

## ENROLLED

HB 7087, Engrossed 3

2006 Legislature

1                   A bill to be entitled  
2           An act relating to education; amending s. 20.15, F.S.;  
3           establishing the Division of Accountability, Research, and  
4           Measurement in the Department of Education; amending s.  
5           411.227, F.S.; conforming provisions relating to student  
6           progress monitoring plans; repealing s. 446.609, F.S.,  
7           relating to the "Jobs for Florida's Graduates Act";  
8           amending s. 1000.03, F.S.; specifying that the mission of  
9           the state's K-20 education system is to provide rigorous  
10          and relevant learning opportunities for students;  
11          repealing s. 1000.041, F.S., to conform provisions  
12          relating to the 2005 repeal of the BEST Florida Teaching  
13          salary career ladder program; amending s. 1001.03, F.S.;  
14          requiring periodic review of Sunshine State Standards  
15          subject areas and an annual status report; requiring rules  
16          for certain teachers to earn a reading credential  
17          equivalent; requiring the maintenance of a uniform school  
18          district personnel classification system; amending s.  
19          1001.10, F.S.; specifying that the Commissioner of  
20          Education is the sole custodian of the K-20 data  
21          warehouse; requiring the Commissioner of Education to  
22          submit the proposed plan for the reauthorization of the No  
23          Child Left Behind Act to the Legislature before it is  
24          submitted to federal agencies; requiring legislative  
25          leaders to appoint members of a select legislative  
26          committee to review the proposed plan; creating s.  
27          1001.215, F.S.; creating the Just Read, Florida! Office in

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28 | the Department of Education; providing duties; amending s.  
29 | 1001.33, F.S.; conforming provisions relating to the 2005  
30 | repeal of the BEST Florida Teaching salary career ladder  
31 | program; amending s. 1001.41, F.S.; requiring district  
32 | school boards to adopt standards and policies to provide  
33 | to each student a complete education program; amending s.  
34 | 1001.42, F.S., relating to requirements of district plans  
35 | for school improvement; providing requirements for  
36 | district school boards in developing the plans; providing  
37 | that the opening date for the school year may not be  
38 | earlier than a specified date; requiring each district  
39 | school board to appoint a classroom teacher to serve as  
40 | the teacher representative to speak on behalf of the  
41 | district's teachers regarding paperwork and data  
42 | collection reduction; requiring the teacher designee to  
43 | report his or her findings and potential solutions to the  
44 | school board; requiring each school board to submit its  
45 | findings and potential solutions to the State Board of  
46 | Education by a specified date; requiring the State Board  
47 | of Education to prepare a report of the statewide  
48 | paperwork and data collection findings and potential  
49 | solutions and submit the report to the Governor and the  
50 | Legislature; repealing s. 1001.51(24), F.S., and amending  
51 | s. 1001.54, F.S.; conforming provisions relating to the  
52 | 2005 repeal of the BEST Florida Teaching salary career  
53 | ladder program; requiring each secondary school principal  
54 | to implement a school redesign component; amending s.

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55 | 1002.20, F.S.; conforming provisions relating to student  
56 | progress monitoring plans; amending s. 1003.01, F.S.;  
57 | revising the definition of the terms "special education  
58 | services" and "career education"; amending s. 1003.03,  
59 | F.S.; requiring that each teacher assigned to any  
60 | classroom be included in the calculation for compliance  
61 | with constitutional class-size limits; providing criteria  
62 | for teaching strategies that involve assigning more than  
63 | one teacher to a classroom; providing for retroactive  
64 | application; prohibiting the imposition of penalties for  
65 | the use of any legal strategy relating to the  
66 | implementation of class-size reduction; amending s.  
67 | 1003.05, F.S.; deleting the requirement that certain  
68 | children receive preference for admission to special  
69 | academic programs; revising programs defined as "special  
70 | academic programs" for purposes of such preference;  
71 | amending s. 1003.21, F.S.; requiring student exit  
72 | interviews prior to terminating school enrollment;  
73 | creating s. 1003.413, F.S., relating to secondary school  
74 | redesign; providing intent and guiding principles;  
75 | requiring district school boards to establish policies to  
76 | implement requirements for middle grades promotion,  
77 | revised requirements for high school graduation, and  
78 | requirements for career and professional academies;  
79 | directing the Commissioner of Education to create and  
80 | implement the Secondary School Improvement Award Program;  
81 | repealing s. 1003.415, F.S., the Middle Grades Reform Act;

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82 | creating s. 1003.4156, F.S.; providing general course  
83 | requirements for middle grades promotion; requiring  
84 | intensive reading and remediation mathematics courses in  
85 | certain circumstances; authorizing rulemaking and  
86 | enforcement; amending s. 1003.42, F.S., relating to  
87 | required instruction; revising the requirements for  
88 | studying U.S. history and free enterprise; creating s.  
89 | 1003.428, F.S.; providing revised requirements for high  
90 | school graduation; specifying the required courses;  
91 | requiring that certain courses be based on the student's  
92 | performance on the FCAT; requiring that district school  
93 | boards establish policies for implementing secondary  
94 | school reform; requiring the Department of Education to  
95 | increase the number of courses that are available to  
96 | school districts; requiring strategies for exceptional  
97 | students to meet graduation requirements; requiring  
98 | standards for graduation; requiring rules for test  
99 | accommodations and modifications in certain cases;  
100 | providing requirements for standard diplomas and  
101 | certificates of completion with exceptions; authorizing  
102 | rulemaking and enforcement; amending s. 1003.429, F.S.;  
103 | revising requirements applicable to selecting an option  
104 | for accelerated high school graduation; revising required  
105 | courses for the 3-year standard college preparatory  
106 | program; revising requirements for grades that must be  
107 | earned to participate in the accelerated program;  
108 | providing for default to the standard graduation

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109 requirements in certain circumstances; amending s.  
110 1003.437, F.S.; including middle grades in the uniform  
111 grading system; amending s. 1003.491, F.S.; including  
112 within career education personal and career plans;  
113 creating s. 1003.493, F.S.; defining the term "career and  
114 professional academy"; providing academy goals and duties;  
115 providing types of career and professional academies;  
116 providing for the approval of career education courses as  
117 core curricula courses under certain circumstances;  
118 amending s. 1003.51, F.S.; modifying guidelines for  
119 funding requirements that must be included in a rule  
120 adopted by the State Board of Education and relating to  
121 education programs for youth in Department of Juvenile  
122 Justice programs; conforming provisions relating to  
123 student progress monitoring plans; amending s. 1003.52,  
124 F.S.; conforming provisions relating to student  
125 recognition awards; requiring the development and  
126 distribution of an annual school report card; authorizing  
127 adoption of rules; amending s. 1003.57, F.S.; providing  
128 guidelines for determining the residency of a student who  
129 receives instruction as an exceptional student with a  
130 disability; requiring the student's placing authority or  
131 parent to pay the cost of such instruction, facilities,  
132 and services; providing responsibilities of the Department  
133 of Education; providing responsibilities of residential  
134 facilities that educate exceptional students with  
135 disabilities; providing applicability; creating s.

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136 | 1003.576, F.S.; requiring the Department of Education to  
 137 | develop an individual education plan form for use in  
 138 | developing and implementing individual education plans for  
 139 | exceptional students; requiring school districts to use  
 140 | the form; amending s. 1003.58, F.S.; correcting a cross-  
 141 | reference; amending s. 1003.62, F.S.; conforming  
 142 | provisions relating to the designation of school grades  
 143 | and differentiated-pay polices; creating s. 1004.64, F.S.;  
 144 | establishing the Florida Center for Reading Research;  
 145 | specifying the duties of the center; creating s. 1004.99,  
 146 | F.S., the Florida Ready to Work Certification Program to  
 147 | enhance student workplace skills; providing for program  
 148 | implementation and requirements; authorizing rulemaking;  
 149 | amending s. 1006.09, F.S.; conforming a cross-reference;  
 150 | amending s. 1007.21, F.S.; revising the readiness  
 151 | requirements for postsecondary education and the  
 152 | workplace; amending s. 1007.2615, F.S.; revising the date  
 153 | by which a teacher of American Sign Language must be  
 154 | certified; deleting a provision allowing alternative  
 155 | certification; amending s. 1007.271, F.S.; revising the  
 156 | weighting systems for certain high school courses;  
 157 | amending s. 1008.22, F.S.; specifying FCAT grade level and  
 158 | subject area testing requirements; requiring documentation  
 159 | of procedures that ensure test difficulty under certain  
 160 | circumstances; providing that FCAT nonallowable  
 161 | accommodations may be used as instructional accommodations  
 162 | during classroom instruction if included in the individual

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163 education plan of a student with a disability; authorizing  
164 waiver of the FCAT under certain circumstances; requiring  
165 certain opportunities for demonstrating student  
166 performance; requiring the development of assessments for  
167 measuring the academic competency of students with  
168 disabilities; requiring the Commissioner of Education to  
169 adopt scores concordant to FCAT scores required for high  
170 school graduation; authorizing use of concordant scores  
171 for additional purposes; clarifying eligibility to use  
172 such scores to satisfy requirements for a diploma;  
173 requiring an annual report on student performance;  
174 repealing s. 1008.221, F.S., relating to alternative  
175 assessments for dependent children of military personnel,  
176 to conform; amending s. 1008.25, F.S.; replacing student  
177 academic improvement plans with progress monitoring plans;  
178 authorizing district school boards to require low-  
179 performing students to attend remediation programs outside  
180 of regular school hours or during the summer; requiring  
181 the department to establish a uniform format for reporting  
182 information relating to student progression; requiring an  
183 annual report; repealing s. 1008.301, F.S., relating to a  
184 concordance study of FCAT equivalencies for high school  
185 graduation; amending s. 1008.31, F.S.; revising intent,  
186 goals, and measures of the K-20 performance accountability  
187 system and requiring data quality improvements; requiring  
188 adoption of rules; amending s. 1008.33, F.S.; conforming a  
189 cross-reference and provisions relating to the designation

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190 of school grades; prohibiting, in a contract that provides  
191 for a private entity to administer an alternative school,  
192 a provision that changes certain characteristics of the  
193 student population as it existed when the school was a  
194 public school; amending s. 1008.34, F.S.; revising  
195 terminology and provisions relating to designation and  
196 determination of school grades; providing for the  
197 designation of school grades for feeder pattern schools  
198 under certain circumstances; requiring that a school  
199 performance grade category designation include achievement  
200 scores and, by a specified deadline, include learning  
201 gains for students seeking a special diploma; specifying  
202 use of assessment data with respect to alternative  
203 schools; defining the term "home school"; requiring an  
204 annual school report card to be published by the  
205 department and distributed by school districts; creating  
206 s. 1008.341, F.S.; requiring improvement ratings for  
207 certain alternative schools; providing the basis for such  
208 ratings and requiring annual performance reports;  
209 providing for determination of school improvement ratings,  
210 identification of learning gains, and eligibility for  
211 school recognition awards; requiring the development and  
212 distribution of an annual school report card; amending s.  
213 1008.345, F.S.; conforming cross-references and provisions  
214 relating to the designation of school grades; requiring  
215 the commissioner to assign a community assessment team to  
216 failing schools; amending s. 1009.24, F.S.; providing that

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217 | undergraduate tuition be set annually in the General  
218 | Appropriations Act; providing authority, procedures, and  
219 | guidelines for determining tuition for graduate and  
220 | professional programs and for determining out-of-state  
221 | fees for all programs; amending s. 1011.62, F.S.;  
222 | providing FTE funding for juveniles enrolled in specified  
223 | education programs; providing funding for supplemental  
224 | educational programs; providing funding for supplemental  
225 | educational services for certain students; conforming  
226 | cross-references and provisions relating to the  
227 | designation of school grades; establishing a research-  
228 | based reading instruction allocation to provide funds for  
229 | a comprehensive reading instruction system; requiring  
230 | school district plans for use of the allocation and  
231 | approval thereof; including the allocation in the total  
232 | amount allocated to each school district for current  
233 | operation; amending s. 1011.64, F.S.; conforming  
234 | terminology and a cross-reference; amending s. 1011.67,  
235 | F.S.; requiring district school board approval of a staff  
236 | development plan relating to use of instructional  
237 | materials; amending s. 1011.685, F.S.; conforming  
238 | provisions relating to the 2005 repeal of the BEST Florida  
239 | Teaching salary career ladder program and implementation  
240 | of a differentiated-pay policy; amending s. 1011.71, F.S.;  
241 | correcting a cross-reference; amending s. 1012.21, F.S.;  
242 | requiring the department to annually post online school  
243 | district collective bargaining contracts and the salary

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244 and benefits of certain personnel; amending s. 1012.22,  
245 F.S.; revising the time period in which to nominate  
246 principals; requiring that each school district adopt a  
247 differentiated-pay policy meeting specified criteria;  
248 requiring each district school board to annually provide  
249 to the department its negotiated collective bargaining  
250 contract and the salary and benefits of certain personnel;  
251 creating s. 1012.2315, F.S.; providing school district  
252 requirements for the assignment of teachers and  
253 authorizing incentives; providing procedures for  
254 noncompliance; providing requirements relating to  
255 collective bargaining; requiring reporting by certain  
256 schools; amending s. 1012.27, F.S.; conforming provisions  
257 relating to the 2005 repeal of the BEST Florida Teaching  
258 salary career ladder program and implementation of a  
259 differentiated-pay policy; amending s. 1012.28, F.S.;  
260 conforming a cross-reference; amending s. 1012.34, F.S.;  
261 conforming provisions relating to deletion of a rigorous  
262 reading requirement; amending s. 1012.56, F.S., relating  
263 to middle grades certification; encouraging school  
264 districts to provide for additional certification for  
265 teachers; amending s. 1012.98, F.S., relating to the  
266 School Community Professional Development Act; revising  
267 the purpose of the professional development system;  
268 providing for additional activities; requiring  
269 instructional strategies and methods that support  
270 rigorous, relevant, and challenging curriculum; providing

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271 requirements for followup support and the master plan for  
 272 inservice activities; providing requirements for the  
 273 individual professional development plan for instructional  
 274 employees; requiring the department to disseminate best-  
 275 practice methods and model professional development  
 276 programs; creating s. 1012.986, F.S.; providing for a  
 277 statewide system for the professional development of  
 278 school leaders consisting of a collaborative network of  
 279 professional organizations; providing goals of the  
 280 network; repealing s. 1012.987, F.S., which requires the  
 281 State Board of Education to adopt rules through which  
 282 school principals may earn a leadership designation;  
 283 providing an effective date.

284  
 285 Be It Enacted by the Legislature of the State of Florida:

286  
 287 Section 1. Paragraph (f) is added to subsection (3) of  
 288 section 20.15, Florida Statutes, to read:

289 20.15 Department of Education.--There is created a  
 290 Department of Education.

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

293 (f) Division of Accountability, Research, and Measurement.

294 Section 2. Paragraph (b) of subsection (3) of section  
 295 411.227, Florida Statutes, is amended to read:

296 411.227 Components of the Learning Gateway.--The Learning  
 297 Gateway system consists of the following components:

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298 (3) EARLY EDUCATION, SERVICES AND SUPPORTS.--  
 299 (b) Demonstration projects shall develop strategies to  
 300 increase the use of appropriate intervention practices with  
 301 children who have learning problems and learning disabilities  
 302 within public and private early care and education programs and  
 303 K-3 public and private school settings. Strategies may include  
 304 training and technical assistance teams. Intervention must be  
 305 coordinated and must focus on providing effective supports to  
 306 children and their families within their regular education and  
 307 community environment. These strategies must incorporate, as  
 308 appropriate, school and district activities related to the  
 309 student's progress monitoring ~~academic improvement~~ plan and must  
 310 provide parents with greater access to community-based services  
 311 that should be available beyond the traditional school day.  
 312 Academic expectations for public school students in grades K-3  
 313 must be based upon the local school board's adopted proficiency  
 314 levels. When appropriate, school personnel shall consult with  
 315 the local Learning Gateway to identify other community resources  
 316 for supporting the child and the family.

317 Section 3. Section 446.609, Florida Statutes, is repealed.

318 Section 4. Subsection (4) of section 1000.03, Florida  
 319 Statutes, is amended to read:

320 1000.03 Function, mission, and goals of the Florida K-20  
 321 education system.--

322 (4) The mission of Florida's K-20 education system is to  
 323 allow its students to increase their proficiency by allowing  
 324 them the opportunity to expand their knowledge and skills

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325 | through rigorous and relevant ~~adequate~~ learning opportunities,  
326 | in accordance with the mission statement and accountability  
327 | requirements of s. 1008.31.

328 |       Section 5. Section 1000.041, Florida Statutes, is  
329 | repealed.

330 |       Section 6. Subsections (1), (3), and (14) of section  
331 | 1001.03, Florida Statutes, are amended to read:

332 |       1001.03 Specific powers of State Board of Education.--

333 |       (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The State  
334 | Board of Education shall approve the student performance  
335 | standards known as the Sunshine State Standards in key academic  
336 | subject areas and grade levels. The state board shall establish  
337 | a schedule to facilitate the periodic review of the standards to  
338 | ensure adequate rigor, relevance, logical student progression,  
339 | and integration of reading, writing, and mathematics across all  
340 | subject areas. The standards review by subject area must include  
341 | participation of curriculum leaders in other content areas,  
342 | including the arts, to ensure valid content area integration and  
343 | to address the instructional requirements of different learning  
344 | styles. The process for review and proposed revisions must  
345 | include leadership and input from the state's classroom  
346 | teachers, school administrators, and community colleges and  
347 | universities, and from representatives from business and  
348 | industry who are identified by local education foundations. A  
349 | report including proposed revisions must be submitted to the  
350 | Governor, the President of the Senate, and the Speaker of the  
351 | House of Representatives annually to coincide with the

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352 established review schedule. The review schedule and an annual  
 353 status report must be submitted to the Governor, the President  
 354 of the Senate, and the Speaker of the House of Representatives  
 355 annually not later than January 1.

