 relevance throughout the curriculum to prepare high school
6 students for rigorous postsecondary studies and the demands of
7 the workplace;

8 2. Instructional strategies to increase annually the
9 percentage of students enrolled in and successful in
10 higher-level math courses, including algebra II and above;

11 3. Integration of reading strategies in all content
12 areas, including the use of technical and informational text;

13 4. Use and refinement of individual student 4- to
14 5-year academic and career plans as the basis for course
15 selection and enrollment pursuant to s. 1006.02;

16 5. Organizational strategies as specified in s.
17 1003.02(4) which include small group advisement, small
18 learning communities, or similar models to ensure enhanced
19 adult relationships with every student to support and sustain
20 rigorous and relevant academics;

21 6. Intensive remediation strategies to close skill
22 gaps, including summer academies;

23 7. Organizational strategies to encourage common
24 planning time and professional learning communities for
25 instructional and administrative staff;

26 8. Strategies to develop and refine 9th grade
27 academies to ensure successful transition to high school,
28 student engagement in rigorous coursework, and preparation for
29 postsecondary education and the workforce pursuant to s.
30 1006.02;

31

1 9. Strategies to share redesign plans with feeder
2 pattern middle schools in order to obtain input and feedback
3 and ensure continuous improvement of academic achievement for
4 all students;

5 10. Strategies to transform the senior year to enhance
6 student transition to postsecondary school and the workforce;
7 and

8 11. Strategies for developing or enhancing existing
9 career academies, pursuant to s. 1003.493.

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

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

27 (b) For secondary students who score below Level 3 in
28 reading or math on the most recently administered FCAT, the
29 personalized academic and career plan must also include a
30 provision for instructional assistance which includes
31 identification of the student's strengths and weaknesses,

1 intervention strategies, and continuous monitoring of the
2 student's progress in academic performance.

3 (c) The personalized academic and career plan must be
4 seamlessly incorporated into individual student plans required
5 by federal or state law.

6 (d) The Department of Education, with input from
7 school-based instructional leaders, shall post on the
8 department's website by December 1, 2006, a model 4- to 5-year
9 personalized academic and career plan consistent with and
10 transitional to the electronic Personal Education Planner.

11 ~~(4) CURRICULA AND COURSES. The Department of~~
12 ~~Education shall review course offerings, teacher~~
13 ~~qualifications, instructional materials, and teaching~~
14 ~~practices used in reading and language arts programs in the~~
15 ~~middle grades. The department must consult with the Florida~~
16 ~~Center for Reading Research at Florida State University, the~~
17 ~~Just Read, Florida! Office, reading researchers, reading~~
18 ~~specialists, and district supervisors of curriculum in the~~
19 ~~development of findings and recommendations. The Commissioner~~
20 ~~of Education shall make recommendations to the State Board of~~
21 ~~Education regarding changes to reading and language arts~~
22 ~~curricula in the middle grades based on research based proven~~
23 ~~effective programs. The State Board of Education shall adopt~~
24 ~~rules based upon the commissioner's recommendations no later~~
25 ~~than March 1, 2005. Implementation of new or revised reading~~
26 ~~and language arts courses in all middle grades shall be phased~~
27 ~~in beginning no later than the 2005-2006 school year with~~
28 ~~completion no later than the 2008-2009 school year.~~

29 ~~(5) RIGOROUS READING REQUIREMENT.—~~

30 ~~(a) Beginning with the 2004-2005 school year, each~~
31 ~~public school serving middle grade students, including charter~~

1 ~~schools, with fewer than 75 percent of its students reading at~~
2 ~~or above grade level in grade 6, grade 7, or grade 8 as~~
3 ~~measured by a student scoring at Level 3 or above on the FCAT~~
4 ~~during the prior school year, must incorporate by October 1 a~~
5 ~~rigorous reading requirement for reading and language arts~~
6 ~~programs as the primary component of its school improvement~~
7 ~~plan. The department shall annually provide to each district~~
8 ~~school board by June 30 a list of its schools that are~~
9 ~~required to incorporate a rigorous reading requirement as the~~
10 ~~primary component of the school's improvement plan. The~~
11 ~~department shall provide technical assistance to school~~
12 ~~districts and school administrators required to implement the~~
13 ~~rigorous reading requirement. The department shall annually~~
14 ~~provide to each district school board by June 30 a list of its~~
15 ~~schools that are required to incorporate a rigorous reading~~
16 ~~requirement as the primary component of the school's~~
17 ~~improvement plan. The department shall provide technical~~
18 ~~assistance to school districts and school administrators~~
19 ~~required to implement the rigorous reading requirement.~~

20 ~~(b) The purpose of the rigorous reading requirement is~~
21 ~~to assist each student who is not reading at or above grade~~
22 ~~level to do so before entering high school. The rigorous~~
23 ~~reading requirement must include for a middle school's~~
24 ~~low performing student population specific areas that address~~
25 ~~phonemic awareness, phonics, fluency, comprehension, and~~
26 ~~vocabulary; the desired levels of performance in those areas;~~
27 ~~and the instructional and support services to be provided to~~
28 ~~meet the desired levels of performance. The school shall use~~
29 ~~research based reading activities that have been shown to be~~
30 ~~successful in teaching reading to low performing students.~~

31

1 ~~(c) Schools required to implement the rigorous reading~~
2 ~~requirement must provide quarterly reports to the district~~
3 ~~school superintendent on the progress of students toward~~
4 ~~increased reading achievement.~~

5 ~~(d) The results of implementation of a school's~~
6 ~~rigorous reading requirement shall be used as part of the~~
7 ~~annual evaluation of the school's instructional personnel and~~
8 ~~school administrators as required in s. 1012.34.~~

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

11 ~~(a) The department shall conduct a study on how the~~
12 ~~overall academic performance of middle grade students and~~
13 ~~schools can be improved. The department must consult with the~~
14 ~~Florida Center for Reading Research at Florida State~~
15 ~~University, the Just Read, Florida! Office, and key education~~
16 ~~stakeholders, including district school board members,~~
17 ~~district school superintendents, principals, parents,~~
18 ~~teachers, district supervisors of curriculum, and students~~
19 ~~across the state, in the development of its findings and~~
20 ~~recommendations. The department shall review, at a minimum,~~
21 ~~each of the following elements:~~

22 ~~1. Academic expectations, which include, but are not~~
23 ~~limited to:~~

24 ~~a. Alignment of middle school expectations with~~
25 ~~elementary and high school graduation requirements.~~

26 ~~b. Best practices to improve reading and language arts~~
27 ~~courses based on research based programs for middle school~~
28 ~~students in alignment with the Sunshine State Standards.~~

29 ~~c. Strategies that focus on improving academic success~~
30 ~~for low performing students.~~

31 ~~d. Rigor of curricula and courses.~~

1 ~~e. Instructional materials.~~
2 ~~f. Course enrollment by middle school students.~~
3 ~~g. Student support services.~~
4 ~~h. Measurement and reporting of student achievement.~~
5 ~~2. Attendance policies and student mobility issues.~~
6 ~~3. Teacher quality, which includes, but is not limited~~
7 ~~to:~~
8 ~~a. Preparedness of teachers to teach rigorous courses~~
9 ~~to middle school students.~~
10 ~~b. Teacher evaluations.~~
11 ~~c. Substitute teachers.~~
12 ~~d. Certification and recertification requirements.~~
13 ~~e. Staff development requirements.~~
14 ~~f. Availability of effective staff development~~
15 ~~training.~~
16 ~~g. Teacher recruitment and vacancy issues.~~
17 ~~h. Federal requirements for highly qualified teachers~~
18 ~~pursuant to the No Child Left Behind Act of 2001.~~
19 ~~4. Identification and availability of diagnostic~~
20 ~~testing.~~
21 ~~5. Availability of personnel and scheduling issues.~~
22 ~~6. Middle school leadership and performance.~~
23 ~~7. Parental and community involvement.~~
24 ~~(b) By December 1, 2004, the Commissioner of Education~~
25 ~~shall submit to the President of the Senate, the Speaker of~~
26 ~~the House of Representatives, the chairs of the education~~
27 ~~committees in the Senate and the House of Representatives, and~~
28 ~~the State Board of Education recommendations to increase the~~
29 ~~academic performance of middle grade students and schools.~~
30 ~~(7) PERSONALIZED MIDDLE SCHOOL SUCCESS PLAN.~~
31

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

19 ~~(b) The personalized middle school success plan must:~~
20 ~~1. Identify educational goals and intermediate~~
21 ~~benchmarks for the student in the core curriculum areas which~~
22 ~~will prepare the student for high school.~~
23 ~~2. Be based upon academic performance data and an~~
24 ~~identification of the student's strengths and weaknesses.~~
25 ~~3. Include academic intervention strategies with~~
26 ~~frequent progress monitoring.~~
27 ~~4. Provide innovative methods to promote the student's~~
28 ~~advancement which may include, but not be limited to, flexible~~
29 ~~scheduling, tutoring, focus on core curricula, online~~
30 ~~instruction, an alternative learning environment, or other~~
31

1 ~~interventions that have been shown to accelerate the learning~~
2 ~~process.~~

3 ~~(c) The personalized middle school success plan must~~
4 ~~be incorporated into any individual student plan required by~~
5 ~~federal or state law, including the academic improvement plan~~
6 ~~required in s. 1008.25, an individual education plan (IEP) for~~
7 ~~a student with disabilities, a federal 504 plan, or an ESOL~~
8 ~~plan.~~

9 ~~(d) The Department of Education shall provide~~
10 ~~technical assistance for districts, school administrators, and~~
11 ~~instructional personnel regarding the development of~~
12 ~~personalized middle school success plans. The assistance shall~~
13 ~~include strategies and techniques designed to maximize~~
14 ~~interaction between students, parents, teachers, and other~~
15 ~~instructional and administrative staff while minimizing~~
16 ~~paperwork.~~

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

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

21 ~~(b) The State Board of Education shall have authority~~
22 ~~pursuant to s. 1008.32 to enforce the provisions of this~~
23 ~~section.~~

24 Section 21. Section 1003.4156, Florida Statutes, is
25 created to read:

26 1003.4156 General requirements for middle school
27 promotion.--

28 (1) Beginning with students entering grade 6 in the
29 2006-2007 school year, promotion from a middle school with
30 grades 6 through 8 requires that:

31

1 (a) A student must successfully complete academic
2 courses as follows:

3 1. Three middle school or higher courses in
4 English/language arts. These courses shall emphasize
5 literature, composition, and technical and informational text.

6 2. Three middle school or higher courses in
7 mathematics. School districts must offer at least one high
8 school level mathematics course for which students may earn
9 high school credit.

10 3. Three middle school or higher courses in social
11 studies.

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

13 5. One course in career and education planning to be
14 completed in 7th or 8th grade. The course may be taught by any
15 member of the instructional staff; must include career
16 exploration using CHOICES for the 21st Century or a comparable
17 cost-effective program; must include educational planning
18 using the online student advising system known as Florida
19 Academic Counseling and Tracking for Students at the Internet
20 website FACTS.org; and shall result in the completion of a
21 personalized academic and career plan. Each student's plan
22 must be signed by the student, the student's guidance
23 counselor or academic advisor, and the student's parent. By
24 January 1, 2007, the Department of Education shall develop
25 course frameworks and professional development materials for
26 the career and education planning course to be implemented as
27 a stand-alone course or integrated into another course or
28 courses.

29 (b) For each year in which a student scores at Level 1
30 on FCAT reading, the student must be enrolled in and complete
31 an intensive reading course the following year. Placement of

1 Level 2 readers in either an intensive reading course or a
2 content area course in which reading strategies are delivered
3 shall be determined by diagnosis of appropriate strategies for
4 targeting the varying instructional needs of students who are
5 reading below grade level. Reading courses must be designed
6 and offered pursuant to the reading instruction plan required
7 by s. 1001.62(8).

8 (c) For each year in which a student scores at Level 1
9 on FCAT mathematics, the student must complete an intensive
10 mathematics course the following year, which may be integrated
11 into the student's required mathematics course. These courses
12 are subject to approval by the department for inclusion in the
13 Course Code Directory.

14 (d) Additional course requirements for middle-grades
15 promotion shall be determined by each school district in the
16 pupil progression plan, which may include additional academic
17 courses, including the fine and performing arts, physical
18 education, or career and technical education, in order to
19 provide a complete education program as defined in s.
20 1001.41(3).

21 (2) District school boards shall establish policies to
22 implement the requirements of this section. The policies must
23 include procedures for placing and promoting students who
24 enter a Florida public school at the sixth, seventh, or eighth
25 grade from out of state or from a foreign country. The
26 policies may allow alternative methods for students to
27 demonstrate competency in the courses required by this
28 section. School districts shall emphasize alternative methods
29 for students scoring at Level 1 on FCAT Reading who have been
30 retained in elementary school. The alternatives shall include,
31 but are not limited to, opportunities for students to:

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

2 (b) Be placed in programs that emphasize applied
3 integrated curricula, small learning communities, career
4 exploration, support services, alternative discipline, or
5 other strategies documented to improve student achievement.

6
7 Within 30 days after adoption, the school district's policies
8 shall be submitted to the State Board of Education for
9 approval. The school district's policies shall be
10 automatically approved unless specifically rejected by the
11 State Board of Education within 60 days after receipt.

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

16 Section 22. Section 1003.42, Florida Statutes, is
17 amended to read:

18 1003.42 Required instruction.--

19 (1) Each district school board shall provide all
20 courses required for middle grades promotion, high school
21 graduation, and appropriate instruction designed to ensure
22 that students meet State Board of Education adopted standards
23 in the following subject areas: reading and other language
24 arts, mathematics, science, social studies, foreign languages,
25 health and physical education, and the arts.

26 (2) Members of the instructional staff of the public
27 schools, subject to the rules of the State Board of Education
28 and the district school board, shall teach efficiently and
29 faithfully, using the books and materials required that meet
30 the highest standards for professionalism and historic

31

1 accuracy, following the prescribed courses of study, and
2 employing approved methods of instruction, the following:

3 (a) The history and content of the Declaration of
4 Independence, including national sovereignty, natural law,
5 self-evident truth, equality of all persons, limited
6 government, popular sovereignty, and inalienable rights of
7 life, liberty, and property, and how they form it forms the
8 philosophical foundation of our government.

9 (b) The history, meaning, significance, and effect of
10 the provisions of the Constitution of the United States and
11 amendments thereto, with emphasis on each of the 10 amendments
12 that make up the Bill of Rights and how the constitution
13 provides the structure of our government.

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

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

19 (d) Flag education, including proper flag display and
20 flag salute.

21 (e) The elements of civil government, including the
22 primary functions of and interrelationships between the
23 Federal Government, the state, and its counties,
24 municipalities, school districts, and special districts.

25 (f) The history of the United States, including the
26 period of discovery, early colonies, the War for Independence,
27 the Civil War, the expansion of the United States to its
28 present boundaries, the world wars, and the civil rights
29 movement to the present. American history shall be viewed as
30 factual, not as constructed, shall be viewed as knowable,
31 teachable, and testable, and shall be defined as the creation

1 of a new nation based largely on the universal principles
2 stated in the Declaration of Independence.

3 ~~(g)(f)~~ The history of the Holocaust (1933-1945), the
4 systematic, planned annihilation of European Jews and other
5 groups by Nazi Germany, a watershed event in the history of
6 humanity, to be taught in a manner that leads to an
7 investigation of human behavior, an understanding of the
8 ramifications of prejudice, racism, and stereotyping, and an
9 examination of what it means to be a responsible and
10 respectful person, for the purposes of encouraging tolerance
11 of diversity in a pluralistic society and for nurturing and
12 protecting democratic values and institutions.

13 ~~(h)(g)~~ The history of African Americans, including the
14 history of African peoples before the political conflicts that
15 led to the development of slavery, the passage to America, the
16 enslavement experience, abolition, and the contributions of
17 African Americans to society.

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

19 ~~(j)(i)~~ The true effects of all alcoholic and
20 intoxicating liquors and beverages and narcotics upon the
21 human body and mind.

