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Proposed Committee Substitute by the Committee on Appropriations (Appropriations Subcommittee on Education)

A bill to be entitled

An act relating to education; amending s. 1001.215, F.S.; revising the duties of the Just Read, Florida! Office; amending s. 1002.20, F.S.; revising requirements for notifying a parent of a student with a substantial reading deficiency; amending s. 1002.59, F.S.; revising the emergent literacy and performance standards training course requirements to include specific reading instruction; amending s. 1002.67, F.S.; requiring Voluntary Prekindergarten Education Program providers to implement any pre- and postassessments identified and adopted by the Office of Early Learning; requiring the office to identify concordant or comparative scores on alternative assessments aligned to the performance standards adopted by the office; requiring the office to approve specific Voluntary Prekindergarten Education Program assessments and establish requirements for individuals administering the assessments; requiring certain students to receive specific reading instruction; requiring the office to identify certain guidelines by rule and provide examples of certain instructional strategies; amending s. 1002.69, F.S.; conforming provisions to changes made by the act; requiring data from the statewide kindergarten screening to be used to identify certain students; amending ss. 1002.75 and 1002.82, F.S.; authorizing a Voluntary Prekindergarten



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Education Program provider and a school readiness program provider to continue to offer services during certain appeals; creating s. 1003.432, F.S.; defining terms; establishing the Florida Seal of Biliteracy Program to recognize a high school graduate who has attained a high level of competency in one or more foreign languages; providing the purpose of the program; specifying criteria to earn a Gold Seal of Biliteracy or a Silver Seal of Biliteracy; requiring the Commissioner of Education and school districts to perform specified duties to administer the program; prohibiting a school district or the Department of Education from charging a fee for the seals; requiring the State Board of Education to adopt rules; amending s. 1003.44, F.S.; requiring a written notice of a student's right not to participate in the pledge of allegiance to be included in a specific publication; amending s. 1004.04, F.S.; revising core curricula requirements for certain teacher preparation programs to include certain reading instruction and interventions; amending s. 1004.85, F.S.; requiring certain educator preparation institutes to provide evidence of specified reading instruction as a condition of program approval; amending s. 1008.25, F.S.; requiring district school boards to allocate certain instruction resources to certain students deficient in reading; revising criteria and requiring the State Board of Education to identify guidelines for determining whether certain students have a



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substantial deficiency in reading; revising the parental notification requirements for students with a substantial deficiency in reading; requiring schools to provide certain instruction to students who received a good cause exemption from retention; revising intervention requirements for certain retained students; revising provisions relating to the Intensive Acceleration Class for retained students in certain grades; revising student progress evaluation requirements; amending s. 1008.345, F.S.; revising reporting requirements of the Commissioner of Education relating to the state system of school improvement and education accountability; creating s. 1012.567, F.S.; requiring applicants for an educator certificate in certain areas to demonstrate competence in specified areas; providing that a teacher certification from another state does not meet competency requirements; requiring the state board to identify teacher certification areas in which candidates must demonstrate competence; requiring a certain teacher preparation program to provide specific instruction in order to receive approval; providing requirements for an endorsement in reading instruction; requiring reading endorsement competencies to align with specified strategies; providing for review of specialization and coverage area requirements for certain education area certifications; providing for rulemaking; amending s. 1012.585, F.S.; revising requirements for renewal of



professional teaching certificates; amending s. 1012.586, F.S.; authorizing the department to recommend consolidation of endorsement areas and requirements for endorsements for teacher certificates; amending s. 1012.98, F.S.; revising duties and requirements for implementation of the School Community Professional Development Act; providing an effective date.

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

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Section 1. Section 1001.215, Florida Statutes, is amended to read:

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

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(1) Train highly effective reading coaches.

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

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(3) Provide training to Train K-12 teachers, reading coaches, and school principals on effective content-areaspecific reading strategies; the integration of technology tools to improve student reading performance; the integration of content-rich, nonfiction texts from other core subject areas into reading instruction; and evidence-based reading strategies identified in subsection (7). For secondary teachers, emphasis



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shall be on technical text. These strategies must be developed for all content areas in the K-12 curriculum.

- (4) Provide parents with information and strategies for assisting their children in reading, including reading in the content areas area.
- (5) Provide technical assistance to school districts in the development and implementation of district plans for use of the research-based reading instruction allocation provided in s. 1011.62(9) and annually review and approve such plans.
- (6) Review, evaluate, and provide technical assistance to school districts' implementation of the K-12 comprehensive reading plan required in s. 1011.62(9).
- (7) Work with the Florida Center for Reading Research to identify effective research-based and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, sequential, and multisensory approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional provide information on research-based reading programs and effective reading in the content area strategies. Reading intervention includes evidence-based strategies frequently used to remediate reading deficiencies and include individual instruction, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities.
- (8) Periodically review the Next Generation Sunshine State Standards for English Language Arts to determine their appropriateness at each grade level reading at all grade levels.
- (9) Periodically review teacher certification requirements and examinations, including alternative certification



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requirements and examinations exams, to ascertain whether the examinations measure the skills needed for evidence-based research-based reading instruction and instructional strategies for teaching reading, including reading in the content areas.