356 (3) PROFESSIONAL CERTIFICATES.--The State Board of  
 357 Education shall classify school services, designate the  
 358 certification subject areas, establish competencies, including  
 359 the use of technology to enhance student learning, and  
 360 certification requirements for all school-based personnel, and  
 361 prescribe rules in accordance with which the professional,  
 362 temporary, and part-time certificates shall be issued by the  
 363 Department of Education to applicants who meet the standards  
 364 prescribed by such rules for their class of service, as  
 365 described in chapter 1012. The state board shall adopt rules  
 366 that give part-time and full-time nondegreed teachers of career  
 367 programs, pursuant to s. 1012.39(1)(c), the opportunity to earn  
 368 a reading credential equivalent to a content-area-specific  
 369 reading endorsement.

370 (14) UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT  
 371 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.--The State Board of  
 372 Education shall maintain ~~recommend to the Legislature by~~  
 373 ~~February 1, 2003,~~ a uniform classification system for school  
 374 district administrative and management personnel that will  
 375 facilitate the uniform coding of administrative and management  
 376 personnel to total district employees.

377 Section 7. Section 1001.10, Florida Statutes, is amended  
 378 to read:

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379 |           1001.10 Commissioner of Education; general powers and  
380 | duties.--The Commissioner of Education is the chief educational  
381 | officer of the state and the sole custodian of the K-20 data  
382 | warehouse, and is responsible for giving full assistance to the  
383 | State Board of Education in enforcing compliance with the  
384 | mission and goals of the seamless K-20 education system. To  
385 | facilitate innovative practices and to allow local selection of  
386 | educational methods, the State Board of Education may authorize  
387 | the commissioner to waive, upon the request of a district school  
388 | board, State Board of Education rules that relate to district  
389 | school instruction and school operations, except those rules  
390 | pertaining to civil rights, and student health, safety, and  
391 | welfare. The Commissioner of Education is not authorized to  
392 | grant waivers for any provisions in rule pertaining to the  
393 | allocation and appropriation of state and local funds for public  
394 | education; the election, compensation, and organization of  
395 | school board members and superintendents; graduation and state  
396 | accountability standards; financial reporting requirements;  
397 | reporting of out-of-field teaching assignments under s. 1012.42;  
398 | public meetings; public records; or due process hearings  
399 | governed by chapter 120. No later than January 1 of each year,  
400 | the commissioner shall report to the Legislature and the State  
401 | Board of Education all approved waiver requests in the preceding  
402 | year. Additionally, the commissioner has the following general  
403 | powers and duties:

404 |           (1) To appoint staff necessary to carry out his or her  
405 | powers and duties.

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406 (2) To advise and counsel with the State Board of  
407 Education on all matters pertaining to education; to recommend  
408 to the State Board of Education actions and policies as, in the  
409 commissioner's opinion, should be acted upon or adopted; and to  
410 execute or provide for the execution of all acts and policies as  
411 are approved.

412 (3) To keep such records as are necessary to set forth  
413 clearly all acts and proceedings of the State Board of  
414 Education.

415 (4) To have a seal for his or her office with which, in  
416 connection with his or her own signature, the commissioner shall  
417 authenticate true copies of decisions, acts, or documents.

418 (5) To recommend to the State Board of Education policies  
419 and steps designed to protect and preserve the principal of the  
420 State School Fund; to provide an assured and stable income from  
421 the fund; to execute such policies and actions as are approved;  
422 and to administer the State School Fund.

423 (6) To take action on the release of mineral rights based  
424 upon the recommendations of the Board of Trustees of the  
425 Internal Improvement Trust Fund.

426 (7) To submit to the State Board of Education, on or  
427 before August 1 of each year, recommendations for a coordinated  
428 K-20 education budget that estimates the expenditures for the  
429 State Board of Education, including the Department of Education,  
430 the Commissioner of Education, and all of the boards,  
431 institutions, agencies, and services under the general  
432 supervision of the State Board of Education for the ensuing

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433 | fiscal year. Any program recommended to the State Board of  
434 | Education that will require increases in state funding for more  
435 | than 1 year must be presented in a multiyear budget plan.

436 |       (8) To develop and implement a plan for cooperating with  
437 | the Federal Government in carrying out any or all phases of the  
438 | educational program and to recommend policies for administering  
439 | funds that are appropriated by Congress and apportioned to the  
440 | state for any or all educational purposes. The Commissioner of  
441 | Education shall submit to the Legislature the proposed state  
442 | plan for the reauthorization of the No Child Left Behind Act  
443 | before the proposed plan is submitted to federal agencies. The  
444 | President of the Senate and the Speaker of the House of  
445 | Representatives shall appoint members of the appropriate  
446 | education and appropriations committees to serve as a select  
447 | committee to review the proposed plan.

448 |       (9) To develop and implement policies for cooperating with  
449 | other public agencies in carrying out those phases of the  
450 | program in which such cooperation is required by law or is  
451 | deemed by the commissioner to be desirable and to cooperate with  
452 | public and nonpublic agencies in planning and bringing about  
453 | improvements in the educational program.

454 |       (10) To prepare forms and procedures as are necessary to  
455 | be used by district school boards and all other educational  
456 | agencies to assure uniformity, accuracy, and efficiency in the  
457 | keeping of records, the execution of contracts, the preparation  
458 | of budgets, or the submission of reports; and to furnish at

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459 state expense, when deemed advisable by the commissioner, those  
460 forms that can more economically and efficiently be provided.

461 (11) To implement a program of school improvement and  
462 education accountability designed to provide all students the  
463 opportunity to make adequate learning gains in each year of  
464 school as provided by statute and State Board of Education rule  
465 based upon the achievement of the state education goals,  
466 recognizing the following:

467 (a) The State Board of Education is the body corporate  
468 responsible for the supervision of the system of public  
469 education.

470 (b) The district school board is responsible for school  
471 and student performance.

472 (c) The individual school is the unit for education  
473 accountability.

474 (d) The community college board of trustees is responsible  
475 for community college performance and student performance.

476 (e) The university board of trustees is responsible for  
477 university performance and student performance.

478 (12) To establish a Citizen Information Center responsible  
479 for the preparation, publication, and distribution of materials  
480 relating to the state system of seamless K-20 public education.

481 (13) To prepare and publish annually reports giving  
482 statistics and other useful information pertaining to the  
483 Opportunity Scholarship Program.

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484 (14) To have printed or electronic copies of school laws,  
 485 forms, instruments, instructions, and rules of the State Board  
 486 of Education and provide for their distribution.

487 (15) To develop criteria for use by state instructional  
 488 materials committees in evaluating materials submitted for  
 489 adoption consideration. The criteria shall, as appropriate, be  
 490 based on instructional expectations reflected in curriculum  
 491 frameworks and student performance standards. The criteria for  
 492 each subject or course shall be made available to publishers of  
 493 instructional materials pursuant to the requirements of chapter  
 494 1006.

495 (16) To prescribe procedures for evaluating instructional  
 496 materials submitted by publishers and manufacturers in each  
 497 adoption.

498  
 499 The commissioner's office shall operate all statewide functions  
 500 necessary to support the State Board of Education and the K-20  
 501 education system, including strategic planning and budget  
 502 development, general administration, and assessment and  
 503 accountability.

504 Section 8. Section 1001.215, Florida Statutes, is created  
 505 to read:

506 1001.215 Just Read, Florida! Office.--There is created in  
 507 the Department of Education the Just Read, Florida! office. The  
 508 office shall be fully accountable to the Commissioner of  
 509 Education and shall:

510 (1) Train highly effective reading coaches.

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

515       (3) Train K-12 teachers and school principals on effective  
516 content-area-specific reading strategies. For secondary  
517 teachers, emphasis shall be on technical text. These strategies  
518 must be developed for all content areas in the K-12 curriculum.

519       (4) Provide parents with information and strategies for  
520 assisting their children in reading in the content area.

521       (5) Provide technical assistance to school districts in  
522 the development and implementation of district plans for use of  
523 the research-based reading instruction allocation provided in s.  
524 1011.62(8) and annually review and approve such plans.

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

528       (7) Work with the Florida Center for Reading Research to  
529 provide information on research-based reading programs and  
530 effective reading in the content area strategies.

531       (8) Periodically review the Sunshine State Standards for  
532 reading at all grade levels.

533       (9) Periodically review teacher certification  
534 examinations, including alternative certification exams, to  
535 ascertain whether the examinations measure the skills needed for  
536 research-based reading instruction and instructional strategies  
537 for teaching reading in the content areas.

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538           (10) Work with teacher preparation programs approved  
539 pursuant to s. 1004.04 to integrate research-based reading  
540 instructional strategies and reading in the content area  
541 instructional strategies into teacher preparation programs.

542           (11) Administer grants and perform other functions as  
543 necessary to meet the goal that all students read at grade  
544 level.

545           Section 9. Section 1001.33, Florida Statutes, is amended  
546 to read:

547           1001.33 Schools under control of district school board and  
548 district school superintendent.--

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

553           ~~(2) Each district school board, each district school~~  
554 ~~superintendent, and each district and school-based administrator~~  
555 ~~shall cooperate to apply the following guiding principles of~~  
556 ~~Better Educated Students and Teachers (BEST) Florida Teaching:~~

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

558           ~~(b) Teachers maintain orderly, disciplined classrooms~~  
559 ~~conducive to student learning.~~

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

562           ~~(d) Teachers are well rewarded for their students' high~~  
563 ~~performance.~~

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564 ~~(e) Teachers are most effective when served by exemplary~~  
565 ~~school administrators.~~

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

568 1001.41 General powers of district school board.--The  
569 district school board, after considering recommendations  
570 submitted by the district school superintendent, shall exercise  
571 the following general powers:

572 (3) Prescribe and adopt standards and policies to provide  
573 each student the opportunity to receive a complete education  
574 program, including language arts, mathematics, science, social  
575 studies, health, physical education, foreign languages, and the  
576 arts, as defined by the Sunshine State Standards. The standards  
577 and policies must emphasize integration and reinforcement of  
578 reading, writing, and mathematics skills across all subjects,  
579 including career awareness, career exploration, and career and  
580 technical education ~~as are considered desirable by it for~~  
581 ~~improving the district school system.~~

582 Section 11. Paragraph (c) of subsection (5) of section  
583 1001.42, Florida Statutes, is repealed, paragraph (f) of  
584 subsection (4), subsection (16), paragraph (d) of subsection  
585 (17), and subsection (18) of that section are amended, present  
586 subsection (22) is redesignated as subsection (23), and a new  
587 subsection (22) is added to that section, to read:

588 1001.42 Powers and duties of district school board.--The  
589 district school board, acting as a board, shall exercise all  
590 powers and perform all duties listed below:

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

595 (f) Opening and closing of schools; fixing uniform date.--  
 596 Adopt policies for the opening and closing of schools and fix  
 597 uniform dates; however, beginning with the 2007-2008 school  
 598 year, the opening date for schools in the district may not be  
 599 earlier than 14 days before Labor Day each year.

600 (5) PERSONNEL.--

601 ~~(e) Fully support and cooperate in the application of the~~  
 602 ~~guiding principles of Better Educated Students and Teachers~~  
 603 ~~(BEST) Florida Teaching, pursuant to s. 1000.041.~~

604 (16) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.--  
 605 Maintain a system of school improvement and education  
 606 accountability as provided by statute and State Board of  
 607 Education rule. This system of school improvement and education  
 608 accountability shall be consistent with, and implemented  
 609 through, the district's continuing system of planning and  
 610 budgeting required by this section and ss. 1008.385, 1010.01,  
 611 and 1011.01. This system of school improvement and education  
 612 accountability shall include, but is not limited to, the  
 613 following:

614 (a) School improvement plans.--Annually approve and  
 615 require implementation of a new, amended, or continuation school  
 616 improvement plan for each school in the district, ~~except that A~~  
 617 district school board may establish a district school

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618 improvement plan that includes all schools in the district  
619 operating for the purpose of providing educational services to  
620 youth in Department of Juvenile Justice programs. The school  
621 improvement ~~Such~~ plan shall be designed to achieve the state  
622 education priorities pursuant to s. 1000.03(5) and student  
623 proficiency on the Sunshine State Standards pursuant to s.  
624 1003.41 ~~performance standards. In addition, any school required~~  
625 ~~to implement a rigorous reading requirement pursuant to s.~~  
626 ~~1003.415 must include such component in its school improvement~~  
627 ~~plan.~~ Each plan shall address student achievement goals and  
628 strategies based on state and school district proficiency  
629 standards. The plan may also address issues relative to other  
630 academic-related matters ~~budget, training, instructional~~  
631 ~~materials, technology, staffing, student support services,~~  
632 ~~specific school safety and discipline strategies, student health~~  
633 ~~and fitness, including physical fitness, parental information on~~  
634 ~~student health and fitness, and indoor environmental air~~  
635 ~~quality, and other matters of resource allocation, as determined~~  
636 by district school board policy, and shall include ~~be based on~~  
637 an accurate, data-based analysis of student achievement and  
638 other school performance data. Beginning with plans approved for  
639 implementation in the 2007-2008 school year, each secondary  
640 school plan must include a redesign component based on the  
641 principles established in s. 1003.413. For each school in the  
642 district that earns a school grade of "C" or below, or is  
643 required to have a school improvement plan under federal law,  
644 the school improvement plan shall, at a minimum, also include:

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645           1. Professional development that supports enhanced and  
646 differentiated instructional strategies to improve teaching and  
647 learning.

648           2. Continuous use of disaggregated student achievement  
649 data to determine effectiveness of instructional strategies.

650           3. Ongoing informal and formal assessments to monitor  
651 individual student progress, including progress toward mastery  
652 of the Sunshine State Standards, and to redesign instruction if  
653 needed.

654           4. Alternative instructional delivery methods to support  
655 remediation, acceleration, and enrichment strategies.

656           (b) Approval process.--Develop a process for approval of a  
657 school improvement plan presented by an individual school and  
658 its advisory council. In the event a district school board does  
659 not approve a school improvement plan after exhausting this  
660 process, the Department of Education shall be notified of the  
661 need for assistance.

662           (c) Assistance and intervention.--

663           1. Develop a 2-year plan of increasing individualized  
664 assistance and intervention for each school in danger of not  
665 meeting state standards or making adequate progress, as defined  
666 pursuant to statute and State Board of Education rule, toward  
667 meeting the goals and standards of its approved school  
668 improvement plan.

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

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672           3. Develop a plan to encourage teachers with demonstrated  
673 mastery in improving student performance to remain at or  
674 transfer to a school with a ~~designated as performance~~ grade of  
675 ~~category~~ "D" or "F" or to an alternative school that serves  
676 disruptive or violent youths. If a classroom teacher, as defined  
677 by s. 1012.01(2)(a), who meets the definition of teaching  
678 mastery developed according to the provisions of this paragraph,  
679 requests assignment to a school with a ~~as performance~~  
680 grade of ~~category~~ "D" or "F" or to an alternative school that  
681 serves disruptive or violent youths, the district school board  
682 shall make every practical effort to grant the request.

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

688           (d) After 2 years.--Notify the Commissioner of Education  
689 and the State Board of Education in the event any school does  
690 not make adequate progress toward meeting the goals and  
691 standards of a school improvement plan by the end of 2 years of  
692 failing to make adequate progress and proceed according to  
693 guidelines developed pursuant to statute and State Board of  
694 Education rule. School districts shall provide intervention and  
695 assistance to schools in danger of being designated with a ~~as~~  
696 ~~performance~~ grade of ~~category~~ "F," failing to make adequate  
697 progress.

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698 (e) Public disclosure.--Provide information regarding  
699 performance of students and educational programs as required  
700 pursuant to ss. 1008.22 and 1008.385 and implement a system of  
701 school reports as required by statute and State Board of  
702 Education rule that shall include schools operating for the  
703 purpose of providing educational services to youth in Department  
704 of Juvenile Justice programs, and for those schools, report on  
705 the elements specified in s. 1003.52(19). Annual public  
706 disclosure reports shall be in an easy-to-read report card  
707 format and shall include the school's ~~student and school~~  
708 performance grade, high school graduation rate calculated  
709 without GED tests, disaggregated by student ethnicity, category  
710 ~~designation~~ and performance data as specified in state board  
711 rule.

712 (f) School improvement funds.--Provide funds to schools  
713 for developing and implementing school improvement plans. Such  
714 funds shall include those funds appropriated for the purpose of  
715 school improvement pursuant to s. 24.121(5)(c).

716 (17) LOCAL-LEVEL DECISIONMAKING.--

717 (d) Adopt policies that assist in giving greater autonomy,  
718 including authority over the allocation of the school's budget,  
719 to schools designated with a ~~as~~ performance grade of ~~category~~  
720 "A," making excellent progress, and schools rated as having  
721 improved at least two grades ~~performance grade categories~~.

722 (18) OPPORTUNITY SCHOLARSHIPS.--Adopt policies allowing  
723 students attending schools that have been designated with a ~~as~~  
724 ~~performance grade of~~ category "F," failing to make adequate

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725 progress, for 2 school years in a 4-year period to attend a  
726 higher performing school in the district or an adjoining  
727 district or be granted a state opportunity scholarship to a  
728 private school, in conformance with s. 1002.38 and State Board  
729 of Education rule.