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

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

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

25 ~~(n)(m)~~ Comprehensive health education that addresses
26 concepts of community health; consumer health; environmental
27 health; family life, including an awareness of the benefits of
28 sexual abstinence as the expected standard and the
29 consequences of teenage pregnancy; mental and emotional
30 health; injury prevention and safety; nutrition; personal
31

1 health; prevention and control of disease; and substance use
2 and abuse.

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

7 ~~(p)(o)~~ The study of Hispanic contributions to the
8 United States.

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

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

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

17 Beginning in school year 2004-2005, the character-development
18 program shall be required in kindergarten through grade 12.
19 Each district school board shall develop or adopt a curriculum
20 for the character-development program that shall be submitted
21 to the department for approval. The character-development
22 curriculum shall stress the qualities of patriotism;i7
23 responsibility;i7 citizenship;i7 kindness;i7 respect for
24 authority, life, liberty, and personal property;7 honesty;i
25 charity;7 self-control;i7 racial, ethnic, and religious
26 tolerance;i7 and cooperation.

27 ~~(t)(r)~~ In order to encourage patriotism, the
28 sacrifices that veterans have made in serving our country and
29 protecting democratic values worldwide. Such instruction must
30 occur on or before Veterans' Day and Memorial Day. Members of
31

1 the instructional staff are encouraged to use the assistance
2 of local veterans when practicable.

3
4 The State Board of Education is encouraged to adopt standards
5 and pursue assessment of the requirements of this subsection.

6 (3) Any student whose parent makes written request to
7 the school principal shall be exempted from the teaching of
8 reproductive health or any disease, including HIV/AIDS, its
9 symptoms, development, and treatment. A student so exempted
10 may not be penalized by reason of that exemption. Course
11 descriptions for comprehensive health education shall not
12 interfere with the local determination of appropriate
13 curriculum which reflects local values and concerns.

14 Section 23. Section 1003.428, Florida Statutes, is
15 created to read:

16 1003.428 General requirements for high school
17 graduation; revised.--

18 (1) Except as otherwise authorized pursuant to s.
19 1003.429, beginning with students entering their first year of
20 high school in the 2007-2008 school year, graduation requires
21 the successful completion of a minimum of 24 credits or an
22 Advanced International Certificate of Education Curriculum or
23 an International Baccalaureate curriculum.

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

27 (a) Sixteen core curriculum credits:

28 1. Four credits in English, with major concentration
29 in composition, technical reading, and literature.

30
31

1 2. Four credits in mathematics, one of which must be
2 Algebra I, a series of courses equivalent to Algebra I, or a
3 higher-level mathematics course.

4 3. Three credits in science, two of which must have a
5 laboratory component.

6 4. Three credits in social studies as follows: one
7 credit in American history; one credit in world history;
8 one-half credit in economics; and one-half credit in American
9 government.

10 5. One credit in fine arts.

11 6. One credit in physical education.

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

13 1. Four credits in a major area of study selected by
14 the student as part of the career and education plan required
15 by s. 1003.4156. The State Board of Education shall approve
16 major areas of study. School districts may submit proposals
17 for new majors to the State Board of Education which, upon
18 approval, shall be available for use by all school districts.

19 2. Four credits in elective courses selected by the
20 student as part of the career and education plan required by
21 s. 1003.4156. These credits may be combined to allow for a
22 second major area of study pursuant to subparagraph 1.; a
23 minor area of study, or elective courses, intensive reading,
24 or mathematics intervention courses; or credit-recovery
25 courses as described in this subparagraph.

26 a. Minor areas of study are composed of three credits
27 and approved by the State Board of Education. School districts
28 may submit proposals for new minor areas of study to the State
29 Board of Education which, upon approval, shall be available
30 for use by all school districts.

31

1 b. Elective courses are selected by the student in
2 order to pursue a complete education program as described in
3 s. 1001.41(3).

4 c. Intensive reading or mathematics intervention
5 courses are based on student performance on the FCAT. These
6 courses should be competency based and offered through
7 innovative delivery systems, including computer-assisted
8 instruction. School districts should use learning gains, other
9 appropriate data, and incentives to identify and reward
10 high-performing teachers in reading and mathematics who teach
11 intensive-intervention courses.

12 (I) For each year in which a student scores at Level 1
13 on FCAT reading, the student must be enrolled in and complete
14 an intensive reading course the following year. Placement of
15 Level 2 readers in either an intensive reading course or a
16 content area course in which reading strategies are delivered
17 shall be determined by diagnosis of reading needs. The
18 Department of Education shall provide guidance on appropriate
19 strategies for targeting the varying instructional needs of
20 students who are reading below grade level. Reading courses
21 must be designed and offered pursuant to the reading
22 instruction plan required by s. 1001.62(8).

23 (II) For each year in which a student scores at Level
24 1 on FCAT mathematics, the student must complete an intensive
25 mathematics course the following year. These courses are
26 subject to approval by the Department of Education for
27 inclusion in the Course Code Directory.

28 d. Credit-recovery courses are provided so that
29 students can simultaneously earn an elective credit and the
30 recovered credit. These courses should be competency based and
31

1 offered through innovative delivery systems, including
2 computer-assisted instruction.

3 (3) District school boards shall establish policies to
4 implement the requirements of secondary school reform pursuant
5 to s. 1003.415. The policies must address each of the
6 following:

7 (a) Applied, integrated, and combined courses that
8 provide flexibility for students to enroll in creative majors
9 and minors, elective courses, and credit-recovery courses.

10 (b) Procedures for placing and promoting students who
11 enter high school from out of state or from a foreign country.
12 The policies may allow alternative methods for students to
13 demonstrate competency in the courses required by this
14 section.

15 (c) Grade forgiveness.

16 (d) Summer academies for students to receive intensive
17 intervention courses in reading and mathematics or competency
18 based credit-recovery courses. A student's participation in an
19 instructional or remediation program prior to or immediately
20 following entering grade 9 for the first time shall not affect
21 that student's classification as a first-time 9th grader for
22 reporting purposes, including calculation of graduation and
23 dropout rates.

24 (e) Strategies to support teachers' pursuit of the
25 reading endorsement and emphasize reading instruction
26 professional development for content area teachers.

27 (f) Creative and flexible alternative scheduling
28 designed to meet student needs.

29 (g) Career and education planning for students who do
30 not have a 4- to 5-year academic and career plan. Each
31 student's plan must be signed by the student, the student's

1 guidance counselor or academic advisor and the student's
2 parent.

3 (h) Tools for parents to regularly monitor student
4 progress and communicate with teachers.

5 (i) Additional course requirements for graduation
6 which may be determined by each school district in the student
7 progression plan.

8 (4) The Department of Education shall increase the
9 number of approved applied, integrated, and combined courses
10 available to school districts and shall coordinate policies
11 and assistance across the department in order to support the
12 successful implementation of this section by school districts.
13 Courses submitted for approval by school districts, including
14 those that combine technical skills and academic content, must
15 be received by the Department of Education no later than 5
16 months before the beginning of the school term in which such
17 courses are planned to be offered. The State Board of
18 Education must approve or disapprove courses no later than 3
19 months before the school term in which such courses are
20 planned to be offered. The Department of Education shall
21 present newly proposed courses to the board for approval a
22 minimum of three times annually.

23 (5) The provisions of this section shall supersede any
24 conflicting provisions of s. 1003.43.

25 Section 24. Section 1003.429, Florida Statutes, is
26 amended to read:

27 1003.429 Accelerated high school graduation options.--

28 (1) Students who enter grade 9 in the 2006-2007
29 2004-2005 school year and thereafter may select, upon receipt
30 of each consent required by this section, one of the following
31 two ~~three~~ high school graduation options:

1 (a) Completion of the general requirements for high
2 school graduation pursuant to s. 1003.43; or

3 (b) Completion of a 3-year standard college
4 preparatory program requiring successful completion of a
5 minimum of 18 academic credits in grades 9 through 12. At
6 least 6 of the 18 credits required for completion of this
7 program must be received in classes that are offered pursuant
8 to the International Baccalaureate Program administered by the
9 International Baccalaureate Office or the Advanced Placement
10 Program administered by the College Board ~~honors, dual~~
11 ~~enrollment, advanced placement, International Baccalaureate,~~
12 ~~Advanced International Certificate of Education, specifically~~
13 ~~listed or identified by the Department of Education as~~
14 ~~rigorous pursuant to s. 1009.531(3), or weighted by the~~
15 ~~district school board for class ranking purposes.~~ The 18
16 credits required for completion of this program shall be
17 primary requirements and shall be distributed as follows:

18 1. Four credits in English, with major concentration
19 in composition and literature;

20 2. Three credits in mathematics at the Algebra I level
21 or higher from the list of courses that qualify for state
22 university admission;

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

25 4. Three credits in social sciences, which must
26 include one credit in American history, one credit in world
27 history, one-half credit in American government, and one-half
28 credit in economics;

29 5. Two credits in the same second language unless the
30 student is a native speaker of or can otherwise demonstrate
31 competency in a language other than English. If the student

1 demonstrates competency in another language, the student may
2 replace the language requirement with two credits in other
3 academic courses; and

4 6. Three credits in electives; ~~or~~

5 ~~(c) Completion of a 3 year career preparatory program~~
6 ~~requiring successful completion of a minimum of 18 academic~~
7 ~~credits in grades 9 through 12. The 18 credits shall be~~
8 ~~primary requirements and shall be distributed as follows:~~

9 1. ~~Four credits in English, with major concentration~~
10 ~~in composition and literature;~~

11 2. ~~Three credits in mathematics, one of which must be~~
12 ~~Algebra I;~~

13 3. ~~Three credits in natural science, two of which must~~
14 ~~have a laboratory component;~~

15 4. ~~Three credits in social sciences, which must~~
16 ~~include one credit in American history, one credit in world~~
17 ~~history, one half credit in American government, and one half~~
18 ~~credit in economics;~~

19 5. ~~Three credits in a single vocational or career~~
20 ~~education program, three credits in career and technical~~
21 ~~certificate dual enrollment courses, or five credits in~~
22 ~~vocational or career education courses; and~~

23 6. ~~Two credits in electives unless five credits are~~
24 ~~earned pursuant to subparagraph 5.~~

25
26 Any student who selected an accelerated graduation program
27 before July 1, 2004, may continue that program, and all
28 statutory program requirements that were applicable when the
29 student made the program choice shall remain applicable to the
30 student as long as the student continues that program.

31

1 (2) Prior to selecting a program described in
2 paragraph (1)(b) ~~or paragraph (1)(c)~~, a student and the
3 student's parent must meet with designated school personnel to
4 receive an explanation of the relative requirements,
5 advantages, and disadvantages of each program option, and the
6 student must also receive the written consent of the student's
7 high school principal, high school guidance counselor, and
8 parent. ~~the following requirements must be met:~~

9 ~~(a) Designated school personnel shall meet with the~~
10 ~~student and student's parent to give an explanation of the~~
11 ~~relative requirements, advantages, and disadvantages of each~~
12 ~~graduation option.~~

13 ~~(b) The student shall submit to the high school~~
14 ~~principal and guidance counselor a signed parental consent to~~
15 ~~enter the 3 year accelerated graduation program.~~

16 ~~(c) The student shall have achieved at least an FCAT~~
17 ~~reading achievement level of 3, an FCAT mathematics~~
18 ~~achievement level of 3, and an FCAT Writing score of 3 on the~~
19 ~~most recent assessments taken by the student.~~

20 (3) Beginning with the 2006-2007 ~~2004-2005~~ school
21 year, each district school board shall provide each student in
22 grades 6 through 9 and their parents with information
23 concerning the 3-year and 4-year high school graduation
24 options listed in subsection (1), including the respective
25 curriculum requirements for those options, so that the
26 students and their parents may select the program
27 ~~postsecondary education or career plan~~ that best fits their
28 needs. The information must ~~shall~~ include a timeframe for
29 achieving each graduation option.

30 (4) Selection of one of the graduation options listed
31 in subsection (1) must be completed by the student prior to

1 | the end of grade 9 and is exclusively up to the student and
2 | parent, subject to the requirements in subsection (2). Each
3 | district school board shall establish policies for extending
4 | this deadline to the end of a student's first semester of
5 | grade 10 for a student who entered a Florida public school
6 | after grade 9 upon transfer from a private school or another
7 | state or who was prevented from choosing a graduation option
8 | due to illness during grade 9. If the student and parent fail
9 | to select a graduation option, the student shall be considered
10 | to have selected the general requirements for high school
11 | graduation pursuant to paragraph (1)(a).

12 | (5) District school boards ~~may shall~~ not establish
13 | requirements for the accelerated 3-year high school graduation
14 | ~~option options~~ in excess of the requirements in paragraph
15 | ~~paragraphs~~ (1)(b) ~~and (c)~~.

16 | (6) Students pursuing the accelerated 3-year high
17 | school graduation ~~option options~~ pursuant to paragraph (1)(b)
18 | ~~or paragraph (1)(c)~~ are required to:

19 | (a) Earn passing scores on the FCAT as defined in s.
20 | 1008.22(3)(c) or scores on a standardized test that are
21 | concordant with passing scores on the FCAT as defined in s.
22 | 1008.22(9).

23 | (b)1. Achieve a cumulative ~~weighted~~ grade point
24 | average of 3.5 ~~3.0~~ on a 4.0 scale, or its equivalent, in the
25 | courses required for the ~~college preparatory~~ accelerated
26 | 3-year standard college preparatory program under high school
27 | ~~graduation option pursuant to paragraph (1)(b); and or~~

28 | 2. Receive a grade no lower than a "B" or its
29 | equivalent, representing at least 3.0 points on a 4.0 scale,
30 | in any course taken in connection with the accelerated 3-year
31 | standard college preparatory program under paragraph (1)(b).

1 If any student participating in the accelerated 3-year
2 standard college preparatory program does not meet this
3 requirement, the student shall be required to complete the
4 general requirements for high school graduation pursuant to s.
5 1003.43.

6 (7) A student who selects the accelerated 3-year
7 standard college preparatory graduation program may change at
8 any time to the 4-year program set forth in s. 1003.43.

9 (8) If, at the end of the 10th grade, a student is not
10 on track to meet the course, testing, grade, or
11 grade-point-average requirements of the accelerated graduation
12 option, the student shall default to the standard 4-year
13 graduation option.

14 ~~2. Achieve a cumulative weighted grade point average~~
15 ~~of 3.0 on a 4.0 scale, or its equivalent, in the courses~~
16 ~~required for the career preparatory accelerated 3 year high~~
17 ~~school graduation option pursuant to paragraph (1)(c).~~

18 ~~(c) Receive a weighted or unweighted grade that earns~~
19 ~~at least 3.0 points, or its equivalent, to earn course credit~~
20 ~~toward the 18 credits required for the college preparatory~~
21 ~~accelerated 3 year high school graduation option pursuant to~~
22 ~~paragraph (1)(b).~~

23 ~~(d) Receive a weighted or unweighted grade that earns~~
24 ~~at least 2.0 points, or its equivalent, to earn course credit~~
25 ~~toward the 18 credits required for the career preparatory~~
26 ~~accelerated 3 year high school graduation option pursuant to~~
27 ~~paragraph (1)(c).~~

28
29 ~~Weighted grades referred to in paragraphs (b), (c), and (d)~~
30 ~~shall be applied to those courses specifically listed or~~
31 ~~identified by the department as rigorous pursuant to s.~~

1 ~~1009.531(3) or weighted by the district school board for class~~
2 ~~ranking purposes.~~

3 ~~(7) If, at the end of grade 10, a student is not on~~
4 ~~track to meet the credit, assessment, or grade point average~~
5 ~~requirements of the accelerated graduation option selected,~~
6 ~~the school shall notify the student and parent of the~~
7 ~~following:~~

8 ~~(a) The requirements that the student is not currently~~
9 ~~meeting.~~

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

12 ~~(c) The right of the student to change to the 4 year~~
13 ~~program set forth in s. 1003.43.~~

14 ~~(8) A student who selected one of the accelerated~~
15 ~~3 year graduation options shall automatically move to the~~
16 ~~4 year program set forth in s. 1003.43 if the student:~~

17 ~~(a) Exercises his or her right to change to the 4 year~~
18 ~~program;~~

19 ~~(b) Fails to earn 5 credits by the end of grade 9 or~~
20 ~~fails to earn 11 credits by the end of grade 10;~~

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

23 ~~(d) By the end of grade 11 does not meet the~~
24 ~~requirements of subsections (1) and (6).~~

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

28 (10) A student who seeks academic graduation honors,
29 such as being named valedictorian or salutatorian of a high
30 school graduating class, must select the option set forth in
31

1 paragraph (1)(a) and complete the general requirements for
2 high school graduation pursuant to s. 1003.43.