- (10) Work with teacher preparation programs approved pursuant to ss. s. 1004.04 and 1004.85 to integrate effective, research-based, and evidence-based reading instructional and intervention strategies; and reading in the content area instructional strategies; and explicit, systematic, and multisensory reading instructional strategies into teacher preparation programs. Reading intervention strategies may include strategies using technology to improve reading instruction and accelerate student learning gains.
- (11) Administer grants and perform other functions as necessary to help meet the goal that all students read at their highest potential grade level.

Section 2. Subsection (11) of section 1002.20, Florida Statutes, is amended to read:

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

(11) STUDENTS WITH READING DEFICIENCIES.—The parent of any K-3 student who exhibits a substantial reading deficiency shall be immediately notified of the student's deficiency pursuant to s. 1008.25(5) and with a description and explanation, in terms understandable to the parent, of the exact nature of the



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student's difficulty in learning and lack of achievement in reading; shall be consulted in the development of a plan, as described in s. 1008.25(4)(b); and shall be informed that the student will be given intensive reading instruction until the deficiency is corrected. This subsection operates in addition to the remediation and notification provisions contained in s. 1008.25 and in no way reduces the rights of a parent or the responsibilities of a school district under that section.

Section 3. Subsection (1) of section 1002.59, Florida Statutes, is amended to read:

1002.59 Emergent literacy and performance standards training courses.-

(1) The office shall adopt minimum standards for one or more training courses in emergent literacy for prekindergarten instructors. Each course must comprise 5 clock hours and provide instruction in explicit, systematic, and multisensory instruction strategies and techniques to address the ageappropriate progress of prekindergarten students in developing emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development. Each course must address early identification of and intervention for students experiencing difficulties with emergent literacy skills and also provide resources containing strategies that allow students with disabilities and other special needs to derive maximum benefit from the Voluntary Prekindergarten Education Program. Successful completion of an emergent literacy training course approved under this section satisfies requirements for approved training in early literacy and language development



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202 under ss. 402.305(2)(d)5., 402.313(6), and 402.3131(5).

Section 4. Paragraphs (a) and (c) of subsection (3) of section 1002.67, Florida Statutes, are amended, and paragraphs (d), (e), and (f) are added to that subsection, to read:

1002.67 Performance standards; curricula and accountability.-

- (3) (a) Contingent upon legislative appropriation, each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program must implement any an evidence-based pre- and post-assessment that has been identified and approved by the office rule of the State Board of Education. The office shall identify concordant or comparative scores, as applicable, on alternative assessments that are aligned to the performance standards adopted by the office pursuant to subsection (1).
- (c) The pre- and post-assessment must be administered by individuals meeting requirements established by the office rule of the State Board of Education.
- (d) Students who exhibit a deficiency in emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development, must be provided intensive, explicit, and systematic instruction.
- (e) The office shall identify by rule guidelines for determining whether a student has exhibited a deficiency in emergent literacy skills.
- (f) The office shall provide to private prekindergarten providers and public schools examples of appropriate instructional strategies and supports to remediate deficiencies



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in emergent literacy skills.

Section 5. Subsections (1) and (2) of section 1002.69, Florida Statutes, are amended to read:

1002.69 Statewide kindergarten screening; kindergarten readiness rates; state-approved prekindergarten enrollment screening; good cause exemption.-

- (1) The department shall adopt a statewide kindergarten screening that assesses the readiness of each student for kindergarten based upon the performance standards adopted by the office department under s. 1002.67(1) for the Voluntary Prekindergarten Education Program. The department shall require that each school district administer the statewide kindergarten screening to each kindergarten student in the school district within the first 30 school days of each school year. Nonpublic schools may administer the statewide kindergarten screening to each kindergarten student in a nonpublic school who was enrolled in the Voluntary Prekindergarten Education Program.
- (2) The statewide kindergarten screening shall provide objective data concerning each student's readiness for kindergarten and progress in attaining the performance standards adopted by the office under s. 1002.67(1). Data from the statewide kindergarten screening, along with other available data, must be used to identify students in need of intervention and support pursuant to s. 1008.25(5).