730 (22) REDUCE PAPERWORK AND DATA COLLECTION AND REPORTING  
731 REQUIREMENTS.--Beginning with the 2006-2007 school year:

732 (a) Each district school board shall designate a classroom  
733 teacher to serve as the teacher representative to speak on  
734 behalf of the district's teachers regarding paperwork and data  
735 collection reduction.

736 (b) Each district school board must provide the school  
737 community with an efficient method for the school community to  
738 communicate with the classroom teacher designee regarding  
739 possible paperwork and data collection burdens and potential  
740 solutions.

741 (c) The teacher designee shall annually report his or her  
742 findings and potential solutions to the school board.

743 (d) Each district school board must submit its findings  
744 and potential solutions to the State Board of Education by  
745 September 1 of each year.

746 (e) The State Board of Education shall prepare a report  
747 of the statewide paperwork and data collection findings and  
748 potential solutions and submit the report to the Governor, the  
749 President of the Senate, and the Speaker of the House of  
750 Representatives by October 1 of each year.

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751           Section 12. Subsection (24) of section 1001.51, Florida  
 752 Statutes, is repealed.

753           Section 13. Paragraphs (c) and (d) of subsection (1) and  
 754 subsection (2) of section 1001.54, Florida Statutes, are amended  
 755 to read:

756           1001.54 Duties of school principals.--

757           (1)

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

761           (c)~~(d)~~ The school principal shall fully support the  
 762 authority of each teacher and school bus driver to remove  
 763 disobedient, disrespectful, violent, abusive, uncontrollable, or  
 764 disruptive students from the classroom and the school bus and,  
 765 when appropriate and available, place such students in an  
 766 alternative educational setting.

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

770           Section 14. Subsection (11) of section 1002.20, Florida  
 771 Statutes, is amended to read:

772           1002.20 K-12 student and parent rights.--Parents of public  
 773 school students must receive accurate and timely information  
 774 regarding their child's academic progress and must be informed  
 775 of ways they can help their child to succeed in school. K-12  
 776 students and their parents are afforded numerous statutory  
 777 rights including, but not limited to, the following:

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778 (11) STUDENTS WITH READING DEFICIENCIES.--Each elementary  
 779 school shall regularly assess the reading ability of each K-3  
 780 student. The parent of any K-3 student who exhibits a reading  
 781 deficiency shall be immediately notified of the student's  
 782 deficiency with a description and explanation, in terms  
 783 understandable to the parent, of the exact nature of the  
 784 student's difficulty in learning and lack of achievement in  
 785 reading; shall be consulted in the development of a progress  
 786 monitoring ~~detailed academic improvement~~ plan, as described in  
 787 s. 1008.25(4)(b); and shall be informed that the student will be  
 788 given intensive reading instruction until the deficiency is  
 789 corrected. This subsection operates in addition to the  
 790 remediation and notification provisions contained in s. 1008.25  
 791 and in no way reduces the rights of a parent or the  
 792 responsibilities of a school district under that section.

793 Section 15. Paragraph (b) of subsection (3) and subsection  
 794 (4) of section 1003.01, Florida Statutes, are amended to read:

795 1003.01 Definitions.--As used in this chapter, the term:

796 (3)

797 (b) "Special education services" means specially designed  
 798 instruction and such related services as are necessary for an  
 799 exceptional student to benefit from education. Such services may  
 800 include: transportation; diagnostic and evaluation services;  
 801 social services; physical and occupational therapy; speech and  
 802 language pathology services; job placement; orientation and  
 803 mobility training; braillists, typists, and readers for the  
 804 blind; interpreters and auditory amplification; rehabilitation

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805 counseling; transition services; mental health services;  
 806 guidance and career counseling; specified materials, assistive  
 807 technology devices, and other specialized equipment; and other  
 808 such services as approved by rules of the state board.

809 (4) "Career education" means education that provides  
 810 instruction for the following purposes:

811 (a) At the elementary, middle, and high ~~secondary~~ school  
 812 levels, exploratory courses designed to give students initial  
 813 exposure to a broad range of occupations to assist them in  
 814 preparing their academic and occupational plans, and practical  
 815 arts courses that provide generic skills that may apply to many  
 816 occupations but are not designed to prepare students for entry  
 817 into a specific occupation. Career education provided before  
 818 high school completion must be designed to strengthen ~~enhance~~  
 819 both occupational awareness and academic skills integrated  
 820 throughout all ~~through integration with~~ academic instruction.

821 (b) At the secondary school level, job-preparatory  
 822 instruction in the competencies that prepare students for  
 823 effective entry into an occupation, including diversified  
 824 cooperative education, work experience, and job-entry programs  
 825 that coordinate directed study and on-the-job training.

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

829 Section 16. Paragraph (b) of subsection (2) of section  
 830 1003.03, Florida Statutes, is amended, and subsection (5) is  
 831 added to that section, to read:

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832 | 1003.03 Maximum class size.--  
 833 | (2) IMPLEMENTATION.--  
 834 | (b) Determination of the number of students per classroom  
 835 | in paragraph (a) shall be calculated as follows:  
 836 | 1. For fiscal years 2003-2004 through 2005-2006, the  
 837 | calculation for compliance for each of the 3 grade groupings  
 838 | shall be the average at the district level.  
 839 | 2. For fiscal years 2006-2007 through 2007-2008, the  
 840 | calculation for compliance for each of the 3 grade groupings  
 841 | shall be the average at the school level.  
 842 | 3. For fiscal years 2008-2009, 2009-2010, and thereafter,  
 843 | the calculation for compliance shall be at the individual  
 844 | classroom level.  
 845 | 4. For fiscal years 2006-2007 through 2009-2010 and  
 846 | thereafter, each teacher assigned to any classroom shall be  
 847 | included in the calculation for compliance.  
 848 | (5) TEAM-TEACHING STRATEGIES.--  
 849 | (a) School districts may use teaching strategies that  
 850 | include the assignment of more than one teacher to a classroom  
 851 | of students and that were implemented before July 1, 2005.  
 852 | Effective July 1, 2005, school districts may implement  
 853 | additional teaching strategies that include the assignment of  
 854 | more than one teacher to a classroom of students for the  
 855 | following purposes only:  
 856 | 1. Pairing teachers for the purpose of staff development.  
 857 | 2. Pairing new teachers with veteran teachers.  
 858 | 3. Reducing turnover among new teachers.

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859 4. Pairing teachers who are teaching out-of-field with  
860 teachers who are in-field.

861 5. Providing for more flexibility and innovation in the  
862 classroom.

863 6. Improving learning opportunities for students,  
864 including students who have disabilities.

865 (b) Teaching strategies implemented on or after July 1,  
866 2005, pursuant to paragraph (a) may be implemented subject to  
867 the following restrictions:

868 1. Reasonable limits shall be placed on the number of  
869 students in a classroom so that classrooms are not overcrowded.  
870 Teacher-to-student ratios within a curriculum area or grade  
871 level must not exceed constitutional limits.

872 2. At least one member of the team must have at least 3  
873 years of teaching experience.

874 3. At least one member of the team must be teaching in-  
875 field.

876 4. The teachers must be trained in team-teaching methods  
877 within 1 year after assignment.

878  
879 The use of strategies implemented as outlined in this  
880 subsection meets the letter and intent of the Florida  
881 Constitution and the Florida Statutes which relate to  
882 implementing class-size reduction and this subsection applies  
883 retroactively. A school district may not be penalized  
884 financially or otherwise as a result of the use of any legal

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885 strategy, including, but not limited to, those set forth in  
 886 subsection (3) and this subsection.

887 Section 17. Subsection (3) of section 1003.05, Florida  
 888 Statutes, is amended to read:

889 1003.05 Assistance to transitioning students from military  
 890 families.--

891 (3) Dependent children of active duty military personnel  
 892 who otherwise meet the eligibility criteria for special academic  
 893 programs offered through public schools shall be given first  
 894 preference for admission to such programs even if the program is  
 895 being offered through a public school other than the school to  
 896 which the student would generally be assigned ~~and the school at~~  
 897 ~~which the program is being offered has reached its maximum~~  
 898 ~~enrollment.~~ If such a program is offered through a public school  
 899 other than the school to which the student would generally be  
 900 assigned, the parent or guardian of the student must assume  
 901 responsibility for transporting the student to that school. For  
 902 purposes of this subsection, special academic programs include  
 903 ~~charter schools,~~ magnet schools, advanced studies programs,  
 904 advanced placement, dual enrollment, Advanced International  
 905 Certificate of Education, and International Baccalaureate.

906 Section 18. Paragraph (c) of subsection (1) of section  
 907 1003.21, Florida Statutes, is amended to read:

908 1003.21 School attendance.--

909 (1)

910 (c) A student who attains the age of 16 years during the  
 911 school year is not subject to compulsory school attendance

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912 beyond the date upon which he or she attains that age if the  
913 student files a formal declaration of intent to terminate school  
914 enrollment with the district school board. The declaration must  
915 acknowledge that terminating school enrollment is likely to  
916 reduce the student's earning potential and must be signed by the  
917 student and the student's parent. The school district must  
918 notify the student's parent of receipt of the student's  
919 declaration of intent to terminate school enrollment. The  
920 student's guidance counselor or other school personnel must  
921 conduct an exit interview with the student to determine the  
922 reasons for the student's decision to terminate school  
923 enrollment and actions that could be taken to keep the student  
924 in school. The student must be informed of opportunities to  
925 continue his or her education in a different environment,  
926 including, but not limited to, adult education and GED test  
927 preparation. Additionally, the student must complete a survey in  
928 a format prescribed by the Department of Education to provide  
929 data on student reasons for terminating enrollment and actions  
930 taken by schools to keep students enrolled.

931 Section 19. Section 1003.413, Florida Statutes, is created  
932 to read:

933 1003.413 Florida Secondary School Redesign Act.--

934 (1) Secondary schools are schools that primarily serve  
935 students in grades 6 through 12. It is the intent of the  
936 Legislature to provide for secondary school redesign so that  
937 students promoted from the 8th grade have the necessary academic  
938 skills for success in high school and students graduating from

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939 | high school have the necessary skills for success in the  
940 | workplace and postsecondary education.

941 |       (2) The following guiding principles for secondary school  
942 | redesign shall be used in the annual preparation of each  
943 | secondary school's improvement plan required by s. 1001.42(16):

944 |       (a) Struggling students, especially those in failing  
945 | schools, need the highest quality teachers and dramatically  
946 | different, innovative approaches to teaching and learning.

947 |       (b) Every teacher must contribute to every student's  
948 | reading improvement.

949 |       (c) Quality professional development provides teachers and  
950 | principals with the tools they need to better serve students.

951 |       (d) Small learning communities allow teachers to  
952 | personalize instruction to better address student learning  
953 | styles, strengths, and weaknesses.

954 |       (e) Intensive intervention in reading and mathematics must  
955 | occur early and through innovative delivery systems.

956 |       (f) Parents need access to tools they can use to monitor  
957 | their child's progress in school, communicate with teachers, and  
958 | act early on behalf of their child.

959 |       (g) Applied and integrated courses help students see the  
960 | relationships between subjects and relevance to their futures.

961 |       (h) School is more relevant when students choose courses  
962 | based on their goals, interests, and talents.

963 |       (i) Master schedules should not determine instruction and  
964 | must be designed based on student needs, not adult or  
965 | institutional needs.

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966        (j) Academic and career planning engages students in  
967 developing a personally meaningful course of study so they can  
968 achieve goals they have set for themselves.

969        (3) Based on these guiding principles, district school  
970 boards shall establish policies to implement the requirements of  
971 ss. 1003.4156, 1003.428, and 1003.493. The policies must  
972 address:

973        (a) Procedures for placing and promoting students who  
974 enter a Florida public school at grade 6 through grade 12 from  
975 out of state or from a foreign country, including a review of  
976 the student's prior academic performance.

977        (b) Alternative methods for students to demonstrate  
978 competency in required courses and credits, with special support  
979 for students who have been retained.

980        (c) Applied, integrated, and combined courses that provide  
981 flexibility for students to enroll in courses that are creative  
982 and meet individual learning styles and student needs.

983        (d) Credit recovery courses and intensive reading and  
984 mathematics intervention courses based on student performance on  
985 the FCAT. These courses should be competency based and offered  
986 through innovative delivery systems, including computer-assisted  
987 instruction. School districts should use learning gains as well  
988 as other appropriate data and provide incentives to identify and  
989 reward high-performing teachers who teach credit recovery and  
990 intensive intervention courses.

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- 991        (e) Grade forgiveness policies that replace a grade of "D"
- 992 or "F" with a grade of "C" or higher earned subsequently in the
- 993 same or a comparable course.
- 994        (f) Summer academies for students to receive intensive
- 995 reading and mathematics intervention courses or competency-based
- 996 credit recovery courses. A student's participation in an
- 997 instructional or remediation program prior to or immediately
- 998 following entering grade 9 for the first time shall not affect
- 999 that student's classification as a first-time 9th grader for
- 1000 reporting purposes.
- 1001        (g) Strategies to support teachers' pursuit of the reading
- 1002 endorsement and emphasize reading instruction professional
- 1003 development for content area teachers.
- 1004        (h) Creative and flexible scheduling designed to meet
- 1005 student needs.
- 1006        (i) Procedures for high school students who have not
- 1007 prepared an electronic personal education plan pursuant to s.
- 1008 1003.4156 to prepare such plan.
- 1009        (j) Tools for parents to regularly monitor student
- 1010 progress and communicate with teachers.
- 1011        (k) Additional course requirements for promotion and
- 1012 graduation which may be determined by each school district in
- 1013 the student progression plan and may include additional
- 1014 academic, fine and performing arts, physical education, or
- 1015 career and technical education courses in order to provide a
- 1016 complete education program pursuant to s. 1001.41(3).

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1017       (4) In order to support the successful implementation of  
1018 this section by district school boards, the Department of  
1019 Education shall:

1020       (a) By February 1, 2007, increase the number of approved  
1021 applied, integrated, and combined courses available to school  
1022 districts.

1023       (b) By the beginning of the 2006-2007 school year, make  
1024 available a professional development package designed to provide  
1025 the information that content area teachers need to become  
1026 proficient in applying scientifically based reading strategies  
1027 through their content areas.

1028       (c) Share best practices for providing a complete  
1029 education program to students enrolled in course recovery,  
1030 credit recovery, intensive reading intervention, or intensive  
1031 mathematics intervention.

1032       (d) Expedite assistance and decisions and coordinate  
1033 policies throughout all divisions within the department to  
1034 provide school districts with support to implement this section.

1035       (e) Use data to provide the Legislature with an annual  
1036 longitudinal analysis of the success of this reform effort,  
1037 including the progress of 6th grade students and 9th grade  
1038 students scoring at Level 1 on FCAT Reading or FCAT Mathematics.

1039       (5) The Commissioner of Education shall create and  
1040 implement the Secondary School Improvement Award Program to  
1041 reward public secondary schools that demonstrate continuous  
1042 student academic improvement and show the greatest gains in  
1043 student academic achievement in reading and mathematics.

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1044           Section 20. Section 1003.415, Florida Statutes, is  
 1045 repealed.

1046           Section 21. Section 1003.4156, Florida Statutes, is  
 1047 created to read:

1048           1003.4156 General requirements for middle grades  
 1049 promotion.--

1050           (1) Beginning with students entering grade 6 in the 2006-  
 1051 2007 school year, promotion from a school composed of middle  
 1052 grades 6, 7, and 8 requires that:

1053           (a) The student must successfully complete academic  
 1054 courses as follows:

1055           1. Three middle school or higher courses in English. These  
 1056 courses shall emphasize literature, composition, and technical  
 1057 text.

1058           2. Three middle school or higher courses in mathematics.  
 1059 Each middle school must offer at least one high-school-level  
 1060 mathematics course for which students may earn high school  
 1061 credit.

1062           3. Three middle school or higher courses in social  
 1063 studies, one semester of which must include the study of state  
 1064 and federal government and civics education.

1065           4. Three middle school or higher courses in science.

1066           5. One course in career and education planning to be  
 1067 completed in 7th or 8th grade. The course may be taught by any  
 1068 member of the instructional staff; must include career  
 1069 exploration using CHOICES for the 21st Century or a comparable  
 1070 cost-effective program; must include educational planning using

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1071 the online student advising system known as Florida Academic  
1072 Counseling and Tracking for Students at the Internet website  
1073 FACTS.org; and shall result in the completion of a personalized  
1074 academic and career plan. Each student's plan must be signed by  
1075 the student, the student's guidance counselor or academic  
1076 advisor, and the student's parent. By January 1, 2007, the  
1077 Department of Education shall develop course frameworks and  
1078 professional development materials for the career and education  
1079 planning course to be implemented as a stand-alone course or  
1080 integrated into another course or courses.

1081  
1082 Each school must hold a parent meeting either in the evening or  
1083 on a weekend to inform parents about the course curriculum and  
1084 activities. Each student shall complete an electronic personal  
1085 education plan that must be signed by the student, the student's  
1086 instructor or guidance counselor, and the student's parent. By  
1087 January 1, 2007, the Department of Education shall develop  
1088 course frameworks and professional development materials for the  
1089 career exploration and education planning course. The course may  
1090 be implemented as a stand-alone course or integrated into  
1091 another course. The Commissioner of Education shall collect  
1092 longitudinal high school course enrollment data by student  
1093 ethnicity in order to analyze course-taking patterns.