3 Section 25. Section 1003.437, Florida Statutes, is
4 amended to read:

5 1003.437 Middle and high school grading system.--The
6 grading system and interpretation of letter grades used for
7 students in public ~~high~~ schools in grades 6-12 shall be as
8 follows:

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

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

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

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

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

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

26
27 For the purposes of class ranking, district school boards may
28 exercise a weighted grading system pursuant to s. 1007.271.

29 Section 26. Section 1003.491, Florida Statutes, is
30 amended to read:

31 1003.491 Career education.--

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

4 (a) Student exposure to a variety of careers and
5 provision of instruction to explore specific careers in
6 greater depth.

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

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

11 (d) Integration of academic and career skills in the
12 secondary curriculum.

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

17 (f) Student retention in school through high school
18 graduation.

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

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

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

1 Section 27. Section 1003.493, Florida Statutes, is
2 created to read:

3 1003.493 Career and professional academies.--

4 (1) A "career and professional academy" is a
5 research-based program as described in subsection (3) which
6 offers a rigorous and relevant academic curriculum with an
7 industry and business relevant career theme offered by a
8 public school or school district.

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

11 (a) Increase student achievement.

12 (b) Focus on careers and postsecondary education.

13 (c) Raise student aspiration and commitment to
14 academic achievement.

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

17 (a) A Career High-Skill Occupational Initiative for
18 Career Education (CHOICE) academy, pursuant to s. 1003.494,
19 with one career theme and created as part of an existing high
20 school or as a school-within-a-school program. Students in the
21 school are not required to be students in the academy.

22 (b) A comprehensive career academy, pursuant to s.
23 1003.495, which is structured around one or more career themes
24 and consists of one or more career academy programs.

25 (4) Each career and professional academy must:

26 (a) Provide a rigorous and relevant standards-based
27 academic curriculum through a career-based theme with
28 instruction relevant to the career. The curriculum must take
29 into consideration multiple styles of student learning;
30 promote learning by doing through application and adaptation;
31 maximize relevance of the subject matter; enhance each

1 student's capacity to excel; and include an emphasis on work
2 habits and work ethics.

3 (b) Include one or more partnerships with businesses,
4 industry, employers, economic development organizations, or
5 other appropriate partners from the local community. Such
6 partnerships must include opportunities for:

7 1. Highly skilled professionals to provide instruction
8 in their areas of expertise.

9 2. Use of state-of-the-art equipment in the
10 instructional program of the academy.

11 3. Internships, externships, and on-the-job training.

12 (c) Include one or more partnerships with public or
13 private postsecondary institutions accredited by a regional or
14 national accrediting agency recognized by the United States
15 Department of Education. The educational partner must:

16 1. Agree to articulate coursework to maximize
17 transferability of credit.

18 2. Offer a postsecondary degree, diploma, or
19 certificate in the career theme of the academy.

20 (d) Provide creative and tailored student advisement,
21 including opportunities and encouragement for parent
22 participation in career education planning, and coordination
23 with middle schools in the school district to provide career
24 counseling. The coordination with middle schools must include
25 promotion in middle school of secondary and postsecondary
26 career education programs and opportunities to participate in
27 an academy. Such promotion may take place through middle
28 school exploratory courses.

29 (e) Provide a career education certification on the
30 high school diploma pursuant to s. 1003.431.

31

1 (f) Provide instruction, certification, or credentials
2 in work-readiness skills, including, but not limited to,
3 communication skills, interpersonal skills, decisionmaking
4 skills, the importance of attendance and timeliness in the
5 work environment, and work ethics.

6 (g) Establish student eligibility criteria. While
7 recognizing that rigorous academic performance will be
8 expected of all students participating in an academy, initial
9 eligibility criteria must permit opportunities for students
10 who may not yet meet the academic requirements but demonstrate
11 characteristics that may lead to success in an academy. The
12 aim of an academy should be to serve not only students who are
13 already succeeding but also students who would succeed if the
14 proper instructional and motivational opportunities were
15 provided.

16 (5) If a career and professional academy is designated
17 as a CHOICE academy under s. 1003.494 or a comprehensive
18 career academy under s. 1003.495, the career education courses
19 offered in the academy which emphasize reading, writing,
20 mathematics, and science may be considered core curricula
21 courses upon approval of the Commissioner of Education.

22 Section 28. Section 1003.494, Florida Statutes, is
23 created to read:

24 1003.494 Career High-Skill Occupational Initiative for
25 Career Education (CHOICE) academies.--

26 (1) The Department of Education shall establish a
27 Career High-Skill Occupational Initiative for Career Education
28 (CHOICE) project. The project shall consist of a competitive
29 process for selecting and designating school districts as
30 participants in the project and designating CHOICE academies
31 in schools within participating school districts.

1 (2) A CHOICE academy is a career and professional
2 academy that meets the goals and requirements specified in s.
3 1003.493 and offers a rigorous and relevant academic
4 curriculum leading to industry-recognized certification,
5 college credit, and credit toward a high school diploma.
6 Existing career education courses may serve as a foundation
7 for the creation of a CHOICE academy.

8 (3) The purpose of a CHOICE academy shall be to:

9 (a) Draw upon ongoing partnerships between education
10 and workforce development or economic development
11 organizations to enhance the quality and opportunities for
12 career education for high school students by exposure to
13 in-demand career education as identified by such organizations
14 in the local community.

15 (b) Build upon the state system of school improvement
16 and education accountability by providing students with a
17 solid academic foundation, opportunities to obtain
18 industry-recognized certification or credentials, and
19 preparation for postsecondary educational experiences in
20 related fields.

21 (c) Focus students on completing high school
22 graduation requirements, including, but not limited to,
23 receiving passing scores on the grade 10 FCAT.

24 (d) Prepare graduating high school students to make
25 appropriate choices relative to employment and future
26 educational experiences.

27 (4) The Department of Education shall establish
28 application guidelines for an annual competitive process and
29 eligibility criteria for school district participation. A
30 school district may apply to the department for designation as
31 a CHOICE project participating district, and the department,

1 in consultation with Workforce Florida, Inc., and Enterprise
2 Florida, Inc., may designate as many school districts as it
3 deems advisable each year. Eligibility criteria for
4 designation of a school district as a CHOICE project
5 participant shall include, but need not be limited to:

6 (a) The willingness and ability of associated
7 businesses or industries to form partnerships with and support
8 CHOICE academies.

9 (b) The dedication of school district resources to
10 CHOICE academies.

11 (5) The Department of Education, in consultation with
12 Workforce Florida, Inc., shall establish standards for
13 designating specific CHOICE academies in each participating
14 school district. The Okaloosa County School District may serve
15 in an advisory role in the establishment of such standards. A
16 participating school district may apply to the department for
17 designation of a CHOICE academy within a school in the
18 district. Eligibility criteria for such designation must
19 include, but need not be limited to, the following:

20 (a) The existence of partnerships with an associated
21 business or industry and a regional workforce board or the
22 primary local economic development organization in the county
23 as recognized by Enterprise Florida, Inc. The partnership of
24 the business or industry with the CHOICE academy must be based
25 on the connection of the business or industry with the
26 academy's career theme and must involve future plans for
27 improving the local economy. The business or industry partner
28 must be consulted during the planning stages of a CHOICE
29 academy and provide business or industry support and resources
30 devoted to the CHOICE academy.

31

1 (b) The existence of at least one established
2 partnership and an articulation agreement for credit with a
3 postsecondary institution.

4 (c) The existence of participation opportunities for
5 students, including students in home education programs,
6 students with disabilities, and nontraditional students.

7 (d) The existence of a plan for sustaining the CHOICE
8 academy.

9
10 The Okaloosa County School District and other school districts
11 that have received funding from Workforce Florida, Inc., for
12 the establishment of CHOICE academies prior to July 1, 2006,
13 shall receive an expedited review for CHOICE academy
14 designation by the department.

15 (6) A participating school district shall:

16 (a) Identify an appropriate location for classes.

17 (b) Ensure that a CHOICE academy is flexible enough to
18 respond both to the needs and abilities of students and to the
19 needs of associated businesses or industries.

20 (c) Redirect appropriated funding from ongoing
21 activities to a CHOICE academy.

22 (d) Plan for sustaining a CHOICE academy as an ongoing
23 program without additional funding.

24 (e) Assist in program technical support for students
25 in private schools, charter schools, or home education
26 programs.

27 (f) Allow students in private schools, charter
28 schools, or home education programs to participate in a CHOICE
29 academy through dual enrollment.

30 (7) The Department of Education shall:

1 (a) With assistance from Workforce Florida, Inc.,
2 provide technical assistance to participating school districts
3 in submitting applications for designation of specific CHOICE
4 academies located in specific schools in the school district,
5 reorganizing career education opportunities, developing CHOICE
6 academies with career themes in areas deemed appropriate by
7 Workforce Florida, Inc., or local economic development
8 organizations, and developing funding plans.

9 (b) Approve or disapprove within 30 days a request by
10 a participating school district on behalf of a designated
11 CHOICE academy for the substitution of appropriate rigorous
12 and relevant coursework deemed critical for student success by
13 an industry for coursework required for high school
14 graduation. If the school district does not receive a response
15 to the request within 30 days, the district school board shall
16 allow the substitution according to its student progression
17 plan pursuant to s. 1003.43(1).

18 (c) Make appropriate policy decisions relative to
19 CHOICE academies when such decisions are not specifically
20 directed by law.

21 (d) Jointly with Workforce Florida, Inc., and in
22 consultation with the school districts, develop evaluation
23 criteria for CHOICE academies. Such criteria shall include
24 increased academic performance of students and schools using
25 school-level accountability data.

26 (e) Report to the State Board of Education, the
27 Governor, the President of the Senate, and the Speaker of the
28 House of Representatives by July 1 of each year on school
29 district participation in the CHOICE project, designated
30 CHOICE academies with enrollment and completion data for such
31 academies, and appropriate outcomes for students who have

1 completed a CHOICE academy program. Such outcomes may include
2 continuing educational experiences of CHOICE academy
3 graduates, business or industry satisfaction with the CHOICE
4 academies, placement of CHOICE academy graduates in
5 employment, and earnings of such graduates.

6 (f) Have the authority to promote CHOICE academies and
7 to provide planning and startup resources.

8 (8) Pursuant to appropriation in the General
9 Appropriations Act, the Department of Education shall award
10 one-time startup funds to five of the school districts
11 designated as participants in the CHOICE project for the
12 development of CHOICE academies. All school districts
13 designated by the department are authorized to establish one
14 or more CHOICE academies without incentive funds.

15 Section 29. Section 1003.495, Florida Statutes, is
16 created to read:

17 1003.495 Comprehensive career academies.--

18 (1) The Department of Education shall establish a
19 comprehensive career academy project to provide for the
20 designation of comprehensive career academies in the school
21 districts.

22 (2) A comprehensive career academy is a career and
23 professional academy that meets the goals and requirements
24 specified in s. 1003.493 and offers a rigorous and relevant
25 academic curriculum that prepares students for college,
26 careers, and productive citizenship.

27 (3) The Department of Education, in consultation with
28 the school districts, shall adopt criteria for evaluation of
29 comprehensive career academies and an assessment tool based on
30 national standards of practice. The assessment tool must be
31

1 designed so that a comprehensive career academy may use it as
2 a self-assessment tool.

3 (4) Each comprehensive career academy shall perform a
4 self-assessment using the adopted assessment tool at the end
5 of the first year of operation and periodically thereafter as
6 determined by the Department of Education.

7 (5) A school district may request the Department of
8 Education to conduct an assessment of a comprehensive career
9 academy for purposes of designation by the department as a
10 comprehensive career academy. If the department determines
11 that an academy meets national standards of practice, the
12 department shall designate the academy as a comprehensive
13 career academy.

14 (6) The Department of Education shall approve or
15 disapprove within 30 days a request by a school district on
16 behalf of a designated comprehensive career academy for the
17 substitution of appropriate rigorous and relevant coursework
18 deemed critical for student success by an industry for
19 coursework required for high school graduation. If the school
20 district does not receive a response to the request within 30
21 days, the district school board shall allow the substitution
22 according to its student progression plan pursuant to s.
23 1003.43(1).

24 Section 30. Subsection (1) of section 1003.43, Florida
25 Statutes, is amended to read:

26 1003.43 General requirements for high school
27 graduation.--

28 (1) Graduation requires successful completion of
29 either a minimum of 24 academic credits in grades 9 through 12
30 or an International Baccalaureate curriculum. The 24 credits
31 shall be distributed as follows:

1 (a) Four credits in English, with major concentration
2 in composition and literature.

3 (b) Three credits in mathematics. Effective for
4 students entering the 9th grade in the 1997-1998 school year
5 and thereafter, one of these credits must be Algebra I, a
6 series of courses equivalent to Algebra I, or a higher-level
7 mathematics course.

8 (c) Three credits in science, two of which must have a
9 laboratory component. Agriscience Foundations I, the core
10 course in secondary Agriscience and Natural Resources
11 programs, counts as one of the science credits.

12 (d) One credit in American history.

13 (e) One credit in world history, including a
14 comparative study of the history, doctrines, and objectives of
15 all major political systems.

16 (f) One-half credit in economics, including a
17 comparative study of the history, doctrines, and objectives of
18 all major economic systems. The Florida Council on Economic
19 Education shall provide technical assistance to the department
20 and district school boards in developing curriculum materials
21 for the study of economics.

22 (g) One-half credit in American government, including
23 study of the Constitution of the United States. For students
24 entering the 9th grade in the 1997-1998 school year and
25 thereafter, the study of Florida government, including study
26 of the State Constitution, the three branches of state
27 government, and municipal and county government, shall be
28 included as part of the required study of American government.

29 (h)1. One credit in practical arts career education or
30 exploratory career education. Any career education course as
31 defined in s. 1003.01 may be taken to satisfy the high school

1 graduation requirement for one credit in practical arts or
2 exploratory career education provided in this subparagraph;

3 2. One credit in performing fine arts to be selected
4 from music, dance, drama, painting, or sculpture. A course in
5 any art form, in addition to painting or sculpture, that
6 requires manual dexterity, or a course in speech and debate,
7 may be taken to satisfy the high school graduation requirement
8 for one credit in performing arts pursuant to this
9 subparagraph; or

10 3. One-half credit each in practical arts career
11 education or exploratory career education and performing fine
12 arts, as defined in this paragraph.

13
14 Such credit for practical arts career education or exploratory
15 career education or for performing fine arts shall be made
16 available in the 9th grade, and students shall be scheduled
17 into a 9th grade course as a priority.

18 (i) One-half credit in life management skills to
19 include consumer education, positive emotional development,
20 marriage and relationship skill-based education, nutrition,
21 parenting skills, prevention of human immunodeficiency virus
22 infection and acquired immune deficiency syndrome and other
23 sexually transmissible diseases, benefits of sexual abstinence
24 and consequences of teenage pregnancy, information and
25 instruction on breast cancer detection and breast
26 self-examination, cardiopulmonary resuscitation, drug
27 education, and the hazards of smoking.

