By Senator Calatayud

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A bill to be entitled

An act relating to reading strategies; amending s. 1001.215, F.S.; requiring that certain reading instructional and intervention programs exclude specified programs; amending s. 1004.04, F.S.; requiring that certain reading instructional strategies exclude specified programs; amending s. 1004.85, F.S.; requiring that certain reading instructional strategies exclude specified programs; amending s. 1006.283, F.S.; requiring that certain instructional materials exclude specified materials; amending s. 1006.31, F.S.; requiring that certain instructional materials exclude specified materials; amending s. 1011.62, F.S.; requiring that certain supplemental instructional materials exclude specified materials; revising a requirement pertaining to school districts' comprehensive reading plans; amending s. 1012.56, F.S.; requiring that certain reading instructional strategies exclude specified strategies; amending s. 1012.98, F.S.; requiring that certain teacher training exclude specified training; 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. Subsection (8) of section 1001.215, Florida Statutes, is amended to read:

1001.215 Just Read, Florida! Office.—There is created in the Department of Education the Just Read, Florida! Office. The

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office is fully accountable to the Commissioner of Education and shall:

(8) Work with the Florida Center for Reading Research to identify scientifically researched and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional strategies. Reading intervention includes evidence-based strategies frequently used to remediate reading deficiencies and includes, but is not limited to, individual instruction, multisensory approaches, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities. The identified reading instructional and intervention programs for foundational skills may not include those that employ the three-cueing system model of reading, visual memory as the primary basis for teaching word recognition, or the three-cueing system model of reading based on meaning, structure and syntax, and visual, which is also known as "MSV."

Section 2. Paragraph (b) of subsection (2) of section 1004.04, Florida Statutes, is 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. Candidate instruction and assessment in the Florida Educator Accomplished Practices across content areas.

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2. The use of state-adopted content standards to guide curricula and instruction.

- 3. Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies. Instructional strategies for foundational skills may not include those that employ the three-cueing system model of reading, visual memory as the primary basis for teaching word recognition, or the three-cueing system model of reading based on meaning, structure and syntax, and visual, which is also known as "MSV."
 - 4. Content literacy and mathematics practices.
- 5. Strategies appropriate for the instruction of English language learners.
- 6. Strategies appropriate for the instruction of students with disabilities.
- 7. Strategies to differentiate instruction based on student needs.
- 8. Strategies and practices to support evidence-based content aligned to state standards and grading practices.
- 9. Strategies appropriate for the early identification of a student in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support.
- 10. Strategies to support the use of technology in education and distance learning.
 - Section 3. Paragraph (a) of subsection (3) of section

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1004.85, Florida Statutes, is 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 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 across content areas.
- b. The use of state-adopted student content standards to guide curriculum and instruction.
- c. Scientifically researched and Evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential

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117 approaches to teaching phonemic awareness, phonics, vocabulary, 118 fluency, and text comprehension and multisensory intervention 119 strategies. Reading instructional strategies for foundational 120 skills may not include those that employ the three-cueing system 121 model of reading, visual memory as the primary basis for 122 teaching word recognition, or the three-cueing system model of 123 reading based on meaning, structure and syntax, and visual, 124 which is also known as "MSV."

- d. Content literacy and mathematical practices.
- e. Strategies appropriate for instruction of English language learners.
- f. Strategies appropriate for instruction of students with disabilities.
- g. Strategies to differentiate instruction based on student needs.
- h. Strategies and practices to support evidence-based content aligned to state standards and grading practices.
- i. Strategies appropriate for the early identification of a student in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support.
- j. Strategies to support the use of technology in education and distance learning.
- 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 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

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subject area specified in the educational plan with a diverse population of students in a variety of challenging environments, including, but not limited to, high-poverty schools, urban schools, and rural schools, under the supervision of qualified educators. The state board shall determine in rule the amount of field experience necessary to serve as the teacher of record, beginning with candidates entering a program in the 2023-2024 school year.

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.

Section 4. Subsection (4) of section 1006.283, Florida Statutes, is amended to read:

1006.283 District school board instructional materials review process.—

(4) Instructional materials that have been reviewed by the district instructional materials reviewers and approved must have been determined to align with all applicable state standards pursuant to s. 1003.41 and the requirements in s. 1006.31. Instructional materials for foundational skills may not include those that employ the three-cueing system model of reading, visual memory as the primary basis for teaching word recognition, or the three-cueing system model of reading based on meaning, structure and syntax, and visual, which is also known as "MSV." The district school superintendent shall annually certify to the department that all instructional materials for core courses used by the district are aligned with

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all applicable state standards and have been reviewed, selected, and adopted by the district school board in accordance with the school board hearing and public meeting requirements of this section.