1094 (b) For each year in which a student scores at Level 1 on  
1095 FCAT Reading, the student must be enrolled in and complete an  
1096 intensive reading course the following year. Placement of Level  
1097 2 readers in either an intensive reading course or a content

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1098 area course in which reading strategies are delivered shall be  
 1099 determined by diagnosis of reading needs. The department shall  
 1100 provide guidance on appropriate strategies for diagnosing and  
 1101 meeting the varying instructional needs of students reading  
 1102 below grade level. Reading courses shall be designed and offered  
 1103 pursuant to the comprehensive reading plan required by s.  
 1104 1011.62(8).

1105 (c) For each year in which a student scores at Level 1 or  
 1106 Level 2 on FCAT Mathematics, the student must receive  
 1107 remediation the following year, which may be integrated into the  
 1108 student's required mathematics course.

1109 (2) Students in grade 6, grade 7, or grade 8 who are not  
 1110 enrolled in schools with a middle grades configuration are  
 1111 subject to the promotion requirements of this section.

1112 (3) The State Board of Education may adopt rules pursuant  
 1113 to ss. 120.536(1) and 120.54 to implement the provisions of this  
 1114 section and may enforce the provisions of this section pursuant  
 1115 to s. 1008.32.

1116 Section 22. Section 1003.42, Florida Statutes, is amended  
 1117 to read:

1118 1003.42 Required instruction.--

1119 (1) Each district school board shall provide all courses  
 1120 required for middle grades promotion, high school graduation,  
 1121 and appropriate instruction designed to ensure that students  
 1122 meet State Board of Education adopted standards in the following  
 1123 subject areas: reading and other language arts, mathematics,

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1124 science, social studies, foreign languages, health and physical  
 1125 education, and the arts.

1126 (2) Members of the instructional staff of the public  
 1127 schools, subject to the rules of the State Board of Education  
 1128 and the district school board, shall teach efficiently and  
 1129 faithfully, using the books and materials required that meet the  
 1130 highest standards for professionalism and historic accuracy,  
 1131 following the prescribed courses of study, and employing  
 1132 approved methods of instruction, the following:

1133 (a) The history and content of the Declaration of  
 1134 Independence, including national sovereignty, natural law, self-  
 1135 evident truth, equality of all persons, limited government,  
 1136 popular sovereignty, and inalienable rights of life, liberty,  
 1137 and property, and how they form ~~it forms~~ the philosophical  
 1138 foundation of our government.

1139 (b) The history, meaning, significance, and effect of the  
 1140 provisions of the Constitution of the United States and  
 1141 amendments thereto, with emphasis on each of the 10 amendments  
 1142 that make up the Bill of Rights and how the constitution  
 1143 provides the structure of our government.

1144 ~~(c)~~ (b) The arguments in support of adopting our republican  
 1145 form of government, as they are embodied in the most important  
 1146 of the Federalist Papers.

1147 ~~(c) The essentials of the United States Constitution and~~  
 1148 ~~how it provides the structure of our government.~~

1149 (d) Flag education, including proper flag display and flag  
 1150 salute.

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1151 (e) The elements of civil government, including the  
1152 primary functions of and interrelationships between the Federal  
1153 Government, the state, and its counties, municipalities, school  
1154 districts, and special districts.

1155 (f) The history of the United States, including the period  
1156 of discovery, early colonies, the War for Independence, the  
1157 Civil War, the expansion of the United States to its present  
1158 boundaries, the world wars, and the civil rights movement to the  
1159 present. American history shall be viewed as factual, not as  
1160 constructed, shall be viewed as knowable, teachable, and  
1161 testable, and shall be defined as the creation of a new nation  
1162 based largely on the universal principles stated in the  
1163 Declaration of Independence.

1164 (g)~~(f)~~ The history of the Holocaust (1933-1945), the  
1165 systematic, planned annihilation of European Jews and other  
1166 groups by Nazi Germany, a watershed event in the history of  
1167 humanity, to be taught in a manner that leads to an  
1168 investigation of human behavior, an understanding of the  
1169 ramifications of prejudice, racism, and stereotyping, and an  
1170 examination of what it means to be a responsible and respectful  
1171 person, for the purposes of encouraging tolerance of diversity  
1172 in a pluralistic society and for nurturing and protecting  
1173 democratic values and institutions.

1174 (h)~~(g)~~ The history of African Americans, including the  
1175 history of African peoples before the political conflicts that  
1176 led to the development of slavery, the passage to America, the

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1177 enslavement experience, abolition, and the contributions of  
 1178 African Americans to society.

1179        (i)~~(h)~~ The elementary principles of agriculture.

1180        (j)~~(i)~~ The true effects of all alcoholic and intoxicating  
 1181 liquors and beverages and narcotics upon the human body and  
 1182 mind.

1183        (k)~~(j)~~ Kindness to animals.

1184        (l)~~(k)~~ The history of the state.

1185        (m)~~(l)~~ The conservation of natural resources.

1186        (n)~~(m)~~ Comprehensive health education that addresses  
 1187 concepts of community health; consumer health; environmental  
 1188 health; family life, including an awareness of the benefits of  
 1189 sexual abstinence as the expected standard and the consequences  
 1190 of teenage pregnancy; mental and emotional health; injury  
 1191 prevention and safety; nutrition; personal health; prevention  
 1192 and control of disease; and substance use and abuse.

1193        (o)~~(n)~~ Such additional materials, subjects, courses, or  
 1194 fields in such grades as are prescribed by law or by rules of  
 1195 the State Board of Education and the district school board in  
 1196 fulfilling the requirements of law.

1197        (p)~~(o)~~ The study of Hispanic contributions to the United  
 1198 States.

1199        (q)~~(p)~~ The study of women's contributions to the United  
 1200 States.

1201        (r) The nature and importance of free enterprise to the  
 1202 United States economy.

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1203           ~~(s)~~~~(e)~~ A character-development program in the elementary  
 1204 schools, similar to Character First or Character Counts, which  
 1205 is secular in nature ~~and stresses such character qualities as~~  
 1206 ~~attentiveness, patience, and initiative~~. Beginning in school  
 1207 year 2004-2005, the character-development program shall be  
 1208 required in kindergarten through grade 12. Each district school  
 1209 board shall develop or adopt a curriculum for the character-  
 1210 development program that shall be submitted to the department  
 1211 for approval. The character-development curriculum shall stress  
 1212 the qualities of patriotism;i responsibility;i citizenship;i  
 1213 kindness;i respect for authority, life, liberty, and personal  
 1214 property; honesty; charity; self-control;i racial, ethnic, and  
 1215 religious tolerance;i and cooperation.

1216           ~~(t)~~~~(r)~~ In order to encourage patriotism, the sacrifices  
 1217 that veterans have made in serving our country and protecting  
 1218 democratic values worldwide. Such instruction must occur on or  
 1219 before Veterans' Day and Memorial Day. Members of the  
 1220 instructional staff are encouraged to use the assistance of  
 1221 local veterans when practicable.

1222  
 1223 The State Board of Education is encouraged to adopt standards  
 1224 and pursue assessment of the requirements of this subsection.

1225           (3) Any student whose parent makes written request to the  
 1226 school principal shall be exempted from the teaching of  
 1227 reproductive health or any disease, including HIV/AIDS, its  
 1228 symptoms, development, and treatment. A student so exempted may  
 1229 not be penalized by reason of that exemption. Course

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1230 descriptions for comprehensive health education shall not  
 1231 interfere with the local determination of appropriate curriculum  
 1232 which reflects local values and concerns.

1233 Section 23. Section 1003.428, Florida Statutes, is created  
 1234 to read:

1235 1003.428 General requirements for high school graduation;  
 1236 revised.--

1237 (1) Except as otherwise authorized pursuant to s.  
 1238 1003.429, beginning with students entering their first year of  
 1239 high school in the 2007-2008 school year, graduation requires  
 1240 the successful completion of a minimum of 24 credits, an  
 1241 International Baccalaureate curriculum, or an Advanced  
 1242 International Certificate of Education curriculum. Students must  
 1243 be advised of eligibility requirements for state scholarship  
 1244 programs and postsecondary admissions.

1245 (2) The 24 credits may be earned through applied,  
 1246 integrated, and combined courses approved by the Department of  
 1247 Education and shall be distributed as follows:

1248 (a) Sixteen core curriculum credits:

1249 1. Four credits in English, with major concentration in  
 1250 composition, reading for information, and literature.

1251 2. Four credits in mathematics, one of which must be  
 1252 Algebra I, a series of courses equivalent to Algebra I, or a  
 1253 higher-level mathematics course. School districts are encouraged  
 1254 to set specific goals to increase enrollments in, and successful  
 1255 completion of, geometry and Algebra II.

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1256 3. Three credits in science, two of which must have a  
 1257 laboratory component.

1258 4. Three credits in social studies as follows: one credit  
 1259 in American history; one credit in world history; one-half  
 1260 credit in economics; and one-half credit in American government.

1261 5. One credit in fine arts.

1262 6. One credit in physical education to include integration  
 1263 of health.

1264 (b) Eight credits in majors, minors, or electives:

1265 1. Four credits in a major area of interest, such as  
 1266 sequential courses in a career and technical program, fine and  
 1267 performing arts, or academic content area, selected by the  
 1268 student as part of the education plan required by s. 1003.4156.  
 1269 Students may revise major areas of interest each year as part of  
 1270 annual course registration processes and should update their  
 1271 education plan to reflect such revisions. Annually by October 1,  
 1272 the district school board shall approve major areas of interest  
 1273 and submit the list of majors to the Commissioner of Education  
 1274 for approval. Each major area of interest shall be deemed  
 1275 approved unless specifically rejected by the commissioner within  
 1276 60 days. Upon approval, each district's major areas of interest  
 1277 shall be available for use by all school districts and shall be  
 1278 posted on the department's website.

1279 2. Four credits in elective courses selected by the  
 1280 student as part of the education plan required by s. 1003.4156.  
 1281 These credits may be combined to allow for a second major area  
 1282 of interest pursuant to subparagraph 1., a minor area of

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1283 interest, elective courses, intensive reading or mathematics  
1284 intervention courses, or credit recovery courses as described in  
1285 this subparagraph.

1286 a. Minor areas of interest are composed of three credits  
1287 selected by the student as part of the education plan required  
1288 by s. 1003.4156 and approved by the district school board.

1289 b. Elective courses are selected by the student in order  
1290 to pursue a complete education program as described in s.  
1291 1001.41(3) and to meet eligibility requirements for  
1292 scholarships.

1293 c. For each year in which a student scores at Level 1 on  
1294 FCAT Reading, the student must be enrolled in and complete an  
1295 intensive reading course the following year. Placement of Level  
1296 2 readers in either an intensive reading course or a content  
1297 area course in which reading strategies are delivered shall be  
1298 determined by diagnosis of reading needs. The department shall  
1299 provide guidance on appropriate strategies for diagnosing and  
1300 meeting the varying instructional needs of students reading  
1301 below grade level. Reading courses shall be designed and offered  
1302 pursuant to the comprehensive reading plan required by s.  
1303 1011.62(8).

1304 d. For each year in which a student scores at Level 1 or  
1305 Level 2 on FCAT Mathematics, the student must receive  
1306 remediation the following year. These courses may be taught  
1307 through applied, integrated, or combined courses and are subject  
1308 to approval by the department for inclusion in the Course Code  
1309 Directory.

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1310 e. Credit recovery courses shall be offered so that  
1311 students can simultaneously earn an elective credit and the  
1312 recovered credit.

1313 (3) (a) A district school board may require specific  
1314 courses and programs of study within the minimum credit  
1315 requirements for high school graduation and shall modify basic  
1316 courses, as necessary, to assure exceptional students the  
1317 opportunity to meet the graduation requirements for a standard  
1318 diploma, using one of the following strategies:

1319 1. Assignment of the exceptional student to an exceptional  
1320 education class for instruction in a basic course with the same  
1321 student performance standards as those required of  
1322 nonexceptional students in the district school board student  
1323 progression plan; or

1324 2. Assignment of the exceptional student to a basic  
1325 education class for instruction that is modified to accommodate  
1326 the student's exceptionality.

1327 (b) The district school board shall determine which of  
1328 these strategies to employ based upon an assessment of the  
1329 student's needs and shall reflect this decision in the student's  
1330 individual education plan.

1331 (4) Each district school board shall establish standards  
1332 for graduation from its schools, which must include:

1333 (a) Successful completion of the academic credit or  
1334 curriculum requirements of subsections (1) and (2).

1335 (b) Earning passing scores on the FCAT, as defined in s.  
1336 1008.22(3)(c), or scores on a standardized test that are

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1337 concordant with passing scores on the FCAT as defined in s.  
 1338 1008.22(9).

1339 (c) Completion of all other applicable requirements  
 1340 prescribed by the district school board pursuant to s. 1008.25.

1341 (d) Achievement of a cumulative grade point average of 2.0  
 1342 on a 4.0 scale, or its equivalent, in the courses required by  
 1343 this section.

1344 (5) The State Board of Education, after a public hearing  
 1345 and consideration, shall adopt rules based upon the  
 1346 recommendations of the commissioner for the provision of test  
 1347 accommodations and modifications of procedures as necessary for  
 1348 students with disabilities which will demonstrate the student's  
 1349 abilities rather than reflect the student's impaired sensory,  
 1350 manual, speaking, or psychological process skills.

1351 (6) The public hearing and consideration required in  
 1352 subsection (5) shall not be construed to amend or nullify the  
 1353 requirements of security relating to the contents of  
 1354 examinations or assessment instruments and related materials or  
 1355 data as prescribed in s. 1008.23.

1356 (7) (a) A student who meets all requirements prescribed in  
 1357 subsections (1), (2), (3), and(4) shall be awarded a standard  
 1358 diploma in a form prescribed by the State Board of Education.

1359 (b) A student who completes the minimum number of credits  
 1360 and other requirements prescribed by subsections (1), (2), and  
 1361 (3), but who is unable to meet the standards of paragraph  
 1362 (4) (b), paragraph (4) (c), or paragraph (4) (d), shall be awarded  
 1363 a certificate of completion in a form prescribed by the State

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1364 Board of Education. However, any student who is otherwise  
1365 entitled to a certificate of completion may elect to remain in  
1366 the secondary school either as a full-time student or a part-  
1367 time student for up to 1 additional year and receive special  
1368 instruction designed to remedy his or her identified  
1369 deficiencies.

1370 (8) (a) Each district school board must provide instruction  
1371 to prepare students with disabilities to demonstrate proficiency  
1372 in the skills and competencies necessary for successful grade-  
1373 to-grade progression and high school graduation.

1374 (b) A student with a disability, as defined in s.  
1375 1007.02(2), for whom the individual education plan (IEP)  
1376 committee determines that the FCAT cannot accurately measure the  
1377 student's abilities taking into consideration all allowable  
1378 accommodations, shall have the FCAT requirement of paragraph  
1379 (4) (b) waived for the purpose of receiving a standard high  
1380 school diploma, if the student:

1381 1. Completes the minimum number of credits and other  
1382 requirements prescribed by subsections (1), (2), and (3).

1383 2. Does not meet the requirements of paragraph (4) (b)  
1384 after one opportunity in 10th grade and one opportunity in 11th  
1385 grade.

1386 (9) The Commissioner of Education may award a standard  
1387 high school diploma to honorably discharged veterans who started  
1388 high school between 1937 and 1946 and were scheduled to graduate  
1389 between 1941 and 1950 but were inducted into the United States  
1390 Armed Forces between September 16, 1940, and December 31, 1946,

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1391 prior to completing the necessary high school graduation  
 1392 requirements. Upon the recommendation of the commissioner, the  
 1393 State Board of Education may develop criteria and guidelines for  
 1394 awarding such diplomas.

1395 (10) The Commissioner of Education may award a standard  
 1396 high school diploma to honorably discharged veterans who started  
 1397 high school between 1946 and 1950 and were scheduled to graduate  
 1398 between 1950 and 1954, but were inducted into the United States  
 1399 Armed Forces between June 27, 1950, and January 31, 1955, and  
 1400 served during the Korean Conflict prior to completing the  
 1401 necessary high school graduation requirements. Upon the  
 1402 recommendation of the commissioner, the State Board of Education  
 1403 may develop criteria and guidelines for awarding such diplomas.

1404 (11) The State Board of Education may adopt rules pursuant  
 1405 to ss. 120.536(1) and 120.54 to implement the provisions of this  
 1406 section and may enforce the provisions of this section pursuant  
 1407 to s. 1008.32.