28 (j) One credit in physical education to include
29 assessment, improvement, and maintenance of personal fitness.
30 Participation in an interscholastic sport at the junior
31 varsity or varsity level, for two full seasons, shall satisfy

1 | the one-credit requirement in physical education if the
2 | student passes a competency test on personal fitness with a
3 | score of "C" or better. The competency test on personal
4 | fitness must be developed by the Department of Education. A
5 | district school board may not require that the one credit in
6 | physical education be taken during the 9th grade year.
7 | Completion of one semester with a grade of "C" or better in a
8 | marching band class, in a physical activity class that
9 | requires participation in marching band activities as an
10 | extracurricular activity, or in a Reserve Officer Training
11 | Corps (R.O.T.C.) class a significant component of which is
12 | drills shall satisfy a one-half credit requirement in physical
13 | education. This one-half credit may not be used to satisfy the
14 | personal fitness requirement or the requirement for adaptive
15 | physical education under an individual educational plan (IEP)
16 | or 504 plan.

17 | (k) Eight and one-half elective credits.

18 |
19 | District school boards may award a maximum of one-half credit
20 | in social studies and one-half elective credit for student
21 | completion of nonpaid voluntary community or school service
22 | work. Students choosing this option must complete a minimum of
23 | 75 hours of service in order to earn the one-half credit in
24 | either category of instruction. Credit may not be earned for
25 | service provided as a result of court action. District school
26 | boards that approve the award of credit for student volunteer
27 | service shall develop guidelines regarding the award of the
28 | credit, and school principals are responsible for approving
29 | specific volunteer activities. A course designated in the
30 | Course Code Directory as grade 9 through grade 12 that is
31 | taken below the 9th grade may be used to satisfy high school

1 graduation requirements or Florida Academic Scholars award
2 requirements as specified in a district school board's student
3 progression plan. A student shall be granted credit toward
4 meeting the requirements of this subsection for equivalent
5 courses, as identified pursuant to s. 1007.271(6), taken
6 through dual enrollment. Each district school board's student
7 progression plan must provide for the substitution of a course
8 identified in the Course Code Directory and offered in a
9 designated CHOICE academy under s. 1003.494 or in a designated
10 comprehensive career academy under s. 1003.495 for a credit
11 requirement for graduation under this subsection. A student
12 may make such substitution for a maximum of two of the
13 academic credit requirements.

14 Section 31. Subsection (7) is added to section
15 288.9015, Florida Statutes, to read:

16 288.9015 Enterprise Florida, Inc.; purpose; duties.--

17 (7) Enterprise Florida, Inc., shall work with the
18 Department of Education and Workforce Florida, Inc., in the
19 designation of school districts as participants in the CHOICE
20 project pursuant to s. 1003.494.

21 Section 32. Paragraph (i) is added to subsection (5)
22 of section 445.004, Florida Statutes, to read:

23 445.004 Workforce Florida, Inc.; creation; purpose;
24 membership; duties and powers.--

25 (5) Workforce Florida, Inc., shall have all the powers
26 and authority, not explicitly prohibited by statute, necessary
27 or convenient to carry out and effectuate the purposes as
28 determined by statute, Pub. L. No. 105-220, and the Governor,
29 as well as its functions, duties, and responsibilities,
30 including, but not limited to, the following:
31

1 (i) Working with the Department of Education and
2 Enterprise Florida, Inc., in the implementation of the CHOICE
3 project pursuant to s. 1003.494.

4 Section 33. Section 1003.57, Florida Statutes, is
5 amended to read:

6 1003.57 Exceptional students instruction.--

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

11 (a)(1) The district school board provide the necessary
12 professional services for diagnosis and evaluation of
13 exceptional students.

14 (b)(2) The district school board provide the special
15 instruction, classes, and services, either within the district
16 school system, in cooperation with other district school
17 systems, or through contractual arrangements with approved
18 private schools or community facilities that meet standards
19 established by the commissioner.

20 (c)(3) The district school board annually provide
21 information describing the Florida School for the Deaf and the
22 Blind and all other programs and methods of instruction
23 available to the parent of a sensory-impaired student.

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

28 (e)(5) ~~A No~~ student may not be given special
29 instruction or services as an exceptional student until after
30 he or she has been properly evaluated, classified, and placed
31 in the manner prescribed by rules of the State Board of

1 Education. The parent of an exceptional student evaluated and
2 placed or denied placement in a program of special education
3 shall be notified of each such evaluation and placement or
4 denial. Such notice shall contain a statement informing the
5 parent that he or she is entitled to a due process hearing on
6 the identification, evaluation, and placement, or lack
7 thereof. Such hearings shall be exempt from the provisions of
8 ss. 120.569, 120.57, and 286.011, except to the extent that
9 the State Board of Education adopts rules establishing other
10 procedures and any records created as a result of such
11 hearings shall be confidential and exempt from the provisions
12 of s. 119.07(1). The hearing must be conducted by an
13 administrative law judge from the Division of Administrative
14 Hearings of the Department of Management Services. The
15 decision of the administrative law judge shall be final,
16 except that any party aggrieved by the finding and decision
17 rendered by the administrative law judge shall have the right
18 to bring a civil action in the circuit court. In such an
19 action, the court shall receive the records of the
20 administrative hearing and shall hear additional evidence at
21 the request of either party. In the alternative, any party
22 aggrieved by the finding and decision rendered by the
23 administrative law judge shall have the right to request an
24 impartial review of the administrative law judge's order by
25 the district court of appeal as provided by s. 120.68.
26 Notwithstanding any law to the contrary, during the pendency
27 of any proceeding conducted pursuant to this section, unless
28 the district school board and the parents otherwise agree, the
29 student shall remain in his or her then-current educational
30 assignment or, if applying for initial admission to a public
31 school, shall be assigned, with the consent of the parents, in

1 the public school program until all such proceedings have been
2 completed.

3 ~~(f)(6)~~ In providing for the education of exceptional
4 students, the district school superintendent, principals, and
5 teachers shall utilize the regular school facilities and adapt
6 them to the needs of exceptional students to the maximum
7 extent appropriate. Segregation of exceptional students shall
8 occur only if the nature or severity of the exceptionality is
9 such that education in regular classes with the use of
10 supplementary aids and services cannot be achieved
11 satisfactorily.

12 ~~(g)(7)~~ In addition to the services agreed to in a
13 student's individual education plan, the district school
14 superintendent shall fully inform the parent of a student
15 having a physical or developmental disability of all available
16 services that are appropriate for the student's disability.
17 The superintendent shall provide the student's parent with a
18 summary of the student's rights.

19 (2)(a) An exceptional student with a disability who
20 resides in a residential facility and receives special
21 instruction or services is considered a resident of the state
22 in which the student's parent is a resident. The cost of such
23 instruction, facilities, and services for a nonresident
24 student with a disability shall be provided by the placing
25 authority in the student's state of residence, such as a
26 public school entity, other placing authority, or parent. A
27 nonresident student with a disability may not be reported by
28 any school district for FTE funding in the Florida Education
29 Finance Program.

30 (b) The Department of Education shall provide to each
31 school district a statement of the specific limitations of the

1 district's financial obligation for exceptional students with
2 disabilities under federal and state law. The department shall
3 also provide to each school district technical assistance as
4 necessary for developing a local plan to impose on a student's
5 home state the fiscal responsibility for educating a
6 nonresident exceptional student with a disability.

7 (c) The Department of Education shall develop a
8 process by which a school district must, before providing
9 services to an exceptional student with a disability who
10 resides in a residential facility in this state, review the
11 residency of the student. The residential facility, not the
12 district, is responsible for billing and collecting from a
13 nonresidential student's home state payment for the student's
14 educational and related services.

15 (d) This subsection applies to any nonresident student
16 with a disability who resides in a residential facility and
17 who receives instruction as an exceptional student with a
18 disability in any type of residential facility in this state,
19 including, but not limited to, a public school, a private
20 school, a group home facility as defined in s. 393.063, an
21 intensive residential treatment program for children and
22 adolescents as defined in s. 395.002, a facility as defined in
23 s. 394.455, an intermediate care facility for the
24 developmentally disabled or ICF/DD as defined in s. 393.063 or
25 s. 400.960, or a community residential home as defined in s.
26 419.001.

27 Section 34. Section 1003.576, Florida Statutes, is
28 created to read:

29 1003.576 Individual education plans for exceptional
30 students.--The Department of Education shall develop an
31 individual education plan (IEP) form for use in developing and

1 implementing individual education plans for exceptional
2 students. The IEP form must have a streamlined format and, to
3 provide for the use of an existing IEP form when a student
4 transfers from one school district to another, the IEP form
5 developed by the department must be used in each school
6 district in the state.

7 Section 35. Subsection (3) of section 1003.58, Florida
8 Statutes, is amended to read:

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

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

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

26 Section 36. Paragraph (a) of subsection (1) and
27 paragraph (a) of subsection (2) of section 1003.62, Florida
28 Statutes, are amended to read:

29 1003.62 Academic performance-based charter school
30 districts.--The State Board of Education may enter into a
31 performance contract with district school boards as authorized

1 | in this section for the purpose of establishing them as
2 | academic performance-based charter school districts. The
3 | purpose of this section is to examine a new relationship
4 | between the State Board of Education and district school
5 | boards that will produce significant improvements in student
6 | achievement, while complying with constitutional and statutory
7 | requirements assigned to each entity.

8 | (1) ACADEMIC PERFORMANCE-BASED CHARTER SCHOOL
9 | DISTRICT.--

10 | (a) A school district shall be eligible for
11 | designation as an academic performance-based charter school
12 | district if it is a high-performing school district in which a
13 | minimum of 50 percent of the schools earn a ~~performance~~ grade
14 | of category "A" or "B" and in which no school earns a
15 | ~~performance~~ grade of category "D" or "F" for 2 consecutive
16 | years pursuant to s. 1008.34. Schools that receive a
17 | ~~performance~~ grade of category "I" or "N" shall not be included
18 | in this calculation. The performance contract for a school
19 | district that earns a charter based on school ~~performance~~
20 | grades shall be predicated on maintenance of at least 50
21 | percent of the schools in the school district earning a
22 | ~~performance~~ grade of category "A" or "B" with no school in the
23 | school district earning a ~~performance~~ grade of category "D" or
24 | "F" for 2 consecutive years. A school district in which the
25 | number of schools that earn a ~~performance~~ grade of "A" or "B"
26 | is less than 50 percent may have its charter renewed for 1
27 | year; however, if the percentage of "A" or "B" schools is less
28 | than 50 percent for 2 consecutive years, the charter shall not
29 | be renewed.

30 | (2) EXEMPTION FROM STATUTES AND RULES.--
31 |

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

10 1. Those statutes pertaining to the provision of
11 services to students with disabilities.

12 2. Those statutes pertaining to civil rights,
13 including s. 1000.05, relating to discrimination.

14 3. Those statutes pertaining to student health,
15 safety, and welfare.

16 4. Those statutes governing the election or
17 compensation of district school board members.

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

20 6. Those statutes pertaining to financial matters,
21 including chapter 1010.

22 7. Those statutes pertaining to planning and
23 budgeting, including chapter 1011, except that ss. 1011.64 and
24 1011.69 shall be eligible for exemption.

25 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
26 differentiated pay and performance-pay policies for school
27 administrators and instructional personnel. Professional
28 service contracts shall be subject to the provisions of ss.
29 1012.33 and 1012.34.

30 9. Those statutes pertaining to educational
31 facilities, including chapter 1013, except as specified under

1 | contract with the State Board of Education. However, no
2 | contractual provision that could have the effect of requiring
3 | the appropriation of additional capital outlay funds to the
4 | academic performance-based charter school district shall be
5 | valid.

6 | Section 37. Section 1004.64, Florida Statutes, is
7 | created to read:

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

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

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

23 | (3) Conduct basic research on reading, reading growth,
24 | reading assessment, and reading instruction which will
25 | contribute to scientific knowledge about reading.

26 | (4) Collaborate with the Just Read! Florida Office and
27 | school districts in the development of frameworks for
28 | comprehensive reading intervention courses for possible use in
29 | middle schools and secondary schools.

30 | (5) Collaborate with the Just Read! Florida Office and
31 | school districts in the development of frameworks for

1 professional development activities, using multiple delivery
2 methods for teaching reading in the content area.

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

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

14 Section 38. Subsection (4) of section 1006.09, Florida
15 Statutes, is amended to read:

16 1006.09 Duties of school principal relating to student
17 discipline and school safety.--

18 (4) When a student has been the victim of a violent
19 crime perpetrated by another student who attends the same
20 school, the school principal shall make full and effective use
21 of the provisions of subsection (2) and s. 1006.13(5). A
22 school principal who fails to comply with this subsection
23 shall be ineligible for any portion of the performance pay
24 policy incentive or the differentiated pay under s. 1012.22 ~~s.~~
25 ~~1012.22(1)(c)~~. However, if any party responsible for
26 notification fails to properly notify the school, the school
27 principal shall be eligible for the incentive or
28 differentiated pay.

29 Section 39. Section 1007.21, Florida Statutes, is
30 amended to read:

31

1 1007.21 Readiness for postsecondary education and the
2 workplace.--

3 (1) It is the intent of the Legislature that students
4 and parents develop academic ~~set early~~ achievement and career
5 goals for the student's post-high-school ~~post high school~~
6 experience during the middle grades. ~~This section sets forth a~~
7 ~~model which schools, through their school advisory councils,~~
8 ~~may choose to implement to ensure that students are ready for~~
9 ~~postsecondary education and the workplace. If such a program~~
10 ~~is adopted, students and their parents shall have the option~~
11 ~~of participating in this model to plan the student's secondary~~
12 ~~level course of study.~~ Parents and students are to become
13 partners with school personnel in career exploration and
14 educational decisionmaking ~~choice~~. Clear academic course
15 expectations that emphasize rigorous and relevant coursework
16 shall be made available to all students by allowing both
17 student and parent choice.

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

1 ~~Participating~~ Students and their parents shall choose among
2 destinations, which must include:

- 3 1. Four-year college or university, community college
4 plus university, or military academy degree.
- 5 2. Two-year postsecondary degree.
- 6 3. Postsecondary career certificate.
- 7 4. Immediate employment or entry-level military.
- 8 5. A combination of the above.

9 (b) The student progression model toward a chosen
10 destination shall include:

- 11 1. A "path" of core courses leading to each of the
12 destinations provided in paragraph (a).
- 13 2. A recommended group of electives which shall help
14 define each path.
- 15 3. Provisions for a teacher, school administrator,
16 other school staff member, or community volunteer to be
17 assigned to a student as an "academic advocate" if parental
18 involvement is lacking.

19 (c) The common placement test authorized in ss.
20 1001.03(10) and 1008.30 or a similar test may be administered
21 to all high school second semester sophomores who have chosen
22 one of the four destinations. The results of the placement
23 test shall be used to target additional instructional needs in
24 reading, writing, and mathematics prior to graduation.

25 (d) Ample opportunity shall be provided for students
26 to move from one destination to another, and some latitude
27 shall exist within each destination, to meet the individual
28 needs of students.

29 (e) Destinations specified in subparagraphs (a)1., 2.,
30 and 3. shall support the goals of the Tech Prep program.
31 Students participating in Tech Prep shall be enrolled in

1 articulated, sequential programs of study that include a
2 technical component and at least a minimum of a postsecondary
3 certificate or 2-year degree.

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

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

9 (h) High school equivalency diploma preparation
10 programs shall not be a choice for high school students
11 leading to any of the four destinations provided in paragraph
12 (a) since the appropriate coursework, counseling component,
13 and career preparation cannot be ensured.

14 (i) Schools shall ensure that students and parents are
15 made aware of the destinations available and provide the
16 necessary coursework to assist the student in reaching the
17 chosen destination. Students and parents shall be made aware
18 of the student's progress toward the chosen destination.

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

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

26 (b) The school principal shall:

27 1. Designate a member of the existing instructional or
28 administrative staff to serve as a specialist to help
29 coordinate the use of student achievement strategies to help
30 students succeed in their coursework. The specialist shall
31 also assist teachers in integrating the academic and career

1 | curricula, utilizing technology, providing feedback regarding
2 | student achievement, and implementing the Blueprint for Career
3 | Preparation and Tech Prep programs.