Section 6. Subsection (1) of section 1002.75, Florida Statutes, is amended to read:

1002.75 Office of Early Learning; powers and duties .-

(1) The Office of Early Learning shall adopt by rule a standard statewide provider contract to be used with each



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Voluntary Prekindergarten Education Program provider, with standardized attachments by provider type. The office shall publish a copy of the standard statewide provider contract on its website. The standard statewide contract shall include, at a minimum, provisions for provider probation, termination for cause, and emergency termination for those actions or inactions of a provider that pose an immediate and serious danger to the health, safety, or welfare of children. The standard statewide contract must shall also include appropriate due process procedures. A During the pendency of an appeal of a termination, the provider may not continue to offer its services during the pendency of an appeal of a termination that is not an emergency termination or a termination for fraud. Any provision imposed upon a provider that is inconsistent with, or prohibited by, law is void and unenforceable.

Section 7. Paragraph (m) of subsection (2) of section 1002.82, Florida Statutes, is amended to read:

1002.82 Office of Early Learning; powers and duties .-

- (2) The office shall:
- (m) Adopt by rule a standard statewide provider contract to be used with each school readiness program provider, with standardized attachments by provider type. The office shall publish a copy of the standard statewide provider contract on its website. The standard statewide contract shall include, at a minimum, provisions for provider probation, termination for cause, and emergency termination for those actions or inactions of a provider that pose an immediate and serious danger to the health, safety, or welfare of the children. The standard statewide provider contract must shall also include appropriate



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due process procedures. A During the pendency of an appeal of a termination, the provider may not continue to offer its services during the pendency of an appeal of a termination that is not an emergency termination or a termination for fraud. Any provision imposed upon a provider that is inconsistent with, or prohibited by, law is void and unenforceable.

Section 8. Section 1003.432, Florida Statutes, is created to read:

1003.432 Florida Seal of Biliteracy Program for high school graduates.-

- (1) As used in this section, the term:
- (a) "Biliteracy" means attainment of a high level of competency in listening, speaking, reading, and writing in one or more foreign languages in addition to English, which is signified on a high school graduate's diploma and transcript as either a Gold Seal of Biliteracy or a Silver Seal of Biliteracy.
- (b) "Foreign language" means a language other than English and includes American Sign Language, classical languages, and indigenous languages.
- (c) "Gold" means the highest level of competency certified by the Florida Seal of Biliteracy Program.
- (d) "Silver" means the second-highest level of competency certified by the Florida Seal of Biliteracy Program.
- (2) The Florida Seal of Biliteracy Program is established to recognize a high school graduate who has attained a high level of competency in listening, speaking, reading, and writing in one or more foreign languages in addition to English. The Commissioner of Education shall award the Seal of Biliteracy upon graduation to a high school student who meets the



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qualifications in this section. The seal must differentiate between two levels of competency, designated as Gold and Silver, which must be at least as rigorous as is recommended in the biliteracy seal guidelines established by national organizations supporting foreign language instruction.

- (3) The purpose of the Florida Seal of Biliteracy Program is to:
 - (a) Encourage students to study foreign languages.
 - (b) Certify attainment of biliteracy.
- (c) Provide employers with a method of identifying an individual with biliteracy skills who is seeking employment.
- (d) Provide a postsecondary institution with a method of recognizing an applicant with biliteracy skills who is seeking admission to the postsecondary institution.
- (e) Recognize and promote foreign language instruction in public schools.
- (f) Affirm the value of diversity, honor multiple cultures and foreign languages, and strengthen the relationships between multiple cultures in a community.
- (4) The Gold Seal of Biliteracy or the Silver Seal of Biliteracy must be awarded to a high school student who has earned a standard high school diploma and who:
- (a) Has earned four foreign language course credits in the same foreign language with a cumulative 3.0 grade point average or higher on a 4.0 scale;
- (b) Has achieved a qualifying score on a foreign language assessment; or
- (c) Has satisfied alternative requirements as determined by the State Board of Education pursuant to subsection (8).



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- (5) The Commissioner of Education shall:
- (a) Prepare and provide to each school district an appropriate insignia to be affixed to the student's diploma indicating that the student has been awarded the Gold Seal of Biliteracy or the Silver Seal of Biliteracy.
- (b) Provide information necessary for a school district to successfully implement the program.
 - (6) Each school district shall:
- (a) Maintain appropriate records to identify a student who has met the requirements to receive the Gold Seal of Biliteracy or the Silver Seal of Biliteracy.
- (b) Provide the Commissioner of Education with the number of students who have met the requirements to receive the Gold Seal of Biliteracy or the Silver Seal of Biliteracy.
- (c) Affix the appropriate insignia to the student's diploma and indicate on the student's transcript that the student has earned the Gold Seal of Biliteracy or the Silver Seal of Biliteracy.
- (7) A school district or the Department of Education may not charge a fee for the Gold Seal of Biliteracy or the Silver Seal of Biliteracy.
- (8) The State Board of Education shall adopt rules to implement this section. Such rules, at a minimum, must include:
- (a) A process to confirm a student's successful completion of the requirements in subsection (4).
- (b) The assessments and corresponding passing scores required to earn the Gold Seal of Biliteracy or the Silver Seal of Biliteracy, which may not be lower than the passing scores on at least one of the following:



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- 1. An International Baccalaureate examination in the foreign language;
 - 2. An Advanced Placement examination in the foreign language;
 - 3. An SAT Subject Test examination in the foreign language; or
 - 4. An Advanced International Certificate of Education examination in the foreign language.
 - (c) Alternative requirements a student may satisfy to demonstrate equivalent competency in a foreign language, including requirements a student whose native language is not English may satisfy to demonstrate competency in his or her native language to earn the Gold Seal of Biliteracy or the Silver Seal of Biliteracy.
 - (d) A process to award foreign language course credits to a student who was not enrolled in a foreign language course or who did not complete the course but has demonstrated competency in a foreign language as provided in this subsection.