1408 Section 24. Section 1003.429, Florida Statutes, is amended  
 1409 to read:

1410 1003.429 Accelerated high school graduation options.--

1411 (1) Students who enter grade 9 in the 2006-2007 ~~2004-2005~~  
 1412 school year and thereafter may select, upon receipt of each  
 1413 consent required by this section, one of the following three  
 1414 high school graduation options:

1415 (a) Completion of the general requirements for high school  
 1416 graduation pursuant to s. 1003.43;

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1417 (b) Completion of a 3-year standard college preparatory  
 1418 program requiring successful completion of a minimum of 18  
 1419 academic credits in grades 9 through 12. At least 6 of the 18  
 1420 credits required for completion of this program must be received  
 1421 in classes that are offered pursuant to the International  
 1422 Baccalaureate Program, the Advanced Placement Program ~~honors,~~  
 1423 ~~dual enrollment, advanced placement, International~~  
 1424 ~~Baccalaureate,~~ Advanced International Certificate of Education,  
 1425 or specifically listed or identified by the Department of  
 1426 Education as rigorous pursuant to s. 1009.531(3), ~~or weighted by~~  
 1427 ~~the district school board for class ranking purposes.~~ The 18  
 1428 credits required for completion of this program shall be primary  
 1429 requirements and shall be distributed as follows:

- 1430 1. Four credits in English, with major concentration in  
 1431 composition and literature;
- 1432 2. Three credits in mathematics at the Algebra I level or  
 1433 higher from the list of courses that qualify for state  
 1434 university admission;
- 1435 3. Three credits in natural science, two of which must  
 1436 have a laboratory component;
- 1437 4. Three credits in social sciences, which must include  
 1438 one credit in American history, one credit in world history,  
 1439 one-half credit in American government, and one-half credit in  
 1440 economics;
- 1441 5. Two credits in the same second language unless the  
 1442 student is a native speaker of or can otherwise demonstrate  
 1443 competency in a language other than English. If the student

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1444 demonstrates competency in another language, the student may  
 1445 replace the language requirement with two credits in other  
 1446 academic courses; and  
 1447         6. Three credits in electives; or  
 1448         (c) Completion of a 3-year career preparatory program  
 1449 requiring successful completion of a minimum of 18 academic  
 1450 credits in grades 9 through 12. The 18 credits shall be primary  
 1451 requirements and shall be distributed as follows:  
 1452             1. Four credits in English, with major concentration in  
 1453 composition and literature;  
 1454             2. Three credits in mathematics, one of which must be  
 1455 Algebra I;  
 1456             3. Three credits in natural science, two of which must  
 1457 have a laboratory component;  
 1458             4. Three credits in social sciences, which must include  
 1459 one credit in American history, one credit in world history,  
 1460 one-half credit in American government, and one-half credit in  
 1461 economics;  
 1462             5. Three credits in a single vocational or career  
 1463 education program, three credits in career and technical  
 1464 certificate dual enrollment courses, or five credits in  
 1465 vocational or career education courses; and  
 1466             6. Two credits in electives unless five credits are earned  
 1467 pursuant to subparagraph 5.  
 1468  
 1469 Any student who selected an accelerated graduation program  
 1470 before July 1, 2004, may continue that program, and all

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1471 statutory program requirements that were applicable when the  
1472 student made the program choice shall remain applicable to the  
1473 student as long as the student continues that program.

1474 (2) Prior to selecting a program described in paragraph  
1475 (1) (b) or paragraph (1) (c), a student and the student's parent  
1476 must meet with designated school personnel to receive an  
1477 explanation of the relative requirements, advantages, and  
1478 disadvantages of each program option, and the student must also  
1479 receive the written consent of the student's parent. ~~the~~  
1480 ~~following requirements must be met:~~

1481 ~~(a) Designated school personnel shall meet with the~~  
1482 ~~student and student's parent to give an explanation of the~~  
1483 ~~relative requirements, advantages, and disadvantages of each~~  
1484 ~~graduation option.~~

1485 ~~(b) The student shall submit to the high school principal~~  
1486 ~~and guidance counselor a signed parental consent to enter the 3-~~  
1487 ~~year accelerated graduation program.~~

1488 ~~(c) The student shall have achieved at least an FCAT~~  
1489 ~~reading achievement level of 3, an FCAT mathematics achievement~~  
1490 ~~level of 3, and an FCAT Writing score of 3 on the most recent~~  
1491 ~~assessments taken by the student.~~

1492 (3) Beginning with the 2006-2007 ~~2004-2005~~ school year,  
1493 each district school board shall provide each student in grades  
1494 6 through 9 and their parents with information concerning the 3-  
1495 year and 4-year high school graduation options listed in  
1496 subsection (1), including the respective curriculum requirements  
1497 for those options, so that the students and their parents may

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1498 | select the program ~~postsecondary education or career plan~~ that  
 1499 | best fits their needs. The information must ~~shall~~ include a  
 1500 | timeframe for achieving each graduation option.

1501 |         (4) Selection of one of the graduation options listed in  
 1502 | subsection (1) must be completed by the student prior to the end  
 1503 | of grade 9 and is exclusively up to the student and parent,  
 1504 | subject to the requirements in subsection (2). Each district  
 1505 | school board shall establish policies for extending this  
 1506 | deadline to the end of a student's first semester of grade 10  
 1507 | for a student who entered a Florida public school after grade 9  
 1508 | upon transfer from a private school or another state or who was  
 1509 | prevented from choosing a graduation option due to illness  
 1510 | during grade 9. If the student and parent fail to select a  
 1511 | graduation option, the student shall be considered to have  
 1512 | selected the general requirements for high school graduation  
 1513 | pursuant to paragraph (1)(a).

1514 |         (5) District school boards may ~~shall~~ not establish  
 1515 | requirements for accelerated 3-year high school graduation  
 1516 | options in excess of the requirements in paragraphs (1)(b) and  
 1517 | (c).

1518 |         (6) Students pursuing accelerated 3-year high school  
 1519 | graduation options pursuant to paragraph (1)(b) or paragraph  
 1520 | (1)(c) are required to:

1521 |             (a) Earn passing scores on the FCAT as defined in s.  
 1522 | 1008.22(3)(c) or scores on a standardized test that are  
 1523 | concordant with passing scores on the FCAT as defined in s.  
 1524 | 1008.22(9).

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1525 (b)1. Achieve a cumulative weighted grade point average of  
 1526 3.5 ~~3.0~~ on a 4.0 scale, or its equivalent, in the courses  
 1527 required for the college preparatory accelerated 3-year high  
 1528 school graduation option pursuant to paragraph (1)(b); or

1529 2. Achieve a cumulative weighted grade point average of  
 1530 3.0 on a 4.0 scale, or its equivalent, in the courses required  
 1531 for the career preparatory accelerated 3-year high school  
 1532 graduation option pursuant to paragraph (1)(c).

1533 (c) Receive a weighted or unweighted grade that earns at  
 1534 least 3.0 points, or its equivalent, to earn course credit  
 1535 toward the 18 credits required for the college preparatory  
 1536 accelerated 3-year high school graduation option pursuant to  
 1537 paragraph (1)(b).

1538 (d) Receive a weighted or unweighted grade that earns at  
 1539 least 2.0 points, or its equivalent, to earn course credit  
 1540 toward the 18 credits required for the career preparatory  
 1541 accelerated 3-year high school graduation option pursuant to  
 1542 paragraph (1)(c).

1543  
 1544 Weighted grades referred to in paragraphs (b), (c), and (d)  
 1545 shall be applied to those courses specifically listed or  
 1546 identified by the department as rigorous pursuant to s.  
 1547 1009.531(3) or weighted by the district school board for class  
 1548 ranking purposes.

1549 (7) If, at the end of grade 10, a student is not on track  
 1550 to meet the credit, assessment, or grade-point-average

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1551 requirements of the accelerated graduation option selected, the  
 1552 school shall notify the student and parent of the following:

1553 (a) The requirements that the student is not currently  
 1554 meeting.

1555 (b) The specific performance necessary in grade 11 for the  
 1556 student to meet the accelerated graduation requirements.

1557 (c) The right of the student to change to the 4-year  
 1558 program set forth in s. 1003.43.

1559 (8) A student who selected one of the accelerated 3-year  
 1560 graduation options shall automatically move to the 4-year  
 1561 program set forth in s. 1003.43 if the student:

1562 (a) Exercises his or her right to change to the 4-year  
 1563 program;

1564 (b) Fails to earn 5 credits by the end of grade 9 or fails  
 1565 to earn 11 credits by the end of grade 10;

1566 (c) Does not achieve a score of 3 or higher on the grade  
 1567 10 FCAT Writing assessment; or

1568 (d) By the end of grade 11 does not meet the requirements  
 1569 of subsections (1) and (6).

1570 (9) A student who meets all requirements prescribed in  
 1571 subsections (1) and (6) shall be awarded a standard diploma in a  
 1572 form prescribed by the State Board of Education.

1573 Section 25. Section 1003.437, Florida Statutes, is amended  
 1574 to read:

1575 1003.437 Middle and high school grading system.--The  
 1576 grading system and interpretation of letter grades used for

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1577 | students in public ~~high~~ schools in grades 6-12 shall be as  
 1578 | follows:

1579 |       (1) Grade "A" equals 90 percent through 100 percent, has a  
 1580 | grade point average value of 4, and is defined as "outstanding  
 1581 | progress."

1582 |       (2) Grade "B" equals 80 percent through 89 percent, has a  
 1583 | grade point average value of 3, and is defined as "above average  
 1584 | progress."

1585 |       (3) Grade "C" equals 70 percent through 79 percent, has a  
 1586 | grade point average value of 2, and is defined as "average  
 1587 | progress."

1588 |       (4) Grade "D" equals 60 percent through 69 percent, has a  
 1589 | grade point average value of 1, and is defined as "lowest  
 1590 | acceptable progress."

1591 |       (5) Grade "F" equals zero percent through 59 percent, has  
 1592 | a grade point average value of zero, and is defined as  
 1593 | "failure."

1594 |       (6) Grade "I" equals zero percent, has a grade point  
 1595 | average value of zero, and is defined as "incomplete."  
 1596 |

1597 | For the purposes of class ranking, district school boards may  
 1598 | exercise a weighted grading system pursuant to s. 1007.271.

1599 |       Section 26. Section 1003.491, Florida Statutes, is amended  
 1600 | to read:

1601 |       1003.491 Career education.--

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1602 (1) School board, superintendent, and school  
 1603 accountability for career education within elementary and  
 1604 secondary schools includes, but is not limited to:

1605 (a) Student exposure to a variety of careers and provision  
 1606 of instruction to explore specific careers in greater depth.

1607 (b) Student awareness of available career programs and the  
 1608 corresponding occupations into which such programs lead.

1609 (c) Student development of individual academic and career  
 1610 plans as specified in s. 1003.4156.

1611 (d) Integration of academic and career skills in the  
 1612 secondary curriculum.

1613 (e) Student preparation to enter the workforce and enroll  
 1614 in postsecondary education without being required to complete  
 1615 college preparatory or career preparatory instruction.

1616 (f) Student retention in school through high school  
 1617 graduation.

1618 (g) Career education curriculum articulation with  
 1619 corresponding postsecondary programs in the career center or  
 1620 community college, or both.

1621 (2) A ~~No~~ school board or public school may not ~~shall~~  
 1622 require a student to participate in any school-to-work or job  
 1623 training program. A district school board or school may ~~shall~~  
 1624 not require a student to meet occupational standards for grade  
 1625 level promotion or graduation unless the student is voluntarily  
 1626 enrolled in a job training program.

1627 (3) Each district school board and superintendent shall  
 1628 implement all components required to obtain the career education

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1629 certification on the high school diploma if the school district  
 1630 chooses to offer the certification.

1631 Section 27. Section 1003.493, Florida Statutes, is created  
 1632 to read:

1633 1003.493 Career and professional academies.--

1634 (1) A career and professional academy is a research-based  
 1635 program that integrates a rigorous academic curriculum with an  
 1636 industry-driven career curriculum. Career and professional  
 1637 academies may be offered by public schools, school districts, or  
 1638 the Florida Virtual School. Students completing career and  
 1639 professional academy programs receive a standard high school  
 1640 diploma, the highest available industry certification, and  
 1641 postsecondary credit if the academy partners with a  
 1642 postsecondary institution.

1643 (2) The goals of career and professional academies are to:

1644 (a) Increase student academic achievement and graduation  
 1645 rates through integrated academic and career curricula.

1646 (b) Focus on career preparation through rigorous academics  
 1647 and industry certification.

1648 (c) Raise student aspiration and commitment to academic  
 1649 achievement and work ethics.

1650 (d) Support the revised graduation requirements pursuant  
 1651 to s. 1003.428 by providing creative, applied majors.

1652 (e) Promote acceleration mechanisms, such as dual  
 1653 enrollment, articulated credit, or occupational completion  
 1654 points, so that students may earn postsecondary credit while in  
 1655 high school.

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1656           (f) Support the state's economy by meeting industry needs  
 1657 for skilled employees in high-demand occupations.

1658           (3) A career and professional academy may be offered as  
 1659 one of the following small learning communities:

1660           (a) A school-within-a-school career academy, as part of an  
 1661 existing high school, that provides courses in one occupational  
 1662 cluster. Students in the high school are not required to be  
 1663 students in the academy.

1664           (b) A total school configuration providing multiple  
 1665 academies each structured around an occupational cluster. Every  
 1666 student in the school is in an academy.

1667           (4) Each career and professional academy must:

1668           (a) Provide a rigorous standards-based academic curriculum  
 1669 integrated with a career curriculum. The curriculum must take  
 1670 into consideration multiple styles of student learning; promote  
 1671 learning by doing through application and adaptation; maximize  
 1672 relevance of the subject matter; enhance each student's capacity  
 1673 to excel; and include an emphasis on work habits and work  
 1674 ethics.

1675           (b) Include one or more partnerships with postsecondary  
 1676 institutions, businesses, industry, employers, economic  
 1677 development organizations, or other appropriate partners from  
 1678 the local community. Such partnerships must provide  
 1679 opportunities for:

- 1680           1. Instruction from highly skilled professionals.
- 1681           2. Internships, externships, and on-the-job training.
- 1682           3. A postsecondary degree, diploma, or certificate.

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1683           4. The highest available level of industry certification.  
 1684 Where no national or state certification exists, school  
 1685 districts may establish a local certification in conjunction  
 1686 with the local workforce development board, the chamber of  
 1687 commerce, or the Agency for Workforce Innovation.

1688           5. Maximum articulation of credits pursuant to s. 1007.23  
 1689 upon program completion.

1690           (c) Provide creative and tailored student advisement,  
 1691 including parent participation and coordination with middle  
 1692 schools to provide career exploration and education planning as  
 1693 required under s. 1003.4156. Coordination with middle schools  
 1694 must provide information to middle school students about  
 1695 secondary and postsecondary career education programs and  
 1696 academies.

1697           (d) Provide a career education certification on the high  
 1698 school diploma pursuant to s. 1003.431.

1699           (e) Provide instruction in careers designated as high  
 1700 growth, high demand, and high pay by the local workforce  
 1701 development board, the chamber of commerce, or the Agency for  
 1702 Workforce Innovation.

1703           (f) Deliver academic content through instruction relevant  
 1704 to the career, including intensive reading and mathematics  
 1705 intervention required by s. 1003.428, with an emphasis on  
 1706 strengthening reading for information skills.

1707           (g) Provide instruction resulting in competency,  
 1708 certification, or credentials in workplace skills, including,  
 1709 but not limited to, communication skills, interpersonal skills,

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1710 decisionmaking skills, the importance of attendance and  
 1711 timeliness in the work environment, and work ethics.

1712 (h) Provide opportunities for students to obtain the  
 1713 Florida Ready to Work Certification pursuant to s. 1004.99.

1714 (i) Include an evaluation plan developed jointly with the  
 1715 Department of Education. The evaluation plan must include a  
 1716 self-assessment tool based on standards, such as the Career  
 1717 Academy National Standards of Practice, and outcome measures  
 1718 including, but not limited to, graduation rates, enrollment in  
 1719 postsecondary education, business and industry satisfaction,  
 1720 employment and earnings, achievement of industry certification,  
 1721 awards of postsecondary credit, and FCAT achievement levels and  
 1722 learning gains.

1723 Section 28. Paragraphs (g) and (n) of subsection (2) of  
 1724 section 1003.51, Florida Statutes, are amended to read:

1725 1003.51 Other public educational services.--

1726 (2) The State Board of Education shall adopt and maintain  
 1727 an administrative rule articulating expectations for effective  
 1728 education programs for youth in Department of Juvenile Justice  
 1729 programs, including, but not limited to, education programs in  
 1730 juvenile justice commitment and detention facilities. The rule  
 1731 shall articulate policies and standards for education programs  
 1732 for youth in Department of Juvenile Justice programs and shall  
 1733 include the following:

1734 (g) Funding requirements, which shall include the  
 1735 requirement that at least 90 percent of the FEFP funds generated  
 1736 by students in Department of Juvenile Justice programs or in an

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1737 education program for juveniles under s. 985.223 be spent on  
1738 instructional costs for those students. One hundred percent of  
1739 the formula-based categorical funds generated by students in  
1740 Department of Juvenile Justice programs must be spent on  
1741 appropriate categoricals such as instructional materials and  
1742 public school technology for those students.

1743 (n) Performance expectations for providers and district  
1744 school boards, including the provision of a progress monitoring  
1745 ~~an academic improvement~~ plan as required in s. 1008.25.

1746 Section 29. Subsection (7) of section 1003.52, Florida  
1747 Statutes, is amended to read:

1748 1003.52 Educational services in Department of Juvenile  
1749 Justice programs.--

1750 (7) A progress monitoring ~~An academic improvement~~ plan  
1751 shall be developed for students who score below the level  
1752 specified in district school board policy in reading, writing,  
1753 and mathematics or below the level specified by the Commissioner  
1754 of Education on statewide assessments as required by s. 1008.25.  
1755 These plans shall address academic, literacy, and life skills  
1756 and shall include provisions for intensive remedial instruction  
1757 in the areas of weakness.

1758 Section 30. Section 1003.57, Florida Statutes, is amended  
1759 to read:

1760 1003.57 Exceptional students instruction.--

1761 (1) Each district school board shall provide for an  
1762 appropriate program of special instruction, facilities, and

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1763 services for exceptional students as prescribed by the State  
 1764 Board of Education as acceptable, including provisions that:

1765 (a)~~(1)~~ The district school board provide the necessary  
 1766 professional services for diagnosis and evaluation of  
 1767 exceptional students.