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

6 | Section 40. Paragraph (c) of subsection (3) of section
7 | 1007.2615, Florida Statutes, is amended to read:

8 | 1007.2615 American Sign Language; findings;
9 | foreign-language credits authorized; teacher licensing.--

10 | (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE
11 | BOARD OF EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE
12 | TEACHERS; PLAN FOR POSTSECONDARY EDUCATION PROVIDERS.--

13 | (c) An ASL teacher must be certified by the Department
14 | of Education by July 1, 2009 ~~January 1, 2008, and must obtain~~
15 | ~~current certification through the Florida American Sign~~
16 | ~~Language Teachers' Association (FASLTA) by January 1, 2006.~~
17 | ~~New FASLTA certification may be used by current ASL teachers~~
18 | ~~as an alternative certification track.~~

19 | Section 41. Subsections (5) and (16) of section
20 | 1007.271, Florida Statutes, are amended to read:

21 | 1007.271 Dual enrollment programs.--

22 | (5) Each district school board shall inform all
23 | secondary students of dual enrollment as an educational option
24 | and mechanism for acceleration. Students shall be informed of
25 | eligibility criteria, the option for taking dual enrollment
26 | courses beyond the regular school year, and the minimum
27 | academic credits required for graduation. District school
28 | boards shall annually assess the demand for dual enrollment
29 | and other advanced courses, and the district school board
30 | shall consider strategies and programs to meet that demand and
31 | include access to dual enrollment on the high school campus

1 whenever possible. Alternative grade calculation, weighting
2 systems, or information regarding student education options
3 which discriminates against dual enrollment courses are
4 prohibited.

5 (16) Beginning with students entering grade 9 in the
6 2006-2007 school year, school districts and community colleges
7 must weigh ~~college-level~~ dual enrollment courses the same as
8 ~~honors courses and~~ advanced placement, International
9 Baccalaureate, and Advanced International Certificate of
10 Education courses when grade point averages are calculated.
11 Alternative grade calculation or weighting systems that
12 discriminate against dual enrollment courses are prohibited.

13 Section 42. Paragraphs (c) and (f) of subsection (1),
14 paragraphs (c) and (e) of subsection (3), and subsection (9)
15 of section 1008.22, Florida Statutes, are amended, paragraph
16 (f) is added to subsection (3) of that section, present
17 subsection (10) of that section is redesignated as subsection
18 (11), and a new subsection (10) is added to that section, to
19 read:

20 1008.22 Student assessment program for public
21 schools.--

22 (1) PURPOSE.--The primary purposes of the student
23 assessment program are to provide information needed to
24 improve the public schools by enhancing the learning gains of
25 all students and to inform parents of the educational progress
26 of their public school children. The program must be designed
27 to:

28 (c) Identify the educational strengths and needs of
29 students and the readiness of students to be promoted to the
30 next grade level or to graduate from high school with a
31 standard or special high school diploma.

1 (f) Provide information on the performance of Florida
2 students compared with that of other students ~~others~~ across
3 the United States.

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

20 (c) Develop and implement a student achievement
21 testing program known as the Florida Comprehensive Assessment
22 Test (FCAT) as part of the statewide assessment program, ~~to be~~
23 ~~administered annually in grades 3 through 10~~ to measure
24 reading, writing, science, and mathematics. Other content
25 areas may be included as directed by the commissioner. The
26 assessment of reading and mathematics shall be administered
27 annually in grades 3 through 10. The assessment of writing and
28 science shall be administered at least once at the elementary,
29 middle, and high school levels. The commissioner must document
30 the procedures used to ensure that the versions of the FCAT
31 which are taken by students retaking the grade 10 FCAT are

1 equally as challenging and difficult as the tests taken by
2 students in grade 10 which contain performance tasks. The
3 testing program must be designed so that:

4 1. The tests measure student skills and competencies
5 adopted by the State Board of Education as specified in
6 paragraph (a). The tests must measure and report ~~student~~
7 proficiency levels of all students in reading, writing,
8 mathematics, and science. The commissioner shall provide for
9 the tests to be developed or obtained, as appropriate, through
10 contracts and project agreements with private vendors, public
11 vendors, public agencies, postsecondary educational
12 institutions, or school districts. The commissioner shall
13 obtain input with respect to the design and implementation of
14 the testing program from regular and exceptional students,
15 state educators, assistive technology experts, and the public.

16 2. The testing program will include a combination of
17 norm-referenced and criterion-referenced tests and include, to
18 the extent determined by the commissioner, questions that
19 require the student to produce information or perform tasks in
20 such a way that the skills and competencies he or she uses can
21 be measured.

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

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

30 5. Except as provided in s. 1003.43(11)(b), students
31 must earn a passing score on the grade 10 assessment test

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

25 | 6. Participation in the testing program is mandatory
26 | for all students attending public school, including students
27 | served in Department of Juvenile Justice programs, except as
28 | otherwise prescribed by the commissioner. If a student does
29 | not participate in the statewide assessment, the district must
30 | notify the student's parent and provide the parent with
31 | information regarding the implications of the ~~such~~

1 nonparticipation. ~~If modifications are made in the student's~~
2 ~~instruction to provide accommodations that would not be~~
3 ~~permitted on the statewide assessment tests, the district must~~
4 ~~notify the student's parent of the implications of such~~
5 ~~instructional modifications.~~ A parent must provide signed
6 consent for a student to receive accommodations in the
7 classroom ~~instructional modifications~~ that would not be
8 permitted on the statewide assessments and must acknowledge in
9 writing that he or she understands the implications of such
10 accommodations. The State Board of Education shall adopt
11 rules, based upon recommendations of the commissioner, for the
12 provision of test accommodations ~~and modifications of~~
13 ~~procedures as necessary~~ for students in exceptional education
14 programs and for students who have limited English
15 proficiency. Accommodations that negate the validity of a
16 statewide assessment are not allowable in the administration
17 of the FCAT but are allowable in the classroom if included in
18 a student's individual education plan. Students using an FCAT
19 nonallowable accommodation in the classroom may have the FCAT
20 requirement waived pursuant to s. 1003.43(11)(b).

21 7. A student seeking an adult high school diploma must
22 meet the same testing requirements that a regular high school
23 student must meet.

24 8. District school boards must provide instruction to
25 prepare students to demonstrate proficiency in the skills and
26 competencies necessary for successful grade-to-grade
27 progression and high school graduation. If a student is
28 provided with accommodations ~~or modifications~~ that are not
29 allowable in the statewide assessment program, as described in
30 the test manuals, the district must inform the parent in
31 writing and must provide the parent with information regarding

1 the impact on the student's ability to meet expected
2 proficiency levels in reading, writing, and math. The
3 commissioner shall conduct studies as necessary to verify that
4 the required skills and competencies are part of the district
5 instructional programs.

6 9. District school boards must provide opportunities
7 for students to retake the FCAT following enrollment in summer
8 academies.

9 ~~10.9.~~ The Department of Education must develop, or
10 select, and implement a common battery of assessment tools
11 that will be used in all juvenile justice programs in the
12 state. These tools must accurately measure the skills and
13 competencies established in the ~~Florida~~ Sunshine State
14 Standards.

15 11. For students seeking a special diploma pursuant to
16 s. 1003.438, the Department of Education must develop, or
17 select and implement, a common battery of assessment tools
18 that accurately measure the skills and competencies
19 established in the Sunshine State Standards under s. 1003.438
20 for students with significant cognitive disabilities.

21
22 The commissioner may, based on collaboration and input from
23 school districts, design and implement student testing
24 programs, for any grade level and subject area, necessary to
25 effectively measure educational achievement of the Sunshine
26 State Standards for students with significant cognitive
27 disabilities ~~monitor educational achievement in the state.~~
28 Development and refinement shall include universal design
29 principles and accessibility standards or web-based
30 assessments that will prevent any unintended obstacles for
31 students with disabilities while ensuring the validity and

1 reliability of the test. The field testing process and
2 psychometric analyses for the statewide assessment program
3 formats must include an appropriate percentage of students
4 with disabilities and an evaluation or determination of the
5 effect of test items on such students.

6 (e) Conduct ongoing research and analysis of student
7 achievement data, including, without limitation, monitoring
8 trends in student achievement by grade level and overall
9 student achievement, identifying school programs that are
10 successful, and analyzing correlates of school achievement.

11 (f) Research the cost and student achievement impact
12 of developing and establishing secondary school end-of-course
13 assessments based on identified course competencies and
14 including web-based and performance formats. Reports must be
15 made to the Legislature prior to implementation.

16 (9) EQUIVALENCIES FOR STANDARDIZED TESTS.--

17 (a) The State Board of Education shall conduct
18 concordance studies, as necessary, in order to determine
19 scores on the SAT and the ACT which are equivalent to those
20 required on the FCAT for high school graduation pursuant to s.
21 1003.429(6)(a) or s. 1003.43(5)(a).

22 ~~(b)(a)~~ The Commissioner of Education shall approve the
23 use of the SAT and ACT tests as alternative assessments to the
24 grade 10 FCAT ~~for the 2003-2004 school year~~. Students who
25 attain scores on the SAT or ACT which equate to the passing
26 scores on the grade 10 FCAT for purposes of high school
27 graduation shall satisfy the assessment requirement for a
28 standard high school diploma as provided in s. 1003.429(6)(a)
29 or s. 1003.43(5)(a) ~~for the 2003-2004 school year~~ if the
30 students meet the requirement in paragraph ~~(c)(b)~~.

1 ~~(c)(b)~~ A student shall be required to take each
2 subject area of the grade 10 FCAT a total of three times
3 without earning a passing score in order to use the
4 corresponding subject area scores on an alternative assessment
5 pursuant to paragraph~~(b)(a)~~. This requirement shall not
6 apply to a new student who enters ~~is a new student to~~ the
7 public school system in grade 12, who may take the FCAT or use
8 approved score equivalencies for the purpose of fulfilling the
9 graduation requirement.

10 (d) The State Board of Education may define by rule
11 the allowable uses, other than to satisfy the high school
12 graduation requirement, of concordant scores as described in
13 this subsection. Such uses may include, but need not be
14 limited to, achieving appropriate standardized test scores
15 required for the awarding of Florida Bright Futures
16 Scholarships and for college placement.

17 (10) REPORTS.--The Department of Education shall
18 annually provide a report to the Governor, the President of
19 the Senate, and the Speaker of the House of Representatives on
20 the following:

21 (a) Longitudinal performance of students in
22 mathematics and reading.

23 (b) Longitudinal performance of students by grade
24 level in mathematics and reading.

25 (c) Longitudinal performance regarding efforts to
26 close the achievement gap.

27 (d) Longitudinal performance of students on the
28 norm-referenced component of the FCAT.

29 (e) Other student performance data based on national
30 norm-referenced and criterion-referenced tests, when
31

1 available, and numbers of students who after 8th grade enroll
2 in adult education rather than secondary education.

3 Section 43. Subsection (4) of section 1008.25, Florida
4 Statutes, is amended to read:

5 1008.25 Public school student progression; remedial
6 instruction; reporting requirements.--

7 (4) ASSESSMENT AND REMEDIATION.--

8 (a) Each student must participate in the statewide
9 assessment tests required by s. 1008.22. Each student who does
10 not meet specific levels of performance as determined by the
11 district school board in reading, writing, science, and
12 mathematics for each grade level, or who scores below Level 3
13 in reading or math does not meet specific levels of
14 performance as determined by the commissioner on statewide
15 assessments at selected grade levels, must be provided with
16 additional diagnostic assessments to determine the nature of
17 the student's difficulty, the and areas of academic need, and
18 strategies for appropriate intervention and instruction.

19 (b) The school in which the student is enrolled must
20 develop, in consultation with the student's parent, and must
21 implement a progress monitoring an academic improvement plan
22 designed to assist the student in meeting state and district
23 expectations for proficiency. For secondary students who score
24 below Level 3 in reading and math, these provisions shall be
25 included within the academic and career plans pursuant to s.
26 1003.415(5). ~~For a student for whom a personalized middle~~
27 ~~school success plan is required pursuant to s. 1003.415, the~~
28 ~~middle school success plan must be incorporated in the~~
29 ~~student's academic improvement plan.~~ Beginning with the
30 2006-2007 ~~2002-2003~~ school year, if the student has been
31 identified as having a deficiency in reading or math, the

1 ~~progress monitoring academic improvement~~ plan shall identify
2 the student's specific areas of deficiency or skills gaps in
3 math and reading ~~phonemic awareness, phonics, fluency,~~
4 ~~comprehension, and vocabulary~~; the desired levels of
5 performance in these areas; and the instructional and support
6 services to be provided to meet the desired levels of
7 performance. ~~Schools shall also provide for the frequent~~
8 ~~monitoring of the student's progress in meeting the desired~~
9 ~~levels of performance.~~ District school boards shall assist
10 schools and teachers to implement research-based reading and
11 math activities and instructional strategies that have been
12 shown to be successful with ~~in teaching reading to~~
13 low-performing students. Intensive remedial instruction
14 provided during middle and high school to students scoring at
15 Level I on the most recently administered FCAT may not be in
16 lieu of English and mathematics ~~credits required for~~
17 ~~graduation.~~

18 (c) Upon subsequent evaluation, if the documented
19 deficiency has not been remediated in accordance with the
20 ~~progress monitoring academic improvement~~ plan, the student may
21 be retained. Each student who does not meet the minimum
22 performance expectations defined by the Commissioner of
23 Education for the statewide assessment tests in reading,
24 writing, science, and mathematics must continue to be provided
25 with remedial or supplemental instruction until the
26 expectations are met or the student graduates from high school
27 or is not subject to compulsory school attendance.

28 Section 44. Section 1008.301, Florida Statutes, is
29 repealed.

30 Section 45. Section 1008.31, Florida Statutes, is
31 amended to read:

1 1008.31 Florida's K-20 education performance
2 accountability system; legislative intent; ~~performance based~~
3 ~~funding~~; mission, goals, and systemwide measures; public
4 accountability and reporting.--
5 (1) LEGISLATIVE INTENT.--It is the intent of the
6 Legislature that:
7 (a) The performance accountability system implemented
8 to assess the effectiveness of Florida's seamless K-20
9 education delivery system provide answers to the following
10 questions in relation to its mission and goals:
11 1. What is the public receiving in return for funds it
12 invests in education?
13 2. How effectively is Florida's K-20 education system
14 educating its students?
15 3. How effectively are the major delivery sectors
16 promoting student achievement?
17 4. How are individual schools and postsecondary
18 education institutions performing their responsibility to
19 educate their students, as measured by student performance,
20 student ~~how students are performing and how much they are~~
21 learning, and actual completion rates?
22 (b) The K-20 education performance accountability
23 system be established as a single, unified accountability
24 system with multiple components, including, but not limited
25 to, measures of adequate yearly progress, individual student
26 learning gains in public schools, school grades, and return on
27 investment.
28 (c) The K-20 education performance accountability
29 system comply with the accountability requirements of the "No
30 Child Left Behind Act of 2001," Pub. L. No. 107-110.
31

1 (d) The State Board of Education recommend to the
2 Legislature systemwide performance standards; the Legislature
3 establish systemwide performance measures and standards; and
4 the systemwide measures and standards provide Floridians with
5 information on what the public is receiving in return for the
6 funds it invests in education and how well the K-20 system
7 educates its students.

8 (e) The State Board of Education establish performance
9 measures and set performance standards for individual
10 components of the public education system, including
11 individual schools and postsecondary educational institutions,
12 with measures and standards based primarily on student
13 achievement.

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

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

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

- 24 1. Focused on student success.
- 25 2. Addressable through policy and program changes.
- 26 3. Efficient and of high quality.
- 27 4. Measurable over time.
- 28 5. Simple to explain and display to the public.
- 29 6. Aligned with other measures and other sectors in
30 order to support a coordinated K-20 education system.

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

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

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

28 3. Skilled workforce and economic development, as
29 measured by evidence of employment and earnings; ~~the number~~
30 ~~and percentage of graduates employed in their areas of~~
31 ~~preparation; the percentage of Floridians with high school~~

1 ~~diplomas and postsecondary education credentials; the~~
2 ~~percentage of business and community members who find that~~
3 ~~Florida's graduates possess the skills they need; national~~
4 ~~rankings; and other measures identified in law or rule.~~

5 4. Quality efficient services, as measured by evidence
6 of return on investment; cost per completer or graduate;
7 average cost per noncompleter at each educational level; cost
8 disparity across institutions offering the same degrees; the
9 percentage of education customers at each educational level
10 who are satisfied with the education provided; and other
11 measures identified in law or rule.