Section 9. Subsection (1) of section 1003.44, Florida Statutes, is amended to read:

1003.44 Patriotic programs; rules.-

(1) Each district school board may adopt rules to require, in all of the schools of the district, programs of a patriotic nature to encourage greater respect for the government of the United States and its national anthem and flag, subject always to other existing pertinent laws of the United States or of the state. When the national anthem is played, students and all civilians shall stand at attention, men removing the headdress, except when such headdress is worn for religious purposes. The



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pledge of allegiance to the flag, "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all," shall be rendered by students standing with the right hand over the heart. The pledge of allegiance to the flag shall be recited at the beginning of the day in each public elementary, middle, and high school in the state. Each student shall be informed by a written notice published in the student handbook or a similar publication pursuant to s. 1006.07(2) posting a notice in a conspicuous place that the student has the right not to participate in reciting the pledge. Upon written request by his or her parent, the student must be excused from reciting the pledge. When the pledge is given, civilians must show full respect to the flag by standing at attention, men removing the headdress, except when such headdress is worn for religious purposes, as provided by Pub. L. ch. 77-435, s. 7, approved June 22, 1942, 56 Stat. 377, as amended by Pub. L. ch. 77-806, 56 Stat. 1074, approved December 22, 1942.

Section 10. Paragraphs (b) and (c) of subsection (2) of section 1004.04, Florida Statutes, are amended to read:

1004.04 Public accountability and state approval for teacher preparation programs.-

- (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.-
- (b) The rules to establish uniform core curricula for each state-approved teacher preparation program must include, but are not limited to, the following:
 - 1. The Florida Educator Accomplished Practices.
 - 2. The state-adopted content standards.



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- 3. Scientifically researched reading instruction, including explicit, systematic, and multisensory approaches to reading instruction and intervention that are proven to improve reading performance for all students.
- 4. Evidence-based reading instruction strategies that use technology tools.
 - 5.4. Content literacy and mathematics practices.
- 6.5. Strategies appropriate for the instruction of English language learners.
- 7.6. Strategies appropriate for the instruction of students with disabilities.
 - 8.7. School safety.
- (c) Each candidate must receive instruction and be assessed on the uniform core curricula in the candidate's area or areas of program concentration, including reading instruction under s. 1012.567, as applicable, during course work and field experiences.

Section 11. Paragraphs (a) and (b) of subsection (3) of section 1004.85, Florida Statutes, are amended to read:

1004.85 Postsecondary educator preparation institutes.-

(3) Educator preparation institutes approved pursuant to this section may offer competency-based certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. An educator preparation institute choosing to offer a competency-based certification program pursuant to the provisions of this section must implement a program previously approved by the Department of Education for this purpose or a program developed by the



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institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

- (a) Within 90 days after receipt of a request for approval, the Department of Education shall approve a preparation program pursuant to the requirements of this subsection or issue a statement of the deficiencies in the request for approval. The department shall approve a certification program if the institute provides evidence of the institute's capacity to implement a competency-based program that includes each of the following:
- 1.a. Participant instruction and assessment in the Florida Educator Accomplished Practices.
 - b. The state-adopted student content standards.
- c. Scientifically researched reading instruction, including explicit, systematic, and multisensory approaches to reading instruction and intervention that are proven to improve reading performance for all students.
- d. Evidence-based reading instruction strategies that use technology tools.
 - e.d. Content literacy and mathematical practices.
- f.e. Strategies appropriate for instruction of English language learners.
- g.f. Strategies appropriate for instruction of students with disabilities.
 - h.g. School safety.
- 2. An educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking



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certification, which is based on an assessment of his or her competency in the areas listed in subparagraph 1.