Section 5. Subsection (2) of section 1006.31, Florida Statutes, is amended to read:

1006.31 Duties of the Department of Education and school district instructional materials reviewer.—The duties of the instructional materials reviewer are:

- (2) EVALUATION OF INSTRUCTIONAL MATERIALS. To use the selection criteria listed in s. 1006.34(2)(b) and recommend for adoption only those instructional materials aligned with the Next Generation Sunshine State Standards provided for in s. 1003.41. Instructional materials for foundational reading skills may not include those that employ the three-cueing system model of reading, visual memory as the primary basis for teaching word recognition, or the three-cueing system model of reading based on meaning, structure and syntax, and visual, which is also known as "MSV." Instructional materials recommended by each reviewer shall be, to the satisfaction of each reviewer, accurate, objective, balanced, noninflammatory, current, free of pornography and material prohibited under s. 847.012, and suited to student needs and their ability to comprehend the material presented. Reviewers shall consider for recommendation materials developed for academically talented students, such as students enrolled in advanced placement courses. When recommending instructional materials, each reviewer shall:
- (a) Include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, religious,

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physical, and racial diversity of our society, including men and women in professional, career, and executive roles, and the role and contributions of the entrepreneur and labor in the total development of this state and the United States.

- (b) Include only materials that accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances.
- (c) Include materials that encourage thrift, fire prevention, and humane treatment of people and animals.
- (d) Require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States. A reviewer may not recommend any instructional materials that contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, religion, disability, socioeconomic status, or occupation or otherwise contradict the principles enumerated under s. 1003.42(3).

Section 6. Paragraphs (d) and (e) of subsection (8) of section 1011.62, Florida Statutes, are amended to read:

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

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- (8) EVIDENCE-BASED READING INSTRUCTION ALLOCATION. -
- (d) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the prekindergarten-12 programs and certain students who exhibit a substantial deficiency in early literacy, which may include the following:
- 1. Additional time per day of evidence-based intensive reading instruction to students, which may be delivered during or outside of the regular school day.
- 2. Kindergarten through grade 12 evidence-based intensive reading interventions.
- 3. Highly qualified reading coaches, who must be endorsed in reading, to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.
- 4. Professional development to help instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program earn a certification, a credential, an endorsement, or an advanced degree in scientifically researched and evidence-based reading instruction.
- 5. Summer reading camps, using only teachers or other district personnel who possess a micro-credential as specified in s. 1003.485 or are certified or endorsed in reading consistent with s. 1008.25(7)(b)3., for all students in kindergarten through grade 5 who demonstrate a reading deficiency as determined by district and state assessments.
- 6. Scientifically researched and evidence-based supplemental instructional materials as identified by the Just

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Read, Florida! Office pursuant to s. 1001.215(8). Such instructional materials for foundational skills may not include those that employ the three-cueing system model of reading, visual memory as the primary basis for teaching word recognition, or the three-cueing system model of reading based on meaning, structure and syntax, and visual, which is also known as "MSV."

- 7. Incentives for instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program who possess a reading certification or endorsement or micro-credential as specified in s. 1003.485 and provide educational support to improve student literacy.
 - 8. Tutoring in reading.
- (e)1. Annually, by a date determined by the Department of Education, each school district shall submit a comprehensive reading plan approved by the applicable district school board, charter school governing board, or lab school board of trustees, for the specific use of the evidence-based reading instruction allocation, based upon a root-cause analysis. The plan must also describe how the district prioritizes the assignment of highly effective teachers, as defined by s. 1012.34(2)(e), to kindergarten through grade 2 and how reading coaches are assigned to individual schools. These two provisions must be approved by the Just Read, Florida! Office. The State Regional Literacy Director may assist in the development of the plan. The department shall provide a plan format. A district school board may use the format developed by the department or a format developed by the district school board.
 - 2. Intensive reading interventions must be delivered by

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instructional personnel who possess the micro-credential as provided in s. 1003.485 or are certified or endorsed in reading and must incorporate evidence-based strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8). Instructional personnel who possess a micro-credential as specified in s. 1003.485 and are delivering intensive reading interventions must be supervised by an individual certified or endorsed in reading. For the purposes of this subsection, the term "supervision" means the ability to communicate by way of telecommunication with or physical presence of the certified or endorsed personnel for consultation and direction of the actions of the personnel with the micro-credential.

3. By July 1 of each year, the department shall release to each school district its allocation of appropriated funds. The department shall evaluate the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its findings to the Legislature and the State Board of Education, including any recommendations for improving implementation of evidence-based reading and intervention strategies in classrooms.

For purposes of this subsection, the term "evidence-based" means demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes as provided in 20 U.S.C. s. 8101(21)(A)(i).