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

13 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS
14 SYSTEMWIDE DATA COLLECTION.--In order to provide the data
15 required to implement education performance accountability
16 measures in state and federal law, the Commissioner of
17 Education shall initiate and maintain strategies to improve
18 data quality and timeliness.

19 (a) School districts and public postsecondary
20 educational institutions shall maintain information systems
21 that will provide the State Board of Education, the Board of
22 Governors of the State University System, and the Legislature
23 with information and reports necessary to address the
24 specifications of the accountability system. ~~The State Board~~
25 ~~of Education shall determine the standards for the required~~
26 ~~data.~~ The level of comprehensiveness and quality shall be no
27 less than that which was available as of June 30, 2001.

28 (b) The Commissioner of Education shall determine the
29 standards for the required data, monitor data quality, and
30 measure improvements. The commissioner shall report annually
31 to the State Board of Education, the Board of Governors of the

1 State University System, the President of the Senate, and the
2 Speaker of the House of Representatives the data quality
3 indicators, ratings for all school districts and public
4 postsecondary educational institutions, and information on
5 Florida's calculation of graduation rates and how this
6 compares to calculation methods by other states.

7 (4) REPORTING OR DATA COLLECTION.--The department
8 shall coordinate with school districts in developing any
9 reporting or data-collection requirements to address the
10 specifications of the accountability system. Before
11 establishing any new reporting or data-collection
12 requirements, the department shall use any existing data being
13 collected to reduce duplication and minimize paperwork.

14 Section 46. Section 1008.33, Florida Statutes, is
15 amended to read:

16 1008.33 Authority to enforce public school
17 improvement.--It is the intent of the Legislature that all
18 public schools be held accountable for students performing at
19 acceptable levels. A system of school improvement and
20 accountability that assesses student performance by school,
21 identifies schools in which students are not making adequate
22 progress toward state standards, institutes appropriate
23 measures for enforcing improvement, and provides rewards and
24 sanctions based on performance shall be the responsibility of
25 the State Board of Education.

26 (1) Pursuant to Art. IX of the State Constitution
27 prescribing the duty of the State Board of Education to
28 supervise Florida's public school system and notwithstanding
29 any other statutory provisions to the contrary, the State
30 Board of Education shall intervene in the operation of a
31 district school system when one or more schools in the school

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

28 (2) The State Board of Education may recommend one or
29 more of the following actions to district school boards to
30 enable students in schools designated with a ~~as~~ performance
31

1 grade ~~of category~~ "F" to be academically well served by the
2 public school system:

3 (a) Provide additional resources, change certain
4 practices, and provide additional assistance if the state
5 board determines the causes of inadequate progress to be
6 related to school district policy or practice;

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

9 (c) Contract for the educational services of the
10 school, or reorganize the school at the end of the school year
11 under a new school principal who is authorized to hire new
12 staff and implement a plan that addresses the causes of
13 inadequate progress;

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

16 (e) Other action appropriate to improve the school's
17 performance, including, if the school is a high school,
18 requiring annual publication of the school's graduation rate
19 calculated without GED tests for the past 3 years,
20 disaggregated by student ethnicity.

21 (3) In recommending actions to district school boards,
22 the State Board of Education shall specify the length of time
23 available to implement the recommended action. The State
24 Board of Education may adopt rules to further specify how it
25 may respond in specific circumstances. No action taken by the
26 State Board of Education shall relieve a school from state
27 accountability requirements.

28 (4) The State Board of Education may require the
29 Department of Education or Chief Financial Officer to withhold
30 any transfer of state funds to the school district if, within
31 the timeframe specified in state board action, the school

1 | district has failed to comply with the action ordered to
2 | improve the district's low-performing schools. Withholding the
3 | transfer of funds shall occur only after all other recommended
4 | actions for school improvement have failed to improve
5 | performance. The State Board of Education may impose the same
6 | penalty on any district school board that fails to develop and
7 | implement a plan for assistance and intervention for
8 | low-performing schools as specified in s. 1001.42(16)(d) ~~s.~~
9 | ~~1001.42(16)(c)~~.

10 | Section 47. Section 1008.34, Florida Statutes, is
11 | amended to read:

12 | 1008.34 School grading system; school report cards;
13 | district ~~performance~~ grade.--

14 | (1) ANNUAL REPORTS.--The Commissioner of Education
15 | shall prepare annual reports of the results of the statewide
16 | assessment program which describe student achievement in the
17 | state, each district, and each school. The commissioner shall
18 | prescribe the design and content of these reports, which must
19 | include, without limitation, descriptions of the performance
20 | of all schools participating in the assessment program and all
21 | of their major student populations as determined by the
22 | Commissioner of Education, and must also include the median
23 | scores of all eligible students who scored at or in the lowest
24 | 25th percentile of the state in the previous school year;
25 | provided, however, that the provisions of s. 1002.22
26 | pertaining to student records apply to this section.

27 | (2) SCHOOL GRADES ~~PERFORMANCE GRADE CATEGORIES~~.--The
28 | annual report shall identify schools as having one of the
29 | following grades, ~~being in one of the following grade~~
30 | ~~categories~~ defined according to rules of the State Board of
31 | Education:

- 1 (a) "A," schools making excellent progress.
2 (b) "B," schools making above average progress.
3 (c) "C," schools making satisfactory progress.
4 (d) "D," schools making less than satisfactory
5 progress.
6 (e) "F," schools failing to make adequate progress.
7

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

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

1 kindergarten through grade 3 are scheduled to be assigned to
2 the graded school. School ~~grades~~ ~~performance grade category~~
3 ~~designations~~ itemized in subsection (2) shall be based on the
4 following:

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

7 1. Student achievement scores, including achievement
8 scores for students seeking a special diploma ~~School~~
9 ~~performance grade category designations shall be based on the~~
10 ~~school's current year performance and the school's annual~~
11 ~~learning gains.~~

12 2. ~~A school's performance grade category designation~~
13 ~~shall be based on a combination of student achievement scores,~~
14 Student learning gains as measured by annual FCAT assessments
15 in grades 3 through 10; learning gains as measured by a common
16 battery of assessment tools for students seeking a special
17 diploma, no later than the 2008-2009 school year; and

18 3. Improvement of the lowest 25th percentile of
19 students in the school ~~in reading, math, or writing on the~~
20 FCAT Reading, unless these students are exhibiting ~~performing~~
21 above satisfactory performance.

22 (b) Student assessment data.--Student assessment data
23 used in determining school ~~grades~~ ~~performance grade categories~~
24 shall include:

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

27 2. The aggregate scores of all eligible students
28 enrolled in the school who have been assessed on the FCAT,
29 including Florida Writes, and who have scored at or in the
30 lowest 25th percentile of students in the school in reading,
31

1 math, or writing, unless these students are exhibiting
2 ~~performing above~~ satisfactory performance.

3 3. The achievement scores and learning gains of
4 eligible students attending alternative schools that provide
5 dropout-prevention and academic-intervention services pursuant
6 to s. 1003.53. The term "eligible students" in this
7 subparagraph does not include students attending an
8 alternative school who are subject to district school board
9 policies for expulsion for repeated or serious offenses, who
10 are in dropout-retrieval programs serving students who have
11 officially been designated as dropouts, or who are in programs
12 operated or contracted by the Department of Juvenile Justice.
13 The student performance data for eligible students identified
14 in this subparagraph shall be included in the calculation of
15 the home school's grade. For purposes of this section and s.
16 1008.341, "home school" means the school the student was
17 attending when assigned to an alternative school. If an
18 alternative school chooses to be graded pursuant to this
19 section, student performance data for eligible students
20 identified in this subparagraph shall not be included in the
21 home school's grade but shall be included only in the
22 calculation of the alternative school's grade. School
23 districts must require collaboration between the home school
24 and the alternative school in order to promote student
25 success.

26
27 ~~The Department of Education shall study the effects of~~
28 ~~mobility on the performance of highly mobile students and~~
29 ~~recommend programs to improve the performance of such~~
30 ~~students.~~ The State Board of Education shall adopt appropriate
31 criteria for each school ~~performance grade category~~. The

1 criteria must also give added weight to student achievement in
2 reading. Schools designated with a ~~as~~ performance grade of
3 ~~category~~ "C," making satisfactory progress, shall be required
4 to demonstrate that adequate progress has been made by
5 students in the school who are in the lowest 25th percentile
6 in reading, math, or writing on the FCAT, including Florida
7 Writes, unless these students are exhibiting ~~performing above~~
8 satisfactory performance.

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

16 (5) ~~SCHOOL REPORT CARD PERFORMANCE GRADE CATEGORY AND~~
17 ~~IMPROVEMENT RATING REPORTS.--The Department of Education shall~~
18 annually develop, in collaboration with the school districts,
19 a school report card to be delivered to parents throughout
20 each school district. The report card shall include the
21 school's grade, information regarding school improvement, an
22 explanation of school performance as evaluated by the federal
23 No Child Left Behind Act of 2001, and indicators of return on
24 investment. School performance grade category designations and
25 improvement ratings shall apply to each school's performance
26 for the year in which performance is measured. Each school's
27 report card designation and rating shall be published annually
28 by the department on its website, of Education and the school
29 district shall provide the school report card to each parent.
30 ~~Parents shall be entitled to an easy to read report card about~~
31

1 ~~the designation and rating of the school in which their child~~
2 ~~is enrolled.~~

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

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

10 ~~(7)(8)~~ DISTRICT ~~PERFORMANCE~~ GRADE.--The annual report
11 required by subsection (1) shall include district ~~performance~~
12 grades, which shall consist of weighted district average
13 grades, by level, for all elementary schools, middle schools,
14 and high schools in the district. A district's weighted
15 average grade shall be calculated by weighting individual
16 school grades determined pursuant to subsection (2) by school
17 enrollment.

18 Section 48. Section 1008.341, Florida Statutes, is
19 created to read:

20 1008.341 School-improvement rating for alternative
21 schools.--

22 (1) ANNUAL REPORTS.--The Commissioner of Education
23 shall prepare an annual report on the performance of each
24 school receiving a school-improvement rating pursuant to this
25 section if the provisions of s. 1002.22 pertaining to student
26 records apply.

27 (2) SCHOOL IMPROVEMENT RATING.--Alternative schools
28 that provide dropout-prevention and academic-intervention
29 services pursuant to s. 1003.53 shall receive a
30 school-improvement rating pursuant to this section. The
31 school-improvement rating shall identify schools as having one

1 of the following ratings defined according to rules of the
2 State Board of Education:

3 (a) "Improving" means schools with students making
4 more academic progress than when the students were served in
5 their home schools.

6 (b) "Maintaining" means schools with students making
7 progress equivalent to the progress made when the students
8 were served in their home schools.

9 (c) "Declining" means schools with students making
10 less academic progress than when the students were served in
11 their home schools.

12
13 The school-improvement rating shall be based on a comparison
14 of student performance data for the current year and previous
15 year. Schools that improve at least one level or maintain an
16 "improving" rating pursuant to this section are eligible for
17 school recognition awards pursuant to s. 1008.36.

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

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

26 (b) The aggregate scores of all eligible students who
27 were assigned to and enrolled in the school during the October
28 or February FTE count, who have been assessed on the FCAT,
29 including Florida Writes, and who have scored in the lowest
30 25th percentile of students in the state on FCAT Reading.

31

1 The assessment scores of students who are subject to district
2 school board policies for expulsion for repeated or serious
3 offenses, who are in dropout-retrieval programs serving
4 students who have officially been designated as dropouts, or
5 who are in programs operated or contracted by the Department
6 of Juvenile Justice may not be included in an alternative
7 school's school improvement rating.

8 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.--For
9 each alternative school receiving a school-improvement rating,
10 the Department of Education shall annually identify the
11 percentage of students making learning gains as compared to
12 the percentage of the same students making learning gains in
13 their home schools in the year prior to being assigned to the
14 alternative school.

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

25 Section 49. Subsection (5), paragraphs (b) and (d) of
26 subsection (6), and subsection (7) of section 1008.345,
27 Florida Statutes, are amended to read:

28 1008.345 Implementation of state system of school
29 improvement and education accountability.--

30 (5) The commissioner shall report to the Legislature
31 and recommend changes in state policy necessary to foster

1 school improvement and education accountability. Included in
2 the report shall be a list of the schools, including schools
3 operating for the purpose of providing educational services to
4 youth in Department of Juvenile Justice programs, for which
5 district school boards have developed assistance and
6 intervention plans and an analysis of the various strategies
7 used by the school boards. School reports shall be distributed
8 pursuant to this subsection and s. 1001.42(16)(f) ~~s-~~
9 ~~1001.42(16)(e)~~ and according to rules adopted by the State
10 Board of Education.

11 (6)

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

24 (d) The department shall assign a community assessment
25 team to each school district with a school designated with a
26 ~~as performance~~ grade of category "D" or "F" to review the
27 school performance data and determine causes for the low
28 performance. The team shall make recommendations to the school
29 board, to the department, and to the State Board of Education
30 for implementing an assistance and intervention plan that will
31 address the causes of the school's low performance. The

1 assessment team shall include, but not be limited to, a
2 department representative, parents, business representatives,
3 educators, and community activists, and shall represent the
4 demographics of the community from which they are appointed.

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

9 (b) Schools that have improved at least two grades
10 ~~performance grade categories~~ and that meet the criteria of the
11 Florida School Recognition Program pursuant to s. 1008.36 may
12 be given deregulated status as specified in s. 1003.63(5),
13 (7), (8), (9), and (10).

14 Section 50. Paragraphs (f), (h), (l), (m), and (n) of
15 subsection (1) and paragraphs (a) and (b) of subsection (4) of
16 section 1011.62, Florida Statutes, are amended, present
17 subsections (8) and (9) of that section are redesignated as
18 subsections (9) and (10), respectively, and amended, and a new
19 subsection (8) is added to that section, to read:

20 1011.62 Funds for operation of schools.--If the annual
21 allocation from the Florida Education Finance Program to each
22 district for operation of schools is not determined in the
23 annual appropriations act or the substantive bill implementing
24 the annual appropriations act, it shall be determined as
25 follows:

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

30 (f) Supplemental academic instruction; categorical
31 fund.--

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

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

24 3. Effective with the 1999-2000 fiscal year, funding
25 on the basis of FTE membership beyond the 180-day regular term
26 shall be provided in the FEFP only for students enrolled in
27 juvenile justice education programs or in an education program
28 for juveniles under s. 985.223. Funding for instruction beyond
29 the regular 180-day school year for all other K-12 students
30 shall be provided through the supplemental academic
31 instruction categorical fund and other state, federal, and

1 | local fund sources with ample flexibility for schools to
2 | provide supplemental instruction to assist students in
3 | progressing from grade to grade and graduating.

4 | 4. The Florida State University School, as a lab
5 | school, is authorized to expend from its FEFP or Lottery
6 | Enhancement Trust Fund allocation the cost to the student of
7 | remediation in reading, writing, or mathematics for any
8 | graduate who requires remediation at a postsecondary
9 | educational institution.

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

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

30 | (1) Calculation of additional full-time equivalent
31 | membership based on international baccalaureate examination

1 | scores of students.--A value of 0.24 full-time equivalent
2 | student membership shall be calculated for each student
3 | enrolled in an international baccalaureate course who receives
4 | a score of 4 or higher on a subject examination. A value of
5 | 0.3 full-time equivalent student membership shall be
6 | calculated for each student who receives an international
7 | baccalaureate diploma. Such value shall be added to the total
8 | full-time equivalent student membership in basic programs for
9 | grades 9 through 12 in the subsequent fiscal year. The school
10 | district shall distribute to each classroom teacher who
11 | provided international baccalaureate instruction:

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

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

23 |
24 | Bonuses awarded to a teacher according to this paragraph shall
25 | not exceed \$2,000 in any given school year and shall be in
26 | addition to any regular wage or other bonus the teacher
27 | received or is scheduled to receive.