- 3. Field experiences appropriate to the certification subject area specified in the educational plan with a diverse population of students in a variety of settings under the supervision of qualified educators.
- 4. A certification ombudsman to facilitate the process and procedures required for participants who complete the program to meet any requirements related to the background screening pursuant to s. 1012.32 and educator professional or temporary certification pursuant to s. 1012.56.
 - (b) Each program participant must:
- 1. Meet certification requirements pursuant to s. 1012.56(1) by obtaining a statement of status of eligibility in the certification subject area of the educational plan and meet the requirements of s. 1012.56(2)(a)-(f).
- 2. Participate in coursework and field experiences that are appropriate to his or her educational plan prepared under paragraph (a), including reading instruction under s. 1012.567, as applicable.
- 3. Before completion of the program, fully demonstrate his or her ability to teach the subject area for which he or she is seeking certification by documenting a positive impact on student learning growth in a prekindergarten through grade 12 setting and achieving a passing score on the professional education competency examination, the basic skills examination, and the subject area examination for the subject area certification which is required by state board rule.
 - Section 12. Subsection (3), paragraph (b) of subsection



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- (4), paragraphs (a) and (c) of subsection (5), paragraph (b) of subsection (6), subsection (7), and paragraph (a) of subsection (8) of section 1008.25, Florida Statutes, are amended to read:
- 1008.25 Public school student progression; student support; reporting requirements.-
- (3) ALLOCATION OF RESOURCES.—District school boards shall allocate remedial and supplemental instruction resources to students in the following priority:
- (a) Students in kindergarten through grade 3 who have a substantial deficiency are deficient in reading as determined in paragraph (5) (a) by the end of grade 3.
- (b) Students who fail to meet performance levels required for promotion consistent with the district school board's plan for student progression required in subsection (2) paragraph $\frac{(2)(b)}{(b)}$.
 - (4) ASSESSMENT AND SUPPORT.-
- (b) A student who has a substantial reading deficiency as determined in paragraph (5)(a) or is not meeting the school district or state requirements for satisfactory performance in English Language Arts and mathematics must be covered by one of the following plans:
- 1. A federally required student plan, such as an individual education plan;
- 2. A schoolwide system of progress monitoring for all students, except a student who scores Level 4 or above on the English Language Arts and mathematics assessments may be exempted from participation by the principal; or
 - 3. An individualized progress monitoring plan.
 - (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.-



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- (a) Any student in kindergarten through grade 3 who exhibits a substantial deficiency in reading, based upon screening, diagnostic, progress monitoring, or assessment data; locally determined or statewide assessments; conducted in kindergarten or grade 1, grade 2, or grade 3, or through teacher observations, must be provided given intensive, explicit, systematic, and multisensory reading interventions instruction immediately following the identification of the reading deficiency. A school may not wait for a student to receive a failing grade at the end of a grading period to identify the student as having a substantial reading deficiency and initiate intensive reading interventions. The student's reading proficiency must be monitored and the intensive interventions instruction must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the statewide, standardized English Language Arts assessment. The State Board of Education shall identify by rule guidelines for determining whether a student in kindergarten through grade 3 has a substantial deficiency in reading.
- (c) The parent of any student who exhibits a substantial deficiency in reading, as described in paragraph (a), must be notified in writing of the following:
- 1. That his or her child has been identified as having a substantial deficiency in reading, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading.
 - 2. A description of the current services that are provided



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- 3. A description of the proposed intensive interventions supplemental instructional services and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency.
- 4. That if the child's reading deficiency is not remediated by the end of grade 3, the child must be retained unless he or she is exempt from mandatory retention for good cause.
- 5. Opportunities to observe effective instruction and intervention strategies in the classroom; receive literacy instruction from the school or through community adult literacy initiatives; and receive strategies, including multisensory strategies, through a read-at-home plan the parent can for parents to use in helping his or her their child succeed in reading proficiency.
- 6. That the statewide, standardized English Language Arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the school district in knowing when a child is reading at or above grade level and ready for grade promotion.
- 7. The district's specific criteria and policies for a portfolio as provided in subparagraph (6)(b)4. and the evidence required for a student to demonstrate mastery of Florida's academic standards for English Language Arts. A parent of a student in grade 3 who is identified anytime during the year as being at risk of retention may request that the school immediately begin collecting evidence for a portfolio.
 - 8. The district's specific criteria and policies for



midyear promotion. Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

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After initial notification, the school shall apprise the parent, at least monthly, of the student's progress toward meeting goals based on the student's grade level.

- (6) ELIMINATION OF SOCIAL PROMOTION. -
- (b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5)(b), for good cause. A student who is promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted with a good cause exemption which research has shown to be successful in improving reading among students who have reading difficulties. Good cause exemptions are limited to the following:
- 1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program based on the initial date of entry into a school in the United States.
- 2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of s. 1008.212.



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- 3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.
- 4. A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized English Language Arts assessment.
- 5. Students with disabilities who take the statewide, standardized English Language Arts assessment and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive instruction in reading or English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in kindergarten, grade 1, grade 2, or grade 3.
- 6. Students who have received intensive reading intervention for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.
- 7. Students who have received intensive remediation in reading or English Language Arts for 2 or more years but still demonstrate a deficiency and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. Intensive instruction for students so promoted must include an altered instructional day that includes specialized diagnostic information and specific reading strategies for each student. The district school board shall assist schools and teachers to implement reading strategies that research has shown to be successful in improving reading among low-performing



readers.