Section 7. Paragraph (a) of subsection (8) of section 1012.56, Florida Statutes, is amended to read:

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1012.56 Educator certification requirements.-

- (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION COMPETENCY PROGRAM.—
- (a) The Department of Education shall develop and each school district, charter school, and charter management organization may provide a cohesive competency-based professional development certification and education competency program by which instructional staff may satisfy the mastery of professional preparation and education competence requirements specified in subsection (6) and rules of the State Board of Education. Participants must hold a state-issued temporary certificate. A school district, charter school, or charter management organization that implements the program shall provide a competency-based certification program developed by the Department of Education or developed by the district, charter school, or charter management organization and approved by the Department of Education. The program shall include the following:
- 1. A minimum period of initial preparation before assuming duties as the teacher of record.
- 2. An option for collaboration with other supporting agencies or educational entities for implementation.
 - 3. A teacher mentorship and induction component.
 - a. Each individual selected by the district as a mentor:
- (I) Must hold a valid professional certificate issued pursuant to this section;
- (II) Must have earned at least 3 years of teaching experience in prekindergarten through grade 12;
 - (III) Must have completed specialized training in clinical

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supervision and participate in ongoing mentor training provided through the coordinated system of professional development under s. 1012.98(3)(e);

- (IV) Must have earned an effective or highly effective rating on the prior year's performance evaluation under s. 1012.34; and
- (V) May be a peer evaluator under the district's evaluation system approved under s. 1012.34.
- b. The teacher mentorship and induction component must, at a minimum, provide weekly opportunities for mentoring and induction activities, including common planning time, ongoing professional development targeted to a teacher's needs, opportunities for a teacher to observe other teachers, coteaching experiences, and reflection and follow-up followup discussions. Mentorship and induction activities must be provided for an applicant's first year in the program and may be provided until the applicant attains his or her professional certificate in accordance with this section. A principal who is rated highly effective as determined by his or her performance evaluation under s. 1012.34 must be provided flexibility in selecting professional development activities under this paragraph; however, the activities must be approved by the department as part of the district's, charter school's, or charter management organization's program.
- 4. An assessment of teaching performance aligned to the district's system for personnel evaluation under s. 1012.34 which provides for:
- a. An initial evaluation of each educator's competencies to determine an appropriate individualized professional development

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plan.

b. A summative evaluation to assure successful completion of the program.

- 5. Professional education preparation content knowledge, which must be included in the mentoring and induction activities under subparagraph 3., that includes, but is not limited to, the following:
- a. The state standards provided under s. 1003.41, including scientifically based reading instruction, content literacy, and mathematical practices, for each subject identified on the temporary certificate. Reading instructional strategies for foundational skills may not include those that employ the three-cueing system model of reading, visual memory as the primary basis for teaching word recognition, or the three-cueing system model of reading based on meaning, structure and syntax, and visual, which is also known as "MSV."
- b. The educator-accomplished practices approved by the state board.
- c. A variety of data indicators for monitoring student progress.
 - d. Methodologies for teaching students with disabilities.
- e. Methodologies for teaching students of limited English proficiency appropriate for each subject area identified on the temporary certificate.
- f. Techniques and strategies for operationalizing the role of the teacher in assuring a safe learning environment for students.
- 6. Required achievement of passing scores on the subject area and professional education competency examination required

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by State Board of Education rule. Mastery of general knowledge must be demonstrated as described in subsection (3).

7. Beginning with candidates entering a program in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to s. 1012.585(3)(f) must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum through the candidate's demonstration of mastery of professional preparation and education competence under paragraph (b).

Section 8. 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 reviewed and approved by the department for compliance with s. 1003.42(3) and this section. 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,

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relevant, and challenging curricula for all students. Schools 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 <u>follow-up</u> followup support appropriate to accomplish district-level and school-level 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. Provide inservice activities and support targeted to the individual needs of new teachers participating in the professional development certification and education competency program under s. 1012.56(8)(a).
- 5. 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

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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 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.

6. Include inservice activities for school administrative personnel that address updated skills necessary for

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instructional leadership and effective school management pursuant to s. 1012.986.

- 7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs.
- 8. Provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs.
- 9. 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.
 - 10. 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.

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11. 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 which 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 sequential approach to reading instruction, including multisensory intervention strategies. Such training for teaching foundational skills may not include those that employ the threecueing system model of reading, visual memory as the primary basis for teaching word recognition, or the three-cueing system model of reading based on meaning, structure and syntax, and visual, which is also known as "MSV." Each district must provide all elementary grades instructional personnel access to training sufficient to meet the requirements of s. 1012.585(3)(f).

Section 9. This act shall take effect July 1, 2023.