28 | (m) Calculation of additional full-time equivalent
29 | membership based on Advanced International Certificate of
30 | Education examination scores of students.--A value of 0.24
31 | full-time equivalent student membership shall be calculated

1 | for each student enrolled in a full-credit Advanced
2 | International Certificate of Education course who receives a
3 | score of E or higher on a subject examination. A value of 0.12
4 | full-time equivalent student membership shall be calculated
5 | for each student enrolled in a half-credit Advanced
6 | International Certificate of Education course who receives a
7 | score of E or higher on a subject examination. A value of 0.3
8 | full-time equivalent student membership shall be calculated
9 | for each student who receives an Advanced International
10 | Certificate of Education diploma. Such value shall be added to
11 | the total full-time equivalent student membership in basic
12 | programs for grades 9 through 12 in the subsequent fiscal
13 | year. The school district shall distribute to each classroom
14 | teacher who provided Advanced International Certificate of
15 | Education instruction:

16 | 1. A bonus in the amount of \$50 for each student
17 | taught by the Advanced International Certificate of Education
18 | teacher in each full-credit Advanced International Certificate
19 | of Education course who receives a score of E or higher on the
20 | Advanced International Certificate of Education examination. A
21 | bonus in the amount of \$25 for each student taught by the
22 | Advanced International Certificate of Education teacher in
23 | each half-credit Advanced International Certificate of
24 | Education course who receives a score of E or higher on the
25 | Advanced International Certificate of Education examination.

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

1 the number of students scoring an E or higher on the
2 full-credit Advanced International Certificate of Education
3 examination.

4 3. Additional bonuses of \$250 each to teachers of
5 half-credit Advanced International Certificate of Education
6 classes in a school designated with a performance grade of
7 ~~category~~ "D" or "F" which has at least one student scoring an
8 E or higher on the half-credit Advanced International
9 Certificate of Education examination in that class. The
10 maximum additional bonus for a teacher awarded in accordance
11 with this subparagraph shall not exceed \$500 in any given
12 school year. Teachers receiving an award under subparagraph 2.
13 are not eligible for a bonus under this subparagraph.

14
15 Bonuses awarded to a teacher according to this paragraph shall
16 not exceed \$2,000 in any given school year and shall be in
17 addition to any regular wage or other bonus the teacher
18 received or is scheduled to receive.

19 (n) Calculation of additional full-time equivalent
20 membership based on college board advanced placement scores of
21 students.--A value of 0.24 full-time equivalent student
22 membership shall be calculated for each student in each
23 advanced placement course who receives a score of 3 or higher
24 on the College Board Advanced Placement Examination for the
25 prior year and added to the total full-time equivalent student
26 membership in basic programs for grades 9 through 12 in the
27 subsequent fiscal year. Each district must allocate at least
28 80 percent of the funds provided to the district for advanced
29 placement instruction, in accordance with this paragraph, to
30 the high school that generates the funds. The school district
31

1 shall distribute to each classroom teacher who provided
2 advanced placement instruction:

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

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

14
15 Bonuses awarded to a teacher according to this paragraph shall
16 not exceed \$2,000 in any given school year and shall be in
17 addition to any regular wage or other bonus the teacher
18 received or is scheduled to receive.

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

27 (a) Estimated taxable value calculations.--

28 1.a. Not later than 2 working days prior to July 19,
29 the Department of Revenue shall certify to the Commissioner of
30 Education its most recent estimate of the taxable value for
31 school purposes in each school district and the total for all

1 school districts in the state for the current calendar year
2 based on the latest available data obtained from the local
3 property appraisers. Not later than July 19, the Commissioner
4 of Education shall compute a millage rate, rounded to the next
5 highest one one-thousandth of a mill, which, when applied to
6 95 percent of the estimated state total taxable value for
7 school purposes, would generate the prescribed aggregate
8 required local effort for that year for all districts. The
9 Commissioner of Education shall certify to each district
10 school board the millage rate, computed as prescribed in this
11 subparagraph, as the minimum millage rate necessary to provide
12 the district required local effort for that year.

13 b. The General Appropriations Act shall direct the
14 computation of the statewide adjusted aggregate amount for
15 required local effort for all school districts collectively
16 from ad valorem taxes to ensure that no school district's
17 revenue from required local effort millage will produce more
18 than 90 percent of the district's total Florida Education
19 Finance Program calculation, and the adjustment of the
20 required local effort millage rate of each district that
21 produces more than 90 percent of its total Florida Education
22 Finance Program entitlement to a level that will produce only
23 90 percent of its total Florida Education Finance Program
24 entitlement in the July calculation.

25 2. As revised data are received from property
26 appraisers, the Department of Revenue shall amend the
27 certification of the estimate of the taxable value for school
28 purposes. The Commissioner of Education, in administering the
29 provisions of subparagraph (10)(a)2.~~(9)(a)2.~~, shall use the
30 most recent taxable value for the appropriate year.

31 (b) Final calculation.--

1 1. The Department of Revenue shall, upon receipt of
2 the official final assessed value of property from each of the
3 property appraisers, certify to the Commissioner of Education
4 the taxable value total for school purposes in each school
5 district, subject to the provisions of paragraph (d). The
6 commissioner shall use the official final taxable value for
7 school purposes for each school district in the final
8 calculation of the annual Florida Education Finance Program
9 allocations.

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

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

27 (a) The research-based reading instruction allocation
28 is created to provide comprehensive reading instruction to
29 students in kindergarten through grade 12.

30 (b) Funds for comprehensive, research-based reading
31 instruction shall be allocated annually to each school

1 district in the amount provided in the General Appropriations
2 Act. Each eligible school district shall receive the same
3 minimum amount as specified in the General Appropriations Act,
4 and any remaining funds shall be distributed to eligible
5 school districts based on each school district's proportionate
6 share of K-12 base funding.

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

11 1. The provision of highly qualified reading coaches.

12 2. Professional development for school district
13 teachers in scientifically based reading instruction,
14 including strategies to teach reading in content areas and
15 with an emphasis on technical and informational text.

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

18 4. The provision of supplemental instructional
19 materials that are grounded in scientifically based reading
20 research.

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

23 (d) Annually, by a date determined by the Department
24 of Education but before May 1, school districts shall submit a
25 K-12 comprehensive reading plan for the specific use of the
26 research-based reading instruction allocation in the format
27 prescribed by the department for review and approval by the
28 Just Read, Florida! Office created pursuant to s. 1001.215.
29 The plan annually submitted by school districts shall be
30 deemed approved unless the department rejects the plan on or
31 before June 1. If a school district and the Just Read,

1 Florida! Office cannot reach agreement on the contents of the
2 plan, the school district may appeal to the State Board of
3 Education for resolution. School districts shall be allowed
4 reasonable flexibility in designing their plans and shall be
5 encouraged to offer reading remediation through innovative
6 methods, including career academies. The plan format shall be
7 developed with input from school district personnel, including
8 teachers and principals, and shall allow courses in core,
9 career, and alternative programs that deliver intensive
10 reading remediation through integrated curricula, provided
11 that the teacher is deemed highly qualified to teach reading
12 or working toward that status. No later than July 1 annually,
13 the department shall release the school district's allocation
14 of appropriated funds to those districts having approved
15 plans. A school district that spends 100 percent of this
16 allocation on its approved plan shall be deemed to have been
17 in compliance with the plan. The department may withhold funds
18 upon a determination that reading instruction allocation funds
19 are not being used to implement the approved plan.

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

1 potential nonvoted discretionary local effort from taxes. A
2 comparison of current year funds per unweighted FTE to prior
3 year funds per unweighted FTE shall be computed. For those
4 school districts which have less than the legislatively
5 assigned percentage increase, funds shall be provided to
6 guarantee the assigned percentage increase in funds per
7 unweighted FTE student. Should appropriated funds be less than
8 the sum of this calculated amount for all districts, the
9 commissioner shall prorate each district's allocation. This
10 provision shall be implemented to the extent specifically
11 funded.

12 ~~(10)(9)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH
13 DISTRICT FOR CURRENT OPERATION.--The total annual state
14 allocation to each district for current operation for the FEFP
15 shall be distributed periodically in the manner prescribed in
16 the General Appropriations Act.

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

31

1 department shall prorate the available state funds to each
2 district in the following manner:

3 1. Determine the percentage of proration by dividing
4 the sum of the total amount for current operation, as provided
5 in this paragraph for all districts collectively, and the
6 total district required local effort into the sum of the state
7 funds available for current operation and the total district
8 required local effort.

9 2. Multiply the percentage so determined by the sum of
10 the total amount for current operation as provided in this
11 paragraph and the required local effort for each individual
12 district.

13 3. From the product of such multiplication, subtract
14 the required local effort of each district; and the remainder
15 shall be the amount of state funds allocated to the district
16 for current operation.

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

1 the Commissioner of Education is authorized to establish the
2 amount of the adjustment based on the best interests of the
3 state.

4 (c) The amount thus obtained shall represent the net
5 annual state allocation to each district; however,
6 notwithstanding any of the provisions herein, each district
7 shall be guaranteed a minimum level of funding in the amount
8 and manner prescribed in the General Appropriations Act.

9 Section 51. Paragraph (a) of subsection (2) of section
10 1011.64, Florida Statutes, is amended to read:

11 1011.64 School district minimum classroom expenditure
12 requirements.--

13 (2) For the purpose of implementing the provisions of
14 this section, the Legislature shall prescribe minimum academic
15 performance standards and minimum classroom expenditure
16 requirements for districts not meeting such minimum academic
17 performance standards in the General Appropriations Act.

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

21 Section 52. Paragraph (b) of subsection (2) of section
22 1011.685, Florida Statutes, is amended to read:

23 1011.685 Class size reduction; operating categorical
24 fund.--

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

27 (b) For any lawful operating expenditure, if the
28 district has met the constitutional maximums identified in s.
29 1003.03(1) or the reduction of two students per year required
30 by s. 1003.03(2); however, priority shall be given to increase
31 salaries of classroom teachers as defined in s. 1012.01(2)(a)

1 and to implement the differentiated-pay provisions detailed in
2 s. 1012.22 ~~salary career ladder defined in s. 1012.231.~~

3 Section 53. Subsection (1) of section 1011.71, Florida
4 Statutes, is amended to read:

5 1011.71 District school tax.--

6 (1) If the district school tax is not provided in the
7 General Appropriations Act or the substantive bill
8 implementing the General Appropriations Act, each district
9 school board desiring to participate in the state allocation
10 of funds for current operation as prescribed by s. 1011.62(10)
11 ~~s. 1011.62(9)~~ shall levy on the taxable value for school
12 purposes of the district, exclusive of millage voted under the
13 provisions of s. 9(b) or s. 12, Art. VII of the State
14 Constitution, a millage rate not to exceed the amount
15 certified by the commissioner as the minimum millage rate
16 necessary to provide the district required local effort for
17 the current year, pursuant to s. 1011.62(4)(a)1. In addition
18 to the required local effort millage levy, each district
19 school board may levy a nonvoted current operating
20 discretionary millage. The Legislature shall prescribe
21 annually in the appropriations act the maximum amount of
22 millage a district may levy. The millage rate prescribed shall
23 exceed zero mills but shall not exceed the lesser of 1.6 mills
24 or 25 percent of the millage which is required pursuant to s.
25 1011.62(4), exclusive of millage levied pursuant to subsection
26 (2).

27 Section 54. Subsection (6) is added to section
28 1012.21, Florida Statutes, to read:

29 1012.21 Department of Education duties; K-12
30 personnel.--

31

1 (6) REPORTING.--The Department of Education shall
2 annually post online links to each school district's
3 collective bargaining contracts and the salary and benefits of
4 the personnel or officers of any educator association which
5 were paid by the school district pursuant to s. 1012.22. The
6 department shall prescribe the computer format for district
7 school boards to use in providing the information.

8 Section 55. Paragraphs (c), (h), and (i) of subsection
9 (1) of section 1012.22, Florida Statutes, are amended, and
10 subsection (3) is added to that section, to read:

11 1012.22 Public school personnel; powers and duties of
12 the district school board.--The district school board shall:

13 (1) Designate positions to be filled, prescribe
14 qualifications for those positions, and provide for the
15 appointment, compensation, promotion, suspension, and
16 dismissal of employees as follows, subject to the requirements
17 of this chapter:

18 (c) Compensation and salary schedules.--

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

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

1 | positions in addition to district level instructional and
2 | administrative positions.

3 | 3. In developing the salary schedule, the district
4 | school board shall seek input from parents, teachers, and
5 | representatives of the business community.

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

28 | 5. Beginning with the 2007-2008 academic year, each
29 | district school board shall adopt a salary schedule with
30 | differentiated pay for both instructional personnel and
31 | school-based administrators. The salary schedule is subject to

1 negotiation as provided in chapter 447 and must allow
2 differentiated pay based on district-determined factors,
3 including, but not limited to, additional responsibilities,
4 school demographics, critical shortage areas, and level of job
5 performance difficulties.

6 (h) Planning and training time for teachers.--The
7 district school board shall ~~may~~ adopt rules to make provisions
8 for teachers to have time for lunch, professional ~~and some~~
9 planning, and professional development ~~training~~ time when they
10 will not be directly responsible for the children ~~if, provided~~
11 ~~that~~ some adult supervision is ~~shall be~~ furnished for the
12 students during such periods.

13 (i) Comprehensive program of staff development.--The
14 district school board shall establish a comprehensive program
15 of staff development that incorporates school improvement
16 plans pursuant to s. 1001.42 and is aligned with principal
17 leadership training pursuant to s. 1012.985 as a part of the
18 plan.

19 (3) Annually provide to the Department of Education
20 the negotiated collective bargaining contract for the school
21 district and the salary and benefits for the personnel or
22 officers of any educator association which are paid by the
23 school district. The district school board shall report using
24 the computer format prescribed by the department pursuant to
25 s. 1012.21.

26 Section 56. Section 1012.2315, Florida Statutes, is
27 created to read:

28 1012.2315 Assignment of teachers.--

29 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
30 finds disparities between teachers assigned to teach in a
31 majority of "A" graded schools and teachers assigned to teach

1 in a majority of "F" graded schools. The disparities can be
2 found in the average years of experience, the median salary,
3 and the performance of the teachers on teacher certification
4 examinations. It is the intent of the Legislature that
5 district school boards have flexibility through the collective
6 bargaining process to assign teachers more equitably across
7 the schools in the district.

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

21 (3) SALARY INCENTIVES.--District school boards are
22 authorized to provide salary incentives to meet the
23 requirement of subsection (2). A district school board may not
24 sign a collective bargaining agreement that precludes the
25 school district from providing sufficient incentives to meet
26 this requirement.

27 (4) COLLECTIVE BARGAINING.--Notwithstanding provisions
28 of chapter 447 relating to district school board collective
29 bargaining, collective bargaining provisions may not preclude
30 a school district from providing incentives to high-quality
31

1 teachers and assigning such teachers to low-performing
2 schools.

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

7 Section 57. Subsection (2) of section 1012.27, Florida
8 Statutes, is amended to read:

9 1012.27 Public school personnel; powers and duties of
10 district school superintendent.--The district school
11 superintendent is responsible for directing the work of the
12 personnel, subject to the requirements of this chapter, and in
13 addition the district school superintendent shall perform the
14 following:

15 (2) COMPENSATION AND SALARY SCHEDULES.--Prepare and
16 recommend to the district school board for adoption a salary
17 schedule or salary schedules. The district school
18 superintendent must recommend a salary schedule for
19 instructional personnel which bases a portion of each
20 employee's compensation on performance demonstrated under s.
21 1012.34. In developing the recommended salary schedule, the
22 district school superintendent shall include input from
23 parents, teachers, and representatives of the business
24 community. Beginning with the 2007-2008 ~~2004-2005~~ academic
25 year, the recommended salary schedule for classroom teachers
26 shall be consistent with the district's differentiated-pay
27 policy ~~career ladder~~ based upon s. 1012.22 ~~s. 1012.231~~.