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- (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS.-
- (a) Students retained under the provisions of paragraph (5) (b) must be provided intensive interventions in reading to ameliorate the student's specific reading deficiency and prepare the student for promotion to the next grade. These interventions, as identified by a valid and reliable diagnostic assessment. This intensive intervention must include:
- 1. Evidence-based, explicit, systematic, and multisensory reading instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district. effective instructional strategies,
- 2. Participation in the school district's summer reading camp, which must incorporate the instructional and intervention strategies under subparagraph 1, and appropriate teaching methodologies necessary to assist those students in becoming successful readers, able to read at or above grade level, and ready for promotion to the next grade.
- 3. A minimum of 90 minutes of daily, uninterrupted reading instruction incorporating the instructional and intervention strategies under subparagraph 1. This instruction may include:
 - (b) Each school district shall:
- 1. Provide third grade students who are retained under the provisions of paragraph (5) (b) with intensive instructional services and supports to remediate the identified areas of reading deficiency, including participation in the school district's summer reading camp as required under paragraph (a) and a minimum of 90 minutes of daily, uninterrupted,



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scientifically research-based reading instruction which includes phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district, which may include, but are not limited to:

- a. Integration of content-rich, nonfiction texts in science and social studies content within the 90-minute block.
 - b. Small group instruction.
 - c. Reduced teacher-student ratios.
 - d. More frequent progress monitoring.
 - e. Tutoring or mentoring.
- f. The use of evidence-based technology tools that improve or accelerate student reading achievement.
- g.f. Transition classes containing 3rd and 4th grade students.
 - h.g. Extended school day, week, or year.
 - (b) Each school district shall:
- 1.2. Provide written notification to the parent of a student who is retained under the provisions of paragraph (5)(b) that his or her child has not met the proficiency level required for promotion and the reasons the child is not eligible for a good cause exemption as provided in paragraph (6)(b). The notification must comply with paragraph (5)(c) the provisions of s. 1002.20(15) and must include a description of proposed interventions and supports that will be provided to the child to remediate the identified areas of reading deficiency.
- 2.3. Implement a policy for the midyear promotion of a student retained under the provisions of paragraph (5) (b) who can demonstrate that he or she is a successful and independent reader and performing at or above grade level in reading or,



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upon implementation of English Language Arts assessments, performing at or above grade level in English Language Arts. Tools that school districts may use in reevaluating a student retained may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education. Students promoted during the school year after November 1 must demonstrate proficiency levels in reading equivalent to the level necessary for the beginning of grade 4. The rules adopted by the State Board of Education must include standards that provide a reasonable expectation that the student's progress is sufficient to master appropriate grade 4 level reading skills.

- 3.4. Provide students who are retained under the provisions of paragraph (5)(b), including students participating in the school district's summer reading camp under subparagraph (a) 2., with a highly effective teacher as determined by the teacher's performance evaluation under s. 1012.34, and, beginning July 1, 2019, the teacher must also be certified or endorsed in reading.
- 4.5. Establish at each school, when applicable, an intensive reading acceleration course class for any student retained in grade 3 who was previously retained in kindergarten, grade 1, or grade 2 students who subsequently score Level 1 on the required statewide, standardized assessment identified in s. 1008.22. The focus of the Intensive Acceleration Class shall be to increase a child's reading and English Language Arts skill level at least two grade levels in 1 school year. The intensive reading acceleration course must provide the following Class shall:
 - a. Uninterrupted reading instruction for the majority of



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student contact time each day and opportunities to master the grade 4 Next Generation Sunshine State Standards in other core subject areas through content-rich, nonfiction texts.

- b. Small group instruction.
- c. Reduced teacher-student ratios.
- d. The use of explicit, systematic, and multisensory reading interventions, including intensive language and vocabulary instruction and use of a speech-language therapist if necessary, that have proven results in accelerating student reading achievement within the same school year.
 - e. A read-at-home plan.
- a. Be provided to a student in grade 3 who scores Level 1 on the statewide, standardized English Language Arts assessment and who was retained in grade 3 the prior year because of scoring Level 1.
 - b. Have a reduced teacher-student ratio.
- c. Provide uninterrupted reading instruction for the majority of student contact time each day and incorporate opportunities to master the grade 4 Next Generation Sunshine State Standards in other core subject areas.
- d. Use a reading program that is scientifically researchbased and has proven results in accelerating student reading achievement within the same school year.
- e. Provide intensive language and vocabulary instruction using a scientifically research-based program, including use of a speech-language therapist.
 - (8) ANNUAL REPORT.-
- (a) In addition to the requirements in paragraph (5)(b), each district school board must annually report to the parent of



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each student the progress of the student toward achieving state and district expectations for proficiency in English Language Arts, science, social studies, and mathematics. The district school board must report to the parent the student's results on each statewide, standardized assessment. The evaluation of each student's progress must be based upon the student's classroom work, observations, tests, district and state assessments, response to intensive interventions provided under paragraph (5) (a), and other relevant information. Progress reporting must be provided to the parent in writing in a format adopted by the district school board.