1768 (b)~~(2)~~ The district school board provide the special  
 1769 instruction, classes, and services, either within the district  
 1770 school system, in cooperation with other district school  
 1771 systems, or through contractual arrangements with approved  
 1772 private schools or community facilities that meet standards  
 1773 established by the commissioner.

1774 (c)~~(3)~~ The district school board annually provide  
 1775 information describing the Florida School for the Deaf and the  
 1776 Blind and all other programs and methods of instruction  
 1777 available to the parent of a sensory-impaired student.

1778 (d)~~(4)~~ The district school board, once every 3 years,  
 1779 submit to the department its proposed procedures for the  
 1780 provision of special instruction and services for exceptional  
 1781 students.

1782 (e)~~(5)~~ A ~~No~~ student may not be given special instruction  
 1783 or services as an exceptional student until after he or she has  
 1784 been properly evaluated, classified, and placed in the manner  
 1785 prescribed by rules of the State Board of Education. The parent  
 1786 of an exceptional student evaluated and placed or denied  
 1787 placement in a program of special education shall be notified of  
 1788 each such evaluation and placement or denial. Such notice shall  
 1789 contain a statement informing the parent that he or she is

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1790 entitled to a due process hearing on the identification,  
1791 evaluation, and placement, or lack thereof. Such hearings shall  
1792 be exempt from the provisions of ss. 120.569, 120.57, and  
1793 286.011, except to the extent that the State Board of Education  
1794 adopts rules establishing other procedures and any records  
1795 created as a result of such hearings shall be confidential and  
1796 exempt from the provisions of s. 119.07(1). The hearing must be  
1797 conducted by an administrative law judge from the Division of  
1798 Administrative Hearings of the Department of Management  
1799 Services. The decision of the administrative law judge shall be  
1800 final, except that any party aggrieved by the finding and  
1801 decision rendered by the administrative law judge shall have the  
1802 right to bring a civil action in the circuit court. In such an  
1803 action, the court shall receive the records of the  
1804 administrative hearing and shall hear additional evidence at the  
1805 request of either party. In the alternative, any party aggrieved  
1806 by the finding and decision rendered by the administrative law  
1807 judge shall have the right to request an impartial review of the  
1808 administrative law judge's order by the district court of appeal  
1809 as provided by s. 120.68. Notwithstanding any law to the  
1810 contrary, during the pendency of any proceeding conducted  
1811 pursuant to this section, unless the district school board and  
1812 the parents otherwise agree, the student shall remain in his or  
1813 her then-current educational assignment or, if applying for  
1814 initial admission to a public school, shall be assigned, with  
1815 the consent of the parents, in the public school program until  
1816 all such proceedings have been completed.

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1817        ~~(f)(6)~~ In providing for the education of exceptional  
1818 students, the district school superintendent, principals, and  
1819 teachers shall utilize the regular school facilities and adapt  
1820 them to the needs of exceptional students to the maximum extent  
1821 appropriate. Segregation of exceptional students shall occur  
1822 only if the nature or severity of the exceptionality is such  
1823 that education in regular classes with the use of supplementary  
1824 aids and services cannot be achieved satisfactorily.

1825        ~~(g)(7)~~ In addition to the services agreed to in a  
1826 student's individual education plan, the district school  
1827 superintendent shall fully inform the parent of a student having  
1828 a physical or developmental disability of all available services  
1829 that are appropriate for the student's disability. The  
1830 superintendent shall provide the student's parent with a summary  
1831 of the student's rights.

1832        (2)(a) An exceptional student with a disability who  
1833 resides in a residential facility and receives special  
1834 instruction or services is considered a resident of the state in  
1835 which the student's parent is a resident. The cost of such  
1836 instruction, facilities, and services for a nonresident student  
1837 with a disability shall be provided by the placing authority in  
1838 the student's state of residence, such as a public school  
1839 entity, other placing authority, or parent. A nonresident  
1840 student with a disability may not be reported by any school  
1841 district for FTE funding in the Florida Education Finance  
1842 Program.

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1843           (b) The Department of Education shall provide to each  
1844 school district a statement of the specific limitations of the  
1845 district's financial obligation for exceptional students with  
1846 disabilities under federal and state law. The department shall  
1847 also provide to each school district technical assistance as  
1848 necessary for developing a local plan to impose on a student's  
1849 home state the fiscal responsibility for educating a nonresident  
1850 exceptional student with a disability.

1851           (c) The Department of Education shall develop a process by  
1852 which a school district must, before providing services to an  
1853 exceptional student with a disability who resides in a  
1854 residential facility in this state, review the residency of the  
1855 student. The residential facility, not the district, is  
1856 responsible for billing and collecting from a nonresidential  
1857 student's home state payment for the student's educational and  
1858 related services.

1859           (d) The Department of Education shall formulate an  
1860 interagency agreement or other mechanism for billing and  
1861 collecting from a nonresidential student's home state payment  
1862 for the student's educational and related services.

1863           (e) This subsection applies to any nonresident student  
1864 with a disability who resides in a residential facility and who  
1865 receives instruction as an exceptional student with a disability  
1866 in any type of residential facility in this state, including,  
1867 but not limited to, a public school, a private school, a group  
1868 home facility as defined in s. 393.063, an intensive residential  
1869 treatment program for children and adolescents as defined in s.

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1870 395.002, a facility as defined in s. 394.455, an intermediate  
 1871 care facility for the developmentally disabled or ICF/DD as  
 1872 defined in s. 393.063 or s. 400.960, or a community residential  
 1873 home as defined in s. 419.001.

1874 Section 31. Section 1003.576, Florida Statutes, is created  
 1875 to read:

1876 1003.576 Individual education plans for exceptional  
 1877 students.--The Department of Education must develop and have an  
 1878 operating electronic IEP system in place for potential statewide  
 1879 use no later than July 1, 2007. The statewide system shall be  
 1880 developed collaboratively with school districts and must include  
 1881 input from school districts currently developing or operating  
 1882 electronic IEP systems.

1883 Section 32. Subsection (3) of section 1003.58, Florida  
 1884 Statutes, is amended to read:

1885 1003.58 Students in residential care facilities.--Each  
 1886 district school board shall provide educational programs  
 1887 according to rules of the State Board of Education to students  
 1888 who reside in residential care facilities operated by the  
 1889 Department of Children and Family Services.

1890 (3) The district school board shall have full and complete  
 1891 authority in the matter of the assignment and placement of such  
 1892 students in educational programs. The parent of an exceptional  
 1893 student shall have the same due process rights as are provided  
 1894 under s. 1003.57(1)(e) ~~s. 1003.57(5)~~.

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1896 Notwithstanding the provisions herein, the educational program  
 1897 at the Marianna Sunland Center in Jackson County shall be  
 1898 operated by the Department of Education, either directly or  
 1899 through grants or contractual agreements with other public or  
 1900 duly accredited educational agencies approved by the Department  
 1901 of Education.

1902 Section 33. Paragraph (a) of subsection (1) and paragraph  
 1903 (a) of subsection (2) of section 1003.62, Florida Statutes, are  
 1904 amended to read:

1905 1003.62 Academic performance-based charter school  
 1906 districts.--The State Board of Education may enter into a  
 1907 performance contract with district school boards as authorized  
 1908 in this section for the purpose of establishing them as academic  
 1909 performance-based charter school districts. The purpose of this  
 1910 section is to examine a new relationship between the State Board  
 1911 of Education and district school boards that will produce  
 1912 significant improvements in student achievement, while complying  
 1913 with constitutional and statutory requirements assigned to each  
 1914 entity.

1915 (1) ACADEMIC PERFORMANCE-BASED CHARTER SCHOOL DISTRICT.--

1916 (a) A school district shall be eligible for designation as  
 1917 an academic performance-based charter school district if it is a  
 1918 high-performing school district in which a minimum of 50 percent  
 1919 of the schools earn a ~~performance grade of~~ category "A" or "B"  
 1920 and in which no school earns a ~~performance grade of~~ category "D"  
 1921 or "F" for 2 consecutive years pursuant to s. 1008.34. Schools  
 1922 that receive a ~~performance grade of~~ category "I" or "N" shall

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1923 | not be included in this calculation. The performance contract  
 1924 | for a school district that earns a charter based on school  
 1925 | ~~performance~~ grades shall be predicated on maintenance of at  
 1926 | least 50 percent of the schools in the school district earning a  
 1927 | ~~performance~~ grade of category "A" or "B" with no school in the  
 1928 | school district earning a ~~performance~~ grade of category "D" or  
 1929 | "F" for 2 consecutive years. A school district in which the  
 1930 | number of schools that earn a ~~performance~~ grade of "A" or "B" is  
 1931 | less than 50 percent may have its charter renewed for 1 year;  
 1932 | however, if the percentage of "A" or "B" schools is less than 50  
 1933 | percent for 2 consecutive years, the charter shall not be  
 1934 | renewed.

1935 | (2) EXEMPTION FROM STATUTES AND RULES.--

1936 | (a) An academic performance-based charter school district  
 1937 | shall operate in accordance with its charter and shall be exempt  
 1938 | from certain State Board of Education rules and statutes if the  
 1939 | State Board of Education determines such an exemption will  
 1940 | assist the district in maintaining or improving its high-  
 1941 | performing status pursuant to paragraph (1)(a). However, the  
 1942 | State Board of Education may not exempt an academic performance-  
 1943 | based charter school district from any of the following  
 1944 | statutes:

- 1945 | 1. Those statutes pertaining to the provision of services
- 1946 | to students with disabilities.
- 1947 | 2. Those statutes pertaining to civil rights, including s.
- 1948 | 1000.05, relating to discrimination.

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1949           3. Those statutes pertaining to student health, safety,  
 1950 and welfare.

1951           4. Those statutes governing the election or compensation  
 1952 of district school board members.

1953           5. Those statutes pertaining to the student assessment  
 1954 program and the school grading system, including chapter 1008.

1955           6. Those statutes pertaining to financial matters,  
 1956 including chapter 1010.

1957           7. Those statutes pertaining to planning and budgeting,  
 1958 including chapter 1011, except that ss. 1011.64 and 1011.69  
 1959 shall be eligible for exemption.

1960           8. Sections 1012.22(1)(c) and 1012.27(2), relating to  
 1961 differentiated pay and performance-pay policies for school  
 1962 administrators and instructional personnel. Professional service  
 1963 contracts shall be subject to the provisions of ss. 1012.33 and  
 1964 1012.34.

1965           9. Those statutes pertaining to educational facilities,  
 1966 including chapter 1013, except as specified under contract with  
 1967 the State Board of Education. However, no contractual provision  
 1968 that could have the effect of requiring the appropriation of  
 1969 additional capital outlay funds to the academic performance-  
 1970 based charter school district shall be valid.

1971           Section 34. Section 1004.64, Florida Statutes, is created  
 1972 to read:

1973           1004.64 Florida Center for Reading Research.--There is  
 1974 created at the Florida State University, the Florida Center for  
 1975 Reading Research (FCRR). The center shall include two outreach

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1976 | centers, one at a central Florida community college and one at a  
 1977 | south Florida state university. The center and the outreach  
 1978 | centers, under the center's leadership, shall:

1979 |       (1) Provide technical assistance and support to all school  
 1980 | districts and schools in this state in the implementation of  
 1981 | evidence-based literacy instruction, assessments, programs, and  
 1982 | professional development.

1983 |       (2) Conduct applied research that will have an immediate  
 1984 | impact on policy and practices related to literacy instruction  
 1985 | and assessment in this state with an emphasis on struggling  
 1986 | readers and reading in the content area strategies and methods  
 1987 | for secondary teachers.

1988 |       (3) Conduct basic research on reading, reading growth,  
 1989 | reading assessment, and reading instruction which will  
 1990 | contribute to scientific knowledge about reading.

1991 |       (4) Collaborate with the Just Read! Florida Office and  
 1992 | school districts in the development of frameworks for  
 1993 | comprehensive reading intervention courses for possible use in  
 1994 | middle schools and secondary schools.

1995 |       (5) Collaborate with the Just Read! Florida Office and  
 1996 | school districts in the development of frameworks for  
 1997 | professional development activities, using multiple delivery  
 1998 | methods for teaching reading in the content area.

1999 |       (6) Disseminate information about research-based practices  
 2000 | related to literacy instruction, assessment, and programs for  
 2001 | students in preschool through grade 12.

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2002           (7) Collect, manage, and report on assessment information  
 2003 from screening, progress monitoring, and outcome assessments  
 2004 through the Florida Progress Monitoring and Reporting Network.  
 2005 The network is a statewide resource that is operated to provide  
 2006 valid and timely reading assessment data for parents, teachers,  
 2007 principals, and district-level and state-level staff in the  
 2008 management of instruction at the individual, classroom, and  
 2009 school levels.

2010           Section 35. Section 1004.99, Florida Statutes, is created  
 2011 to read:

2012           1004.99 Florida Ready to Work Certification Program.--

2013           (1) There is created the Florida Ready to Work  
 2014 Certification Program to enhance the workplace skills of  
 2015 Florida's students to better prepare them for successful  
 2016 employment in specific occupations.

2017           (2) The Florida Ready to Work Certification Program may be  
 2018 conducted in public middle and high schools, community colleges,  
 2019 technical centers, one-stop career centers, vocational  
 2020 rehabilitation centers, and Department of Juvenile Justice  
 2021 educational facilities. The program may be made available to  
 2022 other entities that provide job training. The Department of  
 2023 Education shall establish institutional readiness criteria for  
 2024 program implementation.

2025           (3) The Florida Ready to Work Certification Program shall  
 2026 be composed of:

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2027           (a) A comprehensive identification of workplace skills for  
 2028 each occupation identified for inclusion in the program by the  
 2029 Agency for Workforce Innovation and the Department of Education.

2030           (b) A preinstructional assessment that delineates the  
 2031 student's mastery level on the specific workplace skills  
 2032 identified for that occupation.

2033           (c) A targeted instructional program limited to those  
 2034 identified workplace skills in which the student is not  
 2035 proficient as measured by the preinstructional assessment.  
 2036 Instruction must utilize a web-based program and be customized  
 2037 to meet identified specific needs of local employers.

2038           (d) A certificate and portfolio awarded to students upon  
 2039 successful completion of the instruction. Each portfolio must  
 2040 delineate the skills demonstrated by the student as evidence of  
 2041 the student's preparation for employment.

2042           (4) The State Board of Education, in consultation with the  
 2043 Agency for Workforce Innovation, may adopt rules pursuant to ss.  
 2044 120.536(1) and 120.54 to implement the provisions of this  
 2045 section.

2046           Section 36. Subsection (4) of section 1006.09, Florida  
 2047 Statutes, is amended to read:

2048           1006.09 Duties of school principal relating to student  
 2049 discipline and school safety.--

2050           (4) When a student has been the victim of a violent crime  
 2051 perpetrated by another student who attends the same school, the  
 2052 school principal shall make full and effective use of the  
 2053 provisions of subsection (2) and s. 1006.13(5). A school

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2054 principal who fails to comply with this subsection shall be  
 2055 ineligible for any portion of the performance pay policy  
 2056 incentive or the differentiated pay under s. 1012.22 ~~s.~~  
 2057 ~~1012.22(1)(e)~~. However, if any party responsible for  
 2058 notification fails to properly notify the school, the school  
 2059 principal shall be eligible for the incentive or differentiated  
 2060 pay.

2061 Section 37. Section 1007.21, Florida Statutes, is amended  
 2062 to read:

2063 1007.21 Readiness for postsecondary education and the  
 2064 workplace.--

2065 (1) It is the intent of the Legislature that students and  
 2066 parents develop academic ~~set early~~ achievement and career goals  
 2067 for the student's post-high-school ~~post-high school~~ experience  
 2068 during the middle grades. ~~This section sets forth a model which~~  
 2069 ~~schools, through their school advisory councils, may choose to~~  
 2070 ~~implement to ensure that students are ready for postsecondary~~  
 2071 ~~education and the workplace. If such a program is adopted,~~  
 2072 ~~students and their parents shall have the option of~~  
 2073 ~~participating in this model to plan the student's secondary~~  
 2074 ~~level course of study~~. Parents and students are to become  
 2075 partners with school personnel in career exploration and  
 2076 educational decisionmaking ~~choice~~. Clear academic course  
 2077 expectations that emphasize rigorous and relevant coursework  
 2078 shall be made available to all students by allowing both student  
 2079 and parent choice.

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2080 (2) (a) Students entering the 9th grade and their parents  
 2081 shall have developed during the middle grades a 4- to 5-year  
 2082 academic and career plan based on postsecondary and career ~~be~~  
 2083 ~~active participants in choosing an end-of-high-school student~~  
 2084 ~~destination based upon both student and parent goals.~~ Alternate  
 2085 career and academic ~~Four or more~~ destinations should be  
 2086 considered ~~available~~ with bridges between destinations to enable  
 2087 students to shift academic and career priorities if ~~destinations~~  
 2088 ~~should~~ they choose to change goals. The destinations shall  
 2089 accommodate the needs of students served in exceptional  
 2090 education programs to the extent appropriate for individual  
 2091 students. Exceptional education students may continue to follow  
 2092 the courses outlined in the district school board student  
 2093 progression plan. ~~Participating~~ Students and their parents shall  
 2094 choose among destinations, which must include:

- 2095 1. Four-year college or university, community college plus
- 2096 university, or military academy degree.
- 2097 2. Two-year postsecondary degree.
- 2098 3. Postsecondary career certificate.
- 2099 4. Immediate employment or entry-level military.
- 2100 5. A combination of the above.