28 Section 58. Subsection (6) of section 1012.28, Florida
29 Statutes, is amended to read:

30 1012.28 Public school personnel; duties of school
31 principals.--

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

5 Section 59. Paragraph (a) of subsection (3) of section
6 1012.34, Florida Statutes, is amended to read:

7 1012.34 Assessment procedures and criteria.--

8 (3) The assessment procedure for instructional
9 personnel and school administrators must be primarily based on
10 the performance of students assigned to their classrooms or
11 schools, as appropriate. Pursuant to this section, a school
12 district's performance assessment is not limited to basing
13 unsatisfactory performance of instructional personnel and
14 school administrators upon student performance, but may
15 include other criteria approved to assess instructional
16 personnel and school administrators' performance, or any
17 combination of student performance and other approved
18 criteria. The procedures must comply with, but are not limited
19 to, the following requirements:

20 (a) An assessment must be conducted for each employee
21 at least once a year. The assessment must be based upon sound
22 educational principles and contemporary research in effective
23 educational practices. The assessment must primarily use data
24 and indicators of improvement in student performance assessed
25 annually as specified in s. 1008.22 and may consider results
26 of peer reviews in evaluating the employee's performance.
27 Student performance must be measured by state assessments
28 required under s. 1008.22 and by local assessments for
29 subjects and grade levels not measured by the state assessment
30 program. The assessment criteria must include, but are not
31 limited to, indicators that relate to the following:

- 1 1. Performance of students.
- 2 2. Ability to maintain appropriate discipline.
- 3 3. Knowledge of subject matter. The district school
- 4 board shall make special provisions for evaluating teachers
- 5 who are assigned to teach out-of-field.
- 6 4. Ability to plan and deliver instruction, ~~including~~
- 7 ~~implementation of the rigorous reading requirement pursuant to~~
- 8 ~~s. 1003.415, when applicable,~~ and the use of technology in the
- 9 classroom.
- 10 5. Ability to evaluate instructional needs.
- 11 6. Ability to establish and maintain a positive
- 12 collaborative relationship with students' families to increase
- 13 student achievement.
- 14 7. Other professional competencies, responsibilities,
- 15 and requirements as established by rules of the State Board of
- 16 Education and policies of the district school board.
- 17 Section 60. Subsection (4) of section 1012.56, Florida
- 18 Statutes, is amended to read:
- 19 1012.56 Educator certification requirements.--
- 20 (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable
- 21 means of demonstrating mastery of subject area knowledge are:
- 22 (a) Achievement of passing scores on subject area
- 23 examinations required by state board rule;
- 24 (b) Completion of the subject area specialization
- 25 requirements specified in state board rule and verification of
- 26 the attainment of the essential subject matter competencies by
- 27 the district school superintendent of the employing school
- 28 district or chief administrative officer of the employing
- 29 state-supported or private school for a subject area for which
- 30 a subject area examination has not been developed and required
- 31 by state board rule;

1 (c) Completion of the subject area specialization
2 requirements specified in state board rule for a subject
3 coverage requiring a master's or higher degree and achievement
4 of a passing score on the subject area examination specified
5 in state board rule;

6 (d) A valid professional standard teaching certificate
7 issued by another state; or

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

11
12 School districts are encouraged to provide mechanisms for
13 those middle school teachers holding only a K-6 teaching
14 certificate to obtain a subject area coverage for middle
15 grades through postsecondary coursework or district add-on
16 certification.

17 Section 61. Section 1012.98, Florida Statutes, is
18 amended to read:

19 1012.98 School Community Professional Development
20 Act.--

21 (1) The Department of Education, public postsecondary
22 educational institutions, public school districts, public
23 schools, state education foundations, consortia, and
24 professional organizations ~~and public schools~~ in this state
25 shall work collaboratively ~~collaborate~~ to establish a
26 coordinated system of professional development. The purpose of
27 the professional development system is to increase student
28 achievement, enhance classroom instructional strategies that
29 promote rigor and relevance throughout the curriculum, and
30 prepare students for continuing education and the workforce.
31 The system of professional development must align to the

1 standards adopted by the state and support the framework for
2 standards adopted by the National Staff Development Council
3 ~~enable the school community to meet state and local student~~
4 ~~achievement standards and the state education goals and to~~
5 ~~succeed in school improvement as described in s. 1000.03.~~

6 (2) The school community includes students and
7 parents, administrative personnel, managers, instructional
8 personnel, support personnel, members of district school
9 boards, members of school advisory councils, business
10 partners, and personnel that provide health and social
11 services to students.

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

14 (a) Support and increase the success of educators
15 through collaboratively developed school improvement plans
16 that focus on:

17 1. Enhanced and differentiated instructional
18 strategies to engage students in rigorous and relevant
19 curriculum based on ~~in guiding student learning and~~
20 ~~development so as to implement~~ state and local educational
21 standards, goals, and initiatives;—

22 2. Increased opportunities to provide meaningful
23 relationships between teachers and all students; and

24 3. Increased opportunities for professional
25 collaboration among and between teachers, guidance counselors,
26 instructional leaders, postsecondary educators engaged in
27 preservice training for new teachers, and the workforce
28 community.

29 (b) Assist the school community in providing
30 stimulating, scientific ~~scientifically~~ research-based
31 educational activities that encourage and motivate students to

1 achieve at the highest levels and to participate as become
2 active learners and that prepare students for success at
3 subsequent educational levels and the workforce.

4 (c) Provide continuous support for all education
5 professionals as well as temporary intervention for education
6 professionals who need improvement in knowledge, skills, and
7 performance.

8 (4) The Department of Education, school districts,
9 schools, community colleges, and state universities share the
10 responsibilities described in this section. These
11 responsibilities include the following:

12 (a) The department shall ~~develop and~~ disseminate to
13 the school community research-based model professional
14 development methods and programs that have demonstrated
15 success in meeting identified student needs. The Commissioner
16 of Education shall use data on student achievement to identify
17 student needs. The methods of dissemination must include a
18 web-based statewide performance support system, including a
19 database of exemplary professional development activities, a
20 listing of available professional development resources,
21 training programs, and available assistance.

22 (b) Each school district shall develop a professional
23 development system as specified in subsection (3). The system
24 shall be developed in consultation with teachers,
25 teacher-educators and representatives of community colleges
26 ~~college~~ and state universities ~~university faculty~~, business
27 and community representatives ~~agencies~~, and local education
28 foundations, consortia, and professional organizations ~~other~~
29 ~~interested citizen groups to establish policy and procedures~~
30 ~~to guide the operation of the district professional~~
31 ~~development program.~~ The professional development system must:

1 1. Be approved by the department. All substantial
2 revisions to the system shall be submitted to the department
3 for review for continued approval.

4 2. Be based on analyses ~~Require the use of~~ student
5 achievement data and instructional strategies and methods that
6 support rigorous, relevant, and challenging curricula for all
7 students. Schools and districts, in developing and refining
8 the professional development system, shall also review and
9 monitor school discipline data; school environment surveys;
10 assessments of parental satisfaction; performance appraisal
11 data of teachers, managers, and administrative personnel; and
12 other performance indicators to identify school and student
13 needs that can be met by improved professional performance.

14 3. Provide inservice activities coupled with followup
15 support ~~that are~~ appropriate to accomplish district-level and
16 school-level improvement goals and standards. The inservice
17 activities for instructional personnel shall ~~primarily~~ focus
18 on analysis of student achievement data, ongoing formal and
19 informal assessments of student achievement, identification
20 and use of enhanced and differentiated instructional
21 strategies that emphasize rigor, relevance, and reading in the
22 content areas, enhancement of subject content expertise,
23 integrated use of classroom technology that enhances teaching
24 and learning ~~and teaching methods, including technology, as~~
25 ~~related to the Sunshine State Standards, assessment and data~~
26 ~~analysis~~, classroom management, parent involvement, and school
27 safety.

28 4. Include a master plan for inservice activities,
29 pursuant to rules of the State Board of Education, for all
30 district employees from all fund sources. The master plan
31 shall be updated annually by September 1, must be based on

1 input from teachers and district and school instructional
2 leaders, and must use the latest available student achievement
3 data and research to enhance rigor and relevance in the
4 classroom. Each district inservice plan must be aligned to and
5 support the school-based inservice plans and school
6 improvement plans pursuant to s. 1001.42(16). District plans
7 ~~using criteria for continued approval as specified by rules of~~
8 ~~the State Board of Education. Written verification that the~~
9 ~~inservice plan meets all requirements of this section must be~~
10 approved by the district school board ~~submitted~~ annually in
11 order to ensure compliance with subsection (1) and to allow
12 for dissemination of research-based best practices to other
13 districts to the commissioner by October 1.

14 5. Require each school principal to establish and
15 maintain an individual professional development plan for each
16 instructional employee assigned to the school as a seamless
17 component to the school improvement plans developed pursuant
18 to 1001.42(16). The individual professional development plan
19 must:

20 a. Be related to specific performance data for the
21 students to whom the teacher is assigned.

22 b. Define the inservice objectives and specific
23 measurable improvements expected in student performance as a
24 result of the inservice activity.

25 c. Include an evaluation component that determines the
26 effectiveness of the professional development plan.

27 6. Include inservice activities for school
28 administrative personnel that address updated skills necessary
29 for ~~effective school management and~~ instructional leadership
30 and effective school management pursuant to s. 1012.986.
31

1 7. Provide for systematic consultation with regional
2 and state personnel designated to provide technical assistance
3 and evaluation of local professional development programs.

4 8. Provide for delivery of professional development by
5 distance learning and other technology-based delivery systems
6 to reach more educators at lower costs.

7 9. Provide for the continuous evaluation of the
8 quality and effectiveness of professional development programs
9 in order to eliminate ineffective programs and strategies and
10 to expand effective ones. Evaluations must consider the impact
11 of such activities on the performance of participating
12 educators and their students' achievement and behavior.

13 ~~(c) Each community college and state university shall~~
14 ~~assist the department, school districts, and schools in the~~
15 ~~design, delivery, and evaluation of professional development~~
16 ~~activities. This assistance must include active participation~~
17 ~~in state and local activities required by the professional~~
18 ~~development system.~~

19 (c)(d) The Department of Education shall approve a
20 public state university having an approved physical education
21 teacher preparation program within its college of education to
22 develop and implement an Internet-based clearinghouse for
23 physical education professional development programs that may
24 be accessed and used by all instructional personnel. The
25 development of these programs shall be financed primarily by
26 private funds and shall be available for use no later than
27 August 1, 2005.

28 (5) Each district school board shall provide funding
29 for the professional development system as required by s.
30 1011.62 and the General Appropriations Act, and shall direct
31 expenditures from other funding sources to continuously

1 strengthen the system in order to increase student achievement
2 and support instructional staff in enhancing rigor and
3 relevance in the classroom ~~and make it uniform and coherent.~~ A
4 school district may coordinate its professional development
5 program with that of another district, with an educational
6 consortium, or with a community college or university,
7 especially in preparing and educating personnel. Each district
8 school board shall make available inservice activities to
9 instructional personnel of nonpublic schools in the district
10 and the state certified teachers who are not employed by the
11 district school board on a fee basis not to exceed the cost of
12 the activity per all participants.

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

23 (7) The Department of Education shall disseminate,
24 using web-based technology, research-based best-practice
25 ~~design~~ methods by which the state and district school boards
26 may evaluate and improve the professional development system.
27 The best practices evaluation must include ~~an annual~~
28 ~~assessment of~~ data that indicate the progress ~~or lack of~~
29 ~~progress~~ of all students. ~~If the review of the data indicates~~
30 ~~progress, the department shall identify the best practices~~
31 ~~that contributed to the progress. If the review of the data~~

1 ~~indicates a lack of progress, the department shall investigate~~
2 ~~the causes of the lack of progress, provide technical~~
3 ~~assistance, and require the school district to employ a~~
4 ~~different approach to professional development.~~ The department
5 shall report annually to the State Board of Education and the
6 Legislature any school district that, in the determination of
7 the department, has failed to provide an adequate professional
8 development system. This report must include the results of
9 the department's investigation and of any intervention
10 provided.

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

14 (9) This section does not limit or discourage a
15 district school board from contracting with independent
16 entities for professional development services and inservice
17 education if the district school board can demonstrate to the
18 Commissioner of Education that, through such a contract, a
19 better product can be acquired or its goals for education
20 improvement can be better met.

21 (10) For teachers, managers, and administrative
22 personnel who have been evaluated as less than satisfactory, a
23 district school board shall require participation in specific
24 professional development programs as part of the improvement
25 prescription.

26 (11) The department shall disseminate to the school
27 community proven model professional development programs that
28 have demonstrated success in increasing rigorous and relevant
29 content, increasing student achievement and engagement, and
30 meeting identified student needs. The methods of dissemination
31 must include a web-based statewide performance-support system

1 including a database of exemplary professional development
2 activities, a listing of available professional development
3 resources, training programs, and available technical
4 assistance.

5 Section 62. Section 1012.986, Florida Statutes, is
6 created to read:

7 1012.986 Statewide system for professional development
8 of school leaders.--

9 (1) The intent of this section is to establish a
10 statewide system of professional development which provides
11 high standards and sustained support for principals as
12 instructional leaders. The system shall consist of a
13 collaborative network of professional leadership organizations
14 in order to respond to needs throughout the state. The network
15 shall be established to support the human-resource-development
16 needs of principals, principal leadership teams, and
17 candidates for principal leadership positions using the
18 framework of leadership standards adopted by the State Board
19 of Education, the Southern Regional Education Board, and the
20 National Staff Development Council. Funds appropriated for the
21 leadership network for principals shall be allocated annually
22 in the General Appropriations Act, contingent upon a
23 commitment of financial support or human-resource support from
24 the Florida Association of District School Superintendents,
25 the Florida Association of School Administrators, the Southern
26 Regional Education Board, the Department of Education, the
27 Florida Regional Education Consortia, and education leadership
28 faculty from Florida's community colleges and universities.
29 The goal of the network and the principal leadership training
30 is to:
31

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

3 (b) Maintain a clearinghouse and disseminate
4 data-supported information related to enhanced student
5 achievement, based on educational research and best practices.

6 (c) Build the capacity to increase the quality of
7 programs for preservice education for aspiring principals and
8 inservice professional development for principals and
9 principal leadership teams.

10 (d) Support best teaching and research-based
11 instructional practices through dissemination and modeling at
12 the preservice and inservice levels for both teachers and
13 principals.

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

17 (a) Approved school district training programs.

18 (b) Interactive technology-based instruction.

19 (c) State, regional, or local leadership academies.

20 (3) The State Board of Education shall adopt rules
21 pursuant to ss. 120.536(1) and 120.54 to administer this
22 section.

23 Section 63. Section 1012.987, Florida Statutes, is
24 repealed.

25 Section 64. This act shall take effect upon becoming a
26 law.

1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 2048
4 The committee substitute:
5 Revises requirements for high school graduation to include
6 eight credits in majors, minors, or electives;
7 Increases requirements for promotion from middle school to
8 include three courses in science and social studies;
9 Provides for comprehensive career academy projects;
10 Establishes the Ready to Work Initiative to provide skills and
11 credentials for students in specific occupations.
12 Revises the standard college preparatory program of the
13 accelerated high school graduation options to require that at
14 least 6 of the 18 credits be completed through International
15 Baccalaureate or Advanced Placement programs, raises the
16 minimum GPA to 3.5, and requires at least a "B" in each
17 required course;
18 Repeals the career preparatory accelerated graduation option;
19 Requires assessment for students seeking a special high school
20 diploma and for certain students to have the Florida
21 Comprehensive Achievement Test requirement waived;
22 Requires the Commissioner to research end of course
23 assessments for secondary schools and assessment tools for
24 students with significant cognitive disabilities;
25 Eliminates honors courses from equal weighting with advanced
26 placement and dual enrollment courses beginning with students
27 entering grade 9 in the 2006-2007 school year;
28 Requires district school boards to adopt a differentiated pay
29 policy beginning with the 2007-2008 school year;
30 Provides that school districts may forego implementation of
31 the E-COMP performance pay plan until the beginning of the
 2007-08 school year; and
 Repeals s. 446.609, F.S., the Jobs for Florida's Graduates
 Act.