Section 13. Subsection (5) of section 1008.345, Florida Statutes, is amended to read:

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

- (5) The commissioner shall annually report to the State Board of Education and the Legislature and recommend changes in state policy necessary to foster school improvement and education accountability. The report shall include:
 - (a) For each school district:
- 1. The percentage of students, by school and grade level, demonstrating learning growth in English Language Arts and mathematics.
- 2. The percentage of students, by school and grade level, in both the highest and lowest quartiles demonstrating learning growth in English Language Arts and mathematics.
- 3. The information contained in the school district's annual report required under s. 1008.25(8).
 - (b) Intervention and support strategies used by school



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districts boards whose students in both the highest and lowest quartiles exceed the statewide average learning growth for students in those quartiles.

- (c) Intervention and support strategies used by school districts boards whose schools provide educational services to youth in Department of Juvenile Justice programs that demonstrate learning growth in English Language Arts and mathematics that exceeds the statewide average learning growth for students in those subjects.
- (d) Based upon a review of each school district's reading plan submitted pursuant to s. 1011.62(9), intervention and support strategies used by school districts that were effective in improving the reading performance of students, as indicated by student performance data, who are identified as having a substantial reading deficiency pursuant to s. 1008.25(5)(a).

827 School reports shall be distributed pursuant to this subsection 828 and s. 1001.42(18)(c) and according to rules adopted by the

Section 14. Section 1012.567, Florida Statutes, is created to read:

1012.567 Certification and endorsement of elementary reading instructors.-

(1) CERTIFICATION.—

State Board of Education.

(a) Beginning January 1, 2019, an applicant for an educator certificate in an area involving reading instruction or intervention for any students in kindergarten through grade 6 must, as part of the certification process, demonstrate competence in the following:



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- 1. Identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills.
- 2. Using explicit, systematic, and multisensory approaches to reading instruction and intervention that are proven to improve reading performance for all students.
- 3. Using predictive and other data to make instructional decisions based on individual student needs.

The State Board of Education shall adopt by rule the minimum requirements for instruction provided by teacher preparation programs and school districts for this purpose and methods for demonstrating competence in accordance with this section.

- (b) Documentation of a valid professional standard teaching certificate issued by another state is not sufficient to meet the requirements of paragraph (a). The State Board of Education shall establish a procedure by which a candidate who holds a certificate issued by another state may demonstrate competence as required in paragraph (a).
- (c) The State Board of Education shall identify by rule certification areas in which candidates must demonstrate competence as provided in paragraph (a) as part of the certification process.
- (d) To receive initial or continued approval, a teacher preparation program under s. 1004.04 or s. 1004.85 must provide instruction in the skills and strategies listed in paragraph (a) to candidates for certificates in the areas identified by the state board pursuant to paragraph (c).
 - (2) ENDORSEMENT.—Beginning with applications for a reading



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endorsement received on January 1, 2019, and thereafter, the specialization requirements for an endorsement in reading instruction must include at least 3 semester hours of instruction in explicit, systematic, and multisensory approaches to reading instruction and intervention that are proven to improve reading performance for all students. This instruction may be incorporated into semester hour requirements established in State Board of Education rule. Reading endorsement competencies must be aligned with instructional and intervention strategies in accordance with s. 1001.215(7).

- (3) REVIEW.—By July 1, 2017, and at least once every 5 years thereafter, the department shall conduct a review of specialization and coverage area requirements in the elementary, reading, and exceptional student educational areas. At the conclusion of each review, the department shall recommend to the State Board of Education changes to the specialization and coverage area requirements based upon any identified instructional or intervention strategies proven to improve student reading performance.
- (4) STATE BOARD RULES.—The State Board of Education shall adopt rules pursuant to ss. 120.536 and 120.54 as necessary to implement this section.