2101 (b) The student progression model toward a chosen  
 2102 destination shall include:

- 2103 1. A "path" of core courses leading to each of the
- 2104 destinations provided in paragraph (a).
- 2105 2. A recommended group of electives which shall help
- 2106 define each path.

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2107 3. Provisions for a teacher, school administrator, other  
2108 school staff member, or community volunteer to be assigned to a  
2109 student as an "academic advocate" if parental involvement is  
2110 lacking.

2111 (c) The common placement test authorized in ss.  
2112 1001.03(10) and 1008.30 or a similar test may be administered to  
2113 all high school second semester sophomores who have chosen one  
2114 of the four destinations. The results of the placement test  
2115 shall be used to target additional instructional needs in  
2116 reading, writing, and mathematics prior to graduation.

2117 (d) Ample opportunity shall be provided for students to  
2118 move from one destination to another, and some latitude shall  
2119 exist within each destination, to meet the individual needs of  
2120 students.

2121 (e) Destinations specified in subparagraphs (a)1., 2., and  
2122 3. shall support the goals of the Tech Prep program. Students  
2123 participating in Tech Prep shall be enrolled in articulated,  
2124 sequential programs of study that include a technical component  
2125 and at least a minimum of a postsecondary certificate or 2-year  
2126 degree.

2127 (f) In order for these destinations to be attainable, the  
2128 business community shall be encouraged to support real-world  
2129 internships and apprenticeships.

2130 (g) All students shall be encouraged to take part in  
2131 service learning opportunities.

2132 (h) High school equivalency diploma preparation programs  
2133 shall not be a choice for high school students leading to any of

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2134 | the four destinations provided in paragraph (a) since the  
2135 | appropriate coursework, counseling component, and career  
2136 | preparation cannot be ensured.

2137 |       (i) Schools shall ensure that students and parents are  
2138 | made aware of the destinations available and provide the  
2139 | necessary coursework to assist the student in reaching the  
2140 | chosen destination. Students and parents shall be made aware of  
2141 | the student's progress toward the chosen destination.

2142 |       (j) The Department of Education shall offer technical  
2143 | assistance to school districts to ensure that the destinations  
2144 | offered also meet the academic standards adopted by the state.

2145 |       (3) (a) Access to Level I courses for graduation credit and  
2146 | for pursuit of a declared destination shall be limited to only  
2147 | those students for whom assessment indicates a more rigorous  
2148 | course of study would be inappropriate.

2149 |       (b) The school principal shall:

2150 |       1. Designate a member of the existing instructional or  
2151 | administrative staff to serve as a specialist to help coordinate  
2152 | the use of student achievement strategies to help students  
2153 | succeed in their coursework. The specialist shall also assist  
2154 | teachers in integrating the academic and career curricula,  
2155 | utilizing technology, providing feedback regarding student  
2156 | achievement, and implementing the Blueprint for Career  
2157 | Preparation and Tech Prep programs.

2158 |       2. Institute strategies to eliminate reading, writing, and  
2159 | mathematics deficiencies of secondary students.

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2160 Section 38. Paragraph (c) of subsection (3) of section  
 2161 1007.2615, Florida Statutes, is amended to read:

2162 1007.2615 American Sign Language; findings; foreign-  
 2163 language credits authorized; teacher licensing.--

2164 (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF  
 2165 EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN  
 2166 FOR POSTSECONDARY EDUCATION PROVIDERS.--

2167 (c) An ASL teacher must be certified by the Department of  
 2168 Education by July 1, 2009 ~~January 1, 2008~~, and must obtain  
 2169 ~~current certification through the Florida American Sign Language~~  
 2170 ~~Teachers' Association (FASLTA) by January 1, 2006. New FASLTA~~  
 2171 ~~certification may be used by current ASL teachers as an~~  
 2172 ~~alternative certification track.~~

2173 Section 39. Subsections (5) and (16) of section 1007.271,  
 2174 Florida Statutes, are amended to read:

2175 1007.271 Dual enrollment programs.--

2176 (5) Each district school board shall inform all secondary  
 2177 students of dual enrollment as an educational option and  
 2178 mechanism for acceleration. Students shall be informed of  
 2179 eligibility criteria, the option for taking dual enrollment  
 2180 courses beyond the regular school year, and the minimum academic  
 2181 credits required for graduation. District school boards shall  
 2182 annually assess the demand for dual enrollment and other  
 2183 advanced courses, and the district school board shall consider  
 2184 strategies and programs to meet that demand and include access  
 2185 to dual enrollment on the high school campus whenever possible.  
 2186 Alternative grade calculation, weighting systems, or information

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2187 regarding student education options which discriminates against  
 2188 dual enrollment courses are prohibited.

2189 (16) Beginning with students entering grade 9 in the 2006-  
 2190 2007 school year, school districts and community colleges must  
 2191 weigh ~~college-level~~ dual enrollment courses the same as ~~honors~~  
 2192 ~~courses and~~ advanced placement, International Baccalaureate, and  
 2193 Advanced International Certificate of Education courses when  
 2194 grade point averages are calculated. Alternative grade  
 2195 calculation or weighting systems that discriminate against dual  
 2196 enrollment courses are prohibited.

2197 Section 40. Paragraphs (c) and (f) of subsection (1),  
 2198 paragraphs (c), (e), and (f) of subsection (3), and subsection  
 2199 (9) of section 1008.22, Florida Statutes, are amended, paragraph  
 2200 (f) is added to subsection (3) of that section, present  
 2201 subsection (10) of that section is redesignated as subsection  
 2202 (11), and a new subsection (10) is added to that section, to  
 2203 read:

2204 1008.22 Student assessment program for public schools.--

2205 (1) PURPOSE.--The primary purposes of the student  
 2206 assessment program are to provide information needed to improve  
 2207 the public schools by enhancing the learning gains of all  
 2208 students and to inform parents of the educational progress of  
 2209 their public school children. The program must be designed to:

2210 (c) Identify the educational strengths and needs of  
 2211 students and the readiness of students to be promoted to the  
 2212 next grade level or to graduate from high school with a standard  
 2213 or special high school diploma.

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2214 (f) Provide information on the performance of Florida  
 2215 students compared with that of other students ~~others~~ across the  
 2216 United States.

2217 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall  
 2218 design and implement a statewide program of educational  
 2219 assessment that provides information for the improvement of the  
 2220 operation and management of the public schools, including  
 2221 schools operating for the purpose of providing educational  
 2222 services to youth in Department of Juvenile Justice programs.  
 2223 The commissioner may enter into contracts for the continued  
 2224 administration of the assessment, testing, and evaluation  
 2225 programs authorized and funded by the Legislature. Contracts may  
 2226 be initiated in 1 fiscal year and continue into the next and may  
 2227 be paid from the appropriations of either or both fiscal years.  
 2228 The commissioner is authorized to negotiate for the sale or  
 2229 lease of tests, scoring protocols, test scoring services, and  
 2230 related materials developed pursuant to law. Pursuant to the  
 2231 statewide assessment program, the commissioner shall:

2232 (c) Develop and implement a student achievement testing  
 2233 program known as the Florida Comprehensive Assessment Test  
 2234 (FCAT) as part of the statewide assessment program, ~~to be~~  
 2235 ~~administered annually in grades 3 through 10~~ to measure reading,  
 2236 writing, science, and mathematics. Other content areas may be  
 2237 included as directed by the commissioner. The assessment of  
 2238 reading and mathematics shall be administered annually in grades  
 2239 3 through 10. The assessment of writing and science shall be  
 2240 administered at least once at the elementary, middle, and high

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2241 school levels. The commissioner must document the procedures  
2242 used to ensure that the versions of the FCAT which are taken by  
2243 students retaking the grade 10 FCAT are equally as challenging  
2244 and difficult as the tests taken by students in grade 10 which  
2245 contain performance tasks. The testing program must be designed  
2246 so that:

2247 1. The tests measure student skills and competencies  
2248 adopted by the State Board of Education as specified in  
2249 paragraph (a). The tests must measure and report student  
2250 proficiency levels of all students assessed in reading, writing,  
2251 mathematics, and science. The commissioner shall provide for the  
2252 tests to be developed or obtained, as appropriate, through  
2253 contracts and project agreements with private vendors, public  
2254 vendors, public agencies, postsecondary educational  
2255 institutions, or school districts. The commissioner shall obtain  
2256 input with respect to the design and implementation of the  
2257 testing program from state educators, assistive technology  
2258 experts, and the public.

2259 2. The testing program will include a combination of norm-  
2260 referenced and criterion-referenced tests and include, to the  
2261 extent determined by the commissioner, questions that require  
2262 the student to produce information or perform tasks in such a  
2263 way that the skills and competencies he or she uses can be  
2264 measured.

2265 3. Each testing program, whether at the elementary,  
2266 middle, or high school level, includes a test of writing in

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2267 | which students are required to produce writings that are then  
2268 | scored by appropriate and timely methods.

2269 |         4. A score is designated for each subject area tested,  
2270 | below which score a student's performance is deemed inadequate.  
2271 | The school districts shall provide appropriate remedial  
2272 | instruction to students who score below these levels.

2273 |         5. Except as provided in s. 1003.428(8)(b) or s.  
2274 | 1003.43(11)(b), students must earn a passing score on the grade  
2275 | 10 assessment test described in this paragraph or attain  
2276 | concordant scores ~~on an alternate assessment~~ as described in  
2277 | subsection (9) in reading, writing, and mathematics to qualify  
2278 | for a standard ~~regular~~ high school diploma. The State Board of  
2279 | Education shall designate a passing score for each part of the  
2280 | grade 10 assessment test. In establishing passing scores, the  
2281 | state board shall consider any possible negative impact of the  
2282 | test on minority students. ~~All students who took the grade 10~~  
2283 | ~~FCAT during the 2000-2001 school year shall be required to earn~~  
2284 | ~~the passing scores in reading and mathematics established by the~~  
2285 | ~~State Board of Education for the March 2001 test administration.~~  
2286 | ~~Such students who did not earn the established passing scores~~  
2287 | ~~and must repeat the grade 10 FCAT are required to earn the~~  
2288 | ~~passing scores established for the March 2001 test~~  
2289 | ~~administration. All students who take the grade 10 FCAT for the~~  
2290 | ~~first time in March 2002 shall be required to earn the passing~~  
2291 | ~~scores in reading and mathematics established by the State Board~~  
2292 | ~~of Education for the March 2002 test administration. The State~~  
2293 | Board of Education shall adopt rules which specify the passing

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2294 | scores for the grade 10 FCAT. Any such rules, which have the  
2295 | effect of raising the required passing scores, shall only apply  
2296 | to students taking the grade 10 FCAT for the first time after  
2297 | such rules are adopted by the State Board of Education.

2298 |         6. Participation in the testing program is mandatory for  
2299 | all students attending public school, including students served  
2300 | in Department of Juvenile Justice programs, except as otherwise  
2301 | prescribed by the commissioner. If a student does not  
2302 | participate in the statewide assessment, the district must  
2303 | notify the student's parent and provide the parent with  
2304 | information regarding the implications of such nonparticipation.  
2305 | ~~If modifications are made in the student's instruction to~~  
2306 | ~~provide accommodations that would not be permitted on the~~  
2307 | ~~statewide assessment tests, the district must notify the~~  
2308 | ~~student's parent of the implications of such instructional~~  
2309 | ~~modifications.~~ A parent must provide signed consent for a  
2310 | student to receive classroom instructional accommodations  
2311 | ~~modifications~~ that would not be available or permitted on the  
2312 | statewide assessments and must acknowledge in writing that he or  
2313 | she understands the implications of such instructional  
2314 | accommodations. The State Board of Education shall adopt rules,  
2315 | based upon recommendations of the commissioner, for the  
2316 | provision of test accommodations ~~and modifications of procedures~~  
2317 | ~~as necessary~~ for students in exceptional education programs and  
2318 | for students who have limited English proficiency.  
2319 | Accommodations that negate the validity of a statewide  
2320 | assessment are not allowable in the administration of the FCAT.

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2321 However, instructional accommodations are allowable in the  
 2322 classroom if included in a student's individual education plan.  
 2323 Students using instructional accommodations in the classroom  
 2324 that are not allowable as accommodations on the FCAT may have  
 2325 the FCAT requirement waived pursuant to the requirements of s.  
 2326 1003.428(8)(b) or s. 1003.43(11)(b).

2327 7. A student seeking an adult high school diploma must  
 2328 meet the same testing requirements that a regular high school  
 2329 student must meet.

2330 8. District school boards must provide instruction to  
 2331 prepare students to demonstrate proficiency in the skills and  
 2332 competencies necessary for successful grade-to-grade progression  
 2333 and high school graduation. If a student is provided with  
 2334 instructional accommodations in the classroom ~~or modifications~~  
 2335 that are not allowable as accommodations in the statewide  
 2336 assessment program, as described in the test manuals, the  
 2337 district must inform the parent in writing and must provide the  
 2338 parent with information regarding the impact on the student's  
 2339 ability to meet expected proficiency levels in reading, writing,  
 2340 and math. The commissioner shall conduct studies as necessary to  
 2341 verify that the required skills and competencies are part of the  
 2342 district instructional programs.

2343 9. District school boards must provide opportunities for  
 2344 students to demonstrate an acceptable level of performance on an  
 2345 alternative standardized assessment approved by the State Board  
 2346 of Education following enrollment in summer academies.

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2347        ~~10.9.~~ The Department of Education must develop, or select,  
 2348 and implement a common battery of assessment tools that will be  
 2349 used in all juvenile justice programs in the state. These tools  
 2350 must accurately measure the skills and competencies established  
 2351 in the ~~Florida~~ Sunshine State Standards.

2352        11. For students seeking a special diploma pursuant to s.  
 2353 1003.438, the Department of Education must develop or select and  
 2354 implement an alternate assessment tool that accurately measures  
 2355 the skills and competencies established in the Sunshine State  
 2356 Standards for students with disabilities under s. 1003.438.

2357  
 2358        The commissioner may, based on collaboration and input from  
 2359 school districts, design and implement student testing programs,  
 2360 for any grade level and subject area, necessary to effectively  
 2361 monitor educational achievement in the state, including the  
 2362 measurement of educational achievement of the Sunshine State  
 2363 Standards for students with disabilities. Development and  
 2364 refinement of assessments shall include universal design  
 2365 principles and accessibility standards that will prevent any  
 2366 unintended obstacles for students with disabilities while  
 2367 ensuring the validity and reliability of the test. These  
 2368 principles should be applicable to all technology platforms and  
 2369 assistive devices available for the assessments. The field  
 2370 testing process and psychometric analyses for the statewide  
 2371 assessment program must include an appropriate percentage of  
 2372 students with disabilities and an evaluation or determination of  
 2373 the effect of test items on such students.

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2374 (e) Conduct ongoing research and analysis of student  
 2375 achievement data, including, without limitation, monitoring  
 2376 trends in student achievement by grade level and overall student  
 2377 achievement, identifying school programs that are successful,  
 2378 and analyzing correlates of school achievement.

2379 (f) Study the cost and student achievement impact of  
 2380 secondary end-of-course assessments, including web-based and  
 2381 performance formats, and report to the Legislature prior to  
 2382 implementation.

2383 (9) CONCORDANT SCORES FOR THE FCAT EQUIVALENCIES FOR  
 2384 STANDARDIZED TESTS.--

2385 (a) The State Board of Education shall analyze the content  
 2386 and concordant data sets for widely used high school achievement  
 2387 tests, including, but not limited to, the PSAT, PLAN, SAT, ACT,  
 2388 and College Placement Test, to assess if concordant scores for  
 2389 FCAT scores can be determined for high school graduation,  
 2390 college placement, and scholarship awards. In cases where  
 2391 content alignment and concordant scores can be determined, the  
 2392 Commissioner of Education shall adopt those scores as meeting  
 2393 the graduation requirement in lieu of achieving the FCAT passing  
 2394 score and may adopt those scores as being sufficient to achieve  
 2395 additional purposes as determined by rule. Each time that test  
 2396 content or scoring procedures are changed for the FCAT or one of  
 2397 the identified tests, new concordant scores must be determined.  
 2398 ~~The Commissioner of Education shall approve the use of the SAT~~  
 2399 ~~and ACT tests as alternative assessments to the grade 10 FCAT~~  
 2400 ~~for the 2003-2004 school year.~~

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2401           (b) In order to use a concordant subject area score  
 2402 pursuant to this subsection to ~~Students who attain scores on the~~  
 2403 ~~SAT or ACT which equate to the passing scores on the grade 10~~  
 2404 ~~FCAT for purposes of high school graduation shall~~ satisfy the  
 2405 assessment requirement for a standard high school diploma as  
 2406 provided in s. 1003.429(6)(a), ~~or~~ s. 1003.43(5)(a), or s.  
 2407 1003.428, ~~for the 2003-2004 school year if the students meet the~~  
 2408 ~~requirement in paragraph (b).~~

2409           ~~(b)~~ a student must ~~shall be required to take~~ each subject  
 2410 area of the grade 10 FCAT a total of three times without earning  
 2411 a passing score in order to use the scores on an alternative  
 2412 assessment pursuant to paragraph (a). The requirements of this  
 2413 paragraph ~~This requirement~~ shall not apply to a new student who  
 2414 enters the Florida ~~is a new student to the~~ public school system  
 2415 in grade 12, who may either achieve a passing score on the FCAT  
 2416 or use an approved subject area concordant score to fulfill the  
 2417 graduation requirement.

2418           (c) The State Board of Education may define by rule the  
 2419 allowable uses, other than to satisfy the high school graduation  
 2420 requirement, for concordant scores as described in this  
 2421 subsection. Such uses may include, but need not be limited to,  
 2422 achieving appropriate standardized test scores required for the  
 2423 awarding of Florida Bright Futures Scholarships and college  
 2424 placement.