Section 15. Paragraph (a) of subsection (3) of section 1012.585, Florida Statutes, is amended, and paragraph (f) is added to that subsection, to read:

1012.585 Process for renewal of professional certificates.-

- (3) For the renewal of a professional certificate, the following requirements must be met:
 - (a) The applicant must earn a minimum of 6 college credits



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or 120 inservice points or a combination thereof. For each area of specialization to be retained on a certificate, the applicant must earn at least 3 of the required credit hours or equivalent inservice points in the specialization area. Education in "clinical educator" training pursuant to s. 1004.04(5)(b) and credits or points that provide training in the area of scientifically researched, knowledge-based reading literacy, including explicit, systematic, and multisensory approaches to reading instruction and intervention; and computational skills acquisition; r exceptional student education; r normal child $development;_{T}$ and the disorders of development may be applied toward any specialization area. Credits or points that provide training in the areas of drug abuse, child abuse and neglect, strategies in teaching students having limited proficiency in English, or dropout prevention, or training in areas identified in the educational goals and performance standards adopted pursuant to ss. 1000.03(5) and 1008.345 may be applied toward any specialization area, except specialization areas identified by State Board of Education rule as involving reading instruction or intervention for any students in kindergarten through grade 6 under s. 1012.567(1)(c). Credits or points earned through approved summer institutes may be applied toward the fulfillment of these requirements. Inservice points may also be earned by participation in professional growth components approved by the State Board of Education and specified pursuant to s. 1012.98 in the district's approved master plan for inservice educational training; however, such points may not be used to satisfy the specialization requirements of this paragraph, including, but not limited to, serving as a trainer



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in an approved teacher training activity, serving instructional materials committee or a state board or commission that deals with educational issues, or serving on an advisory council created pursuant to s. 1001.452.

(f) An applicant for renewal of a professional certificate in any area of certification identified by State Board of Education rule pursuant to s. 1012.567(1)(c) with a beginning validity date of July 1, 2019, or thereafter must earn a minimum of 2 college credits or the equivalent inservice points in the use of explicit, systematic, and multisensory approaches to reading instruction and intervention. Such training must be provided by teacher preparation programs under s. 1004.04 or s. 1004.85 or approved school district professional development systems under s. 1012.98. The requirements in this paragraph may not add to the total hours required by the department for continuing education or inservice training.

Section 16. Subsection (1) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates.—A school district may process via a Department of Education website certificates for the following applications of public school employees:

(1) Addition of a subject coverage or endorsement to a valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of s. 1012.56(5)(a) or the completion of the requirements of an approved school district program or the inservice components for an endorsement. To reduce duplication, the department may recommend the consolidation of endorsement areas and



requirements to the State Board of Education.

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The employing school district shall charge the employee a fee not to exceed the amount charged by the Department of Education for such services. Each district school board shall retain a portion of the fee as defined in the rules of the State Board of Education. The portion sent to the department shall be used for maintenance of the technology system, the web application, and posting and mailing of the certificate.

Section 17. Paragraph (b) of subsection (4) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Development Act.-

- (4) The Department of Education, school districts, schools, Florida College System institutions, and state universities share the responsibilities described in this section. These responsibilities include the following:
- (b) Each school district shall develop a professional development system as specified in subsection (3). The system shall be developed in consultation with teachers, teachereducators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional development system must:
- 1. Be approved by the department. All substantial revisions to the system shall be submitted to the department for review for continued approval.
- 2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools



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and districts, in developing and refining the professional development system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

- 3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and schoollevel improvement goals and standards. The inservice activities for instructional personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.
- 4. Include a master plan for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The master plan shall be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice plan must be aligned to and support the school-based inservice plans and school improvement plans pursuant to s. 1001.42(18). Each district inservice plan must provide a description of the training that middle grades instructional



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personnel and school administrators receive on the district's code of student conduct adopted pursuant to s. 1006.07; integrated digital instruction and competency-based instruction and CAPE Digital Tool certificates and CAPE industry certifications; classroom management; student behavior and interaction; extended learning opportunities for students; and instructional leadership. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of researchbased best practices to other districts. District school boards must submit verification of their approval to the Commissioner of Education no later than October 1, annually. Each school principal may establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to s. 1001.42(18). An individual professional development plan must be related to specific performance data for the students to whom the teacher is assigned, define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity, and include an evaluation component that determines the effectiveness of the professional development plan.

- 5. Include inservice activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.
- 6. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs.



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- 7. Provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs.
- 8. Provide for the continuous evaluation of the quality and effectiveness of professional development programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.
 - 9. For middle grades, emphasize:
- a. Interdisciplinary planning, collaboration, and instruction.
- b. Alignment of curriculum and instructional materials to the state academic standards adopted pursuant to s. 1003.41.
- c. Use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.

Each school that includes any of grades 6, 7, or 8 must include in its school improvement plan, required under s. 1001.42(18), a description of the specific strategies used by the school to implement each item listed in this subparagraph.

10. Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general



education setting that are proven to improve reading performance
for all students; and using predictive and other data to make
instructional decisions based on individual student needs. The
training must help teachers integrate phonemic awareness;
phonics, word study, and spelling; reading fluency; vocabulary,
including academic vocabulary; and text comprehension strategies
into an explicit, systematic, and multisensory approach to
reading instruction and intervention. Each district must provide
all elementary grades instructional personnel access to training
sufficient to meet the requirements of ss. 1012.567(2) and
1012.585(3)(f).

Section 18. This act shall take effect upon becoming a law.