2425           (10) REPORTS.--The Department of Education shall annually  
 2426 provide a report to the Governor, the President of the Senate,

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2427 and the Speaker of the House of Representatives on the  
 2428 following:  
 2429 (a) Longitudinal performance of students in mathematics  
 2430 and reading.  
 2431 (b) Longitudinal performance of students by grade level in  
 2432 mathematics and reading.  
 2433 (c) Longitudinal performance regarding efforts to close  
 2434 the achievement gap.  
 2435 (d) Longitudinal performance of students on the norm-  
 2436 referenced component of the FCAT.  
 2437 (e) Other student performance data based on national norm-  
 2438 referenced and criterion-referenced tests, when available, and  
 2439 numbers of students who after 8th grade enroll in adult  
 2440 education rather than other secondary education.  
 2441 Section 41. Section 1008.221, Florida Statutes, is  
 2442 repealed.  
 2443 Section 42. Paragraphs (a), (b), and (c) of subsection  
 2444 (4), paragraphs (b) and (c) of subsection (6), paragraph (b) of  
 2445 subsection (7), and paragraph (b) of subsection (8) of section  
 2446 1008.25, Florida Statutes, are amended, and paragraph (c) is  
 2447 added to subsection (8) of that section, to read:  
 2448 1008.25 Public school student progression; remedial  
 2449 instruction; reporting requirements.--  
 2450 (4) ASSESSMENT AND REMEDIATION.--  
 2451 (a) Each student must participate in the statewide  
 2452 assessment tests required by s. 1008.22. Each student who does  
 2453 not meet specific levels of performance as determined by the

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2454 district school board in reading, writing, science, and  
2455 mathematics for each grade level, or who scores below Level 3 in  
2456 reading or math ~~does not meet specific levels of performance as~~  
2457 ~~determined by the commissioner on statewide assessments at~~  
2458 ~~selected grade levels,~~ must be provided with additional  
2459 diagnostic assessments to determine the nature of the student's  
2460 difficulty, the ~~and~~ areas of academic need, and strategies for  
2461 appropriate intervention and instruction as described in  
2462 paragraph (b).

2463 (b) The school in which the student is enrolled must  
2464 develop, in consultation with the student's parent, and must  
2465 implement a progress monitoring plan. A progress monitoring plan  
2466 is intended to provide the school district and the school  
2467 flexibility in meeting the academic needs of the student and to  
2468 reduce paperwork. A student who is not meeting the school  
2469 district or state requirements for proficiency in reading and  
2470 math shall be covered by one of the following plans to target  
2471 instruction and identify ways to improve his or her academic  
2472 achievement:

2473 1. A federally required student plan such as an individual  
2474 education plan;

2475 2. A schoolwide system of progress monitoring for all  
2476 students; or

2477 3. An individualized progress monitoring plan.

2478  
2479 The plan chosen must be an academic improvement plan designed  
2480 to assist the student or the school in meeting state and

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2481 district expectations for proficiency. ~~For a student for whom a~~  
2482 ~~personalized middle school success plan is required pursuant to~~  
2483 ~~s. 1003.415, the middle school success plan must be incorporated~~  
2484 ~~in the student's academic improvement plan. Beginning with the~~  
2485 ~~2002-2003 school year, If the student has been identified as~~  
2486 ~~having a deficiency in reading, the academic improvement plan~~  
2487 ~~shall identify the student's specific areas of deficiency in~~  
2488 ~~phonemic awareness, phonics, fluency, comprehension, and~~  
2489 ~~vocabulary; the desired levels of performance in these areas;~~  
2490 ~~and the K-12 comprehensive reading plan required by s.~~  
2491 ~~1011.62(8) shall include instructional and support services to~~  
2492 ~~be provided to meet the desired levels of performance. District~~  
2493 ~~school boards may require low-performing students to attend~~  
2494 ~~remediation programs held before or after regular school hours~~  
2495 ~~or during the summer if transportation is provided. Schools~~  
2496 ~~shall also provide for the frequent monitoring of the student's~~  
2497 ~~progress in meeting the desired levels of performance. District~~  
2498 ~~school boards shall assist schools and teachers to implement~~  
2499 ~~research based reading activities that have been shown to be~~  
2500 ~~successful in teaching reading to low-performing students.~~  
2501 ~~Remedial instruction provided during high school may not be in~~  
2502 ~~lieu of English and mathematics credits required for graduation.~~  
2503 (c) Upon subsequent evaluation, if the documented  
2504 deficiency has not been remediated ~~in accordance with the~~  
2505 ~~academic improvement plan,~~ the student may be retained. Each  
2506 student who does not meet the minimum performance expectations  
2507 defined by the Commissioner of Education for the statewide

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2508 assessment tests in reading, writing, science, and mathematics  
 2509 must continue to be provided with remedial or supplemental  
 2510 instruction until the expectations are met or the student  
 2511 graduates from high school or is not subject to compulsory  
 2512 school attendance.

2513 (6) ELIMINATION OF SOCIAL PROMOTION.--

2514 (b) The district school board may only exempt students  
 2515 from mandatory retention, as provided in paragraph (5) (b), for  
 2516 good cause. Good cause exemptions shall be limited to the  
 2517 following:

2518 1. Limited English proficient students who have had less  
 2519 than 2 years of instruction in an English for Speakers of Other  
 2520 Languages program.

2521 2. Students with disabilities whose individual education  
 2522 plan indicates that participation in the statewide assessment  
 2523 program is not appropriate, consistent with the requirements of  
 2524 State Board of Education rule.

2525 3. Students who demonstrate an acceptable level of  
 2526 performance on an alternative standardized reading assessment  
 2527 approved by the State Board of Education.

2528 4. Students who demonstrate, through a student portfolio,  
 2529 that the student is reading on grade level as evidenced by  
 2530 demonstration of mastery of the Sunshine State Standards in  
 2531 reading equal to at least a Level 2 performance on the FCAT.

2532 5. Students with disabilities who participate in the FCAT  
 2533 and who have an individual education plan or a Section 504 plan  
 2534 that reflects that the student has received ~~the~~ intensive

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2535 remediation in reading, ~~as required by paragraph (4)(b)~~, for  
 2536 more than 2 years but still demonstrates a deficiency in reading  
 2537 and was previously retained in kindergarten, grade 1, grade 2,  
 2538 or grade 3.

2539 6. Students who have received ~~the~~ intensive remediation in  
 2540 reading ~~as required by paragraph (4)(b)~~ for 2 or more years but  
 2541 still demonstrate a deficiency in reading and who were  
 2542 previously retained in kindergarten, grade 1, grade 2, or grade  
 2543 3 for a total of 2 years. Intensive reading instruction for  
 2544 students so promoted must include an altered instructional day  
 2545 ~~based upon an academic improvement plan~~ that includes  
 2546 specialized diagnostic information and specific reading  
 2547 strategies for each student. The district school board shall  
 2548 assist schools and teachers to implement reading strategies that  
 2549 research has shown to be successful in improving reading among  
 2550 low-performing readers.

2551 (c) Requests for good cause exemptions for students from  
 2552 the mandatory retention requirement as described in  
 2553 subparagraphs (b)3. and 4. shall be made consistent with the  
 2554 following:

2555 1. Documentation shall be submitted from the student's  
 2556 teacher to the school principal that indicates that the  
 2557 promotion of the student is appropriate and is based upon the  
 2558 student's academic record. In order to minimize paperwork  
 2559 requirements, such documentation shall consist only of the  
 2560 existing progress monitoring ~~academic improvement~~ plan,

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2561 individual educational plan, if applicable, report card, or  
 2562 student portfolio.

2563         2. The school principal shall review and discuss such  
 2564 recommendation with the teacher and make the determination as to  
 2565 whether the student should be promoted or retained. If the  
 2566 school principal determines that the student should be promoted,  
 2567 the school principal shall make such recommendation in writing  
 2568 to the district school superintendent. The district school  
 2569 superintendent shall accept or reject the school principal's  
 2570 recommendation in writing.

2571         (7) SUCCESSFUL PROGRESSION FOR RETAINED READERS.--

2572         (b) Beginning with the 2004-2005 school year, each school  
 2573 district shall:

2574         1. Conduct a review of student progress monitoring  
 2575 ~~academic improvement~~ plans for all students who did not score  
 2576 above Level 1 on the reading portion of the FCAT and did not  
 2577 meet the criteria for one of the good cause exemptions in  
 2578 paragraph (6) (b). The review shall address additional supports  
 2579 and services, as described in this subsection, needed to  
 2580 remediate the identified areas of reading deficiency. The school  
 2581 district shall require a student portfolio to be completed for  
 2582 each such student.

2583         2. Provide students who are retained under the provisions  
 2584 of paragraph (5) (b) with intensive instructional services and  
 2585 supports to remediate the identified areas of reading  
 2586 deficiency, including a minimum of 90 minutes of daily,  
 2587 uninterrupted, scientifically research-based reading instruction

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2588 | and other strategies prescribed by the school district, which  
 2589 | may include, but are not limited to:

- 2590 |     a. Small group instruction.
- 2591 |     b. Reduced teacher-student ratios.
- 2592 |     c. More frequent progress monitoring.
- 2593 |     d. Tutoring or mentoring.
- 2594 |     e. Transition classes containing 3rd and 4th grade  
 2595 | students.
- 2596 |     f. Extended school day, week, or year.
- 2597 |     g. Summer reading camps.

2598 |     3. Provide written notification to the parent of any  
 2599 | student who is retained under the provisions of paragraph (5)(b)  
 2600 | that his or her child has not met the proficiency level required  
 2601 | for promotion and the reasons the child is not eligible for a  
 2602 | good cause exemption as provided in paragraph (6)(b). The  
 2603 | notification must comply with the provisions of s. 1002.20(14)  
 2604 | and must include a description of proposed interventions and  
 2605 | supports that will be provided to the child to remediate the  
 2606 | identified areas of reading deficiency.

2607 |     4. Implement a policy for the midyear promotion of any  
 2608 | student retained under the provisions of paragraph (5)(b) who  
 2609 | can demonstrate that he or she is a successful and independent  
 2610 | reader, reading at or above grade level, and ready to be  
 2611 | promoted to grade 4. Tools that school districts may use in  
 2612 | reevaluating any student retained may include subsequent  
 2613 | assessments, alternative assessments, and portfolio reviews, in  
 2614 | accordance with rules of the State Board of Education. Students

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2615 promoted during the school year after November 1 must  
2616 demonstrate proficiency above that required to score at Level 2  
2617 on the grade 3 FCAT, as determined by the State Board of  
2618 Education. The State Board of Education shall adopt standards  
2619 that provide a reasonable expectation that the student's  
2620 progress is sufficient to master appropriate 4th grade level  
2621 reading skills.

2622 5. Provide students who are retained under the provisions  
2623 of paragraph (5)(b) with a high-performing teacher as determined  
2624 by student performance data and above-satisfactory performance  
2625 appraisals.

2626 6. In addition to required reading enhancement and  
2627 acceleration strategies, provide parents of students to be  
2628 retained with at least one of the following instructional  
2629 options:

2630 a. Supplemental tutoring in scientifically research-based  
2631 reading services in addition to the regular reading block,  
2632 including tutoring before and/or after school.

2633 b. A "Read at Home" plan outlined in a parental contract,  
2634 including participation in "Families Building Better Readers  
2635 Workshops" and regular parent-guided home reading.

2636 c. A mentor or tutor with specialized reading training.

2637 7. Establish a Reading Enhancement and Acceleration  
2638 Development (READ) Initiative. The focus of the READ Initiative  
2639 shall be to prevent the retention of grade 3 students and to  
2640 offer intensive accelerated reading instruction to grade 3  
2641 students who failed to meet standards for promotion to grade 4

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2642 and to each K-3 student who is assessed as exhibiting a reading  
 2643 deficiency. The READ Initiative shall:

2644 a. Be provided to all K-3 students at risk of retention as  
 2645 identified by the statewide assessment system used in Reading  
 2646 First schools. The assessment must measure phonemic awareness,  
 2647 phonics, fluency, vocabulary, and comprehension.

2648 b. Be provided during regular school hours in addition to  
 2649 the regular reading instruction.

2650 c. Provide a state-identified reading curriculum that has  
 2651 been reviewed by the Florida Center for Reading Research at  
 2652 Florida State University and meets, at a minimum, the following  
 2653 specifications:

2654 (I) Assists students assessed as exhibiting a reading  
 2655 deficiency in developing the ability to read at grade level.

2656 (II) Provides skill development in phonemic awareness,  
 2657 phonics, fluency, vocabulary, and comprehension.

2658 (III) Provides scientifically based and reliable  
 2659 assessment.

2660 (IV) Provides initial and ongoing analysis of each  
 2661 student's reading progress.

2662 (V) Is implemented during regular school hours.

2663 (VI) Provides a curriculum in core academic subjects to  
 2664 assist the student in maintaining or meeting proficiency levels  
 2665 for the appropriate grade in all academic subjects.

2666 8. Establish at each school, where applicable, an  
 2667 Intensive Acceleration Class for retained grade 3 students who  
 2668 subsequently score at Level 1 on the reading portion of the

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2669 FCAT. The focus of the Intensive Acceleration Class shall be to  
 2670 increase a child's reading level at least two grade levels in 1  
 2671 school year. The Intensive Acceleration Class shall:

2672 a. Be provided to any student in grade 3 who scores at  
 2673 Level 1 on the reading portion of the FCAT and who was retained  
 2674 in grade 3 the prior year because of scoring at Level 1 on the  
 2675 reading portion of the FCAT.

2676 b. Have a reduced teacher-student ratio.

2677 c. Provide uninterrupted reading instruction for the  
 2678 majority of student contact time each day and incorporate  
 2679 opportunities to master the grade 4 Sunshine State Standards in  
 2680 other core subject areas.

2681 d. Use a reading program that is scientifically research-  
 2682 based and has proven results in accelerating student reading  
 2683 achievement within the same school year.

2684 e. Provide intensive language and vocabulary instruction  
 2685 using a scientifically research-based program, including use of  
 2686 a speech-language therapist.

2687 f. Include weekly progress monitoring measures to ensure  
 2688 progress is being made.

2689 g. Report to the Department of Education, in the manner  
 2690 described by the department, the progress of students in the  
 2691 class at the end of the first semester.

2692 9. Report to the State Board of Education, as requested,  
 2693 on the specific intensive reading interventions and supports  
 2694 implemented at the school district level. The Commissioner of

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2695 Education shall annually prescribe the required components of  
 2696 requested reports.

2697 10. Provide a student who has been retained in grade 3 and  
 2698 has received intensive instructional services but is still not  
 2699 ready for grade promotion, as determined by the school district,  
 2700 the option of being placed in a transitional instructional  
 2701 setting. Such setting shall specifically be designed to produce  
 2702 learning gains sufficient to meet grade 4 performance standards  
 2703 while continuing to remediate the areas of reading deficiency.

2704 (8) ANNUAL REPORT.--

2705 (b) ~~Beginning with the 2001-2002 school year,~~ Each  
 2706 district school board must annually publish in the local  
 2707 newspaper, and report in writing to the State Board of Education  
 2708 by September 1 of each year, the following information on the  
 2709 prior school year:

2710 1. The provisions of this section relating to public  
 2711 school student progression and the district school board's  
 2712 policies and procedures on student retention and promotion.

2713 2. By grade, the number and percentage of all students in  
 2714 grades 3 through 10 performing at Levels 1 and 2 on the reading  
 2715 portion of the FCAT.

2716 3. By grade, the number and percentage of all students  
 2717 retained in grades 3 through 10.

2718 4. Information on the total number of students who were  
 2719 promoted for good cause, by each category of good cause as  
 2720 specified in paragraph (6) (b).

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2721 5. Any revisions to the district school board's policy on  
 2722 student retention and promotion from the prior year.

2723 (c) The Department of Education shall establish a uniform  
 2724 format for school districts to report the information required  
 2725 in paragraph (b). The format shall be developed with input from  
 2726 district school boards and shall be provided not later than 90  
 2727 days prior to the annual due date. The department shall annually  
 2728 compile the information required in subparagraphs (b)2., 3., and  
 2729 4., along with state-level summary information, and report such  
 2730 information to the Governor, the President of the Senate, and  
 2731 the Speaker of the House of Representatives.

2732 Section 43. Section 1008.301, Florida Statutes, is  
 2733 repealed.

2734 Section 44. Paragraphs (d) and (e) of subsection (1),  
 2735 paragraphs (b) and (c) of subsection (2), and subsection (3) of  
 2736 section 1008.31, Florida Statutes, are amended, and subsection  
 2737 (4) is added to that section, to read:

2738 1008.31 Florida's K-20 education performance  
 2739 accountability system; legislative intent; ~~performance based~~  
 2740 ~~funding~~, mission, goals, and systemwide measures; data quality  
 2741 improvements.--

2742 (1) LEGISLATIVE INTENT.--It is the intent of the  
 2743 Legislature that:

2744 (d) The State Board of Education and the Board of  
 2745 Governors of the State University System recommend to the  
 2746 Legislature systemwide performance standards; the Legislature  
 2747 establish systemwide performance measures and standards; and the

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2748 | systemwide measures and standards provide Floridians with  
 2749 | information on what the public is receiving in return for the  
 2750 | funds it invests in education and how well the K-20 system  
 2751 | educates its students.

2752 |       (e)1. The State Board of Education establish performance  
 2753 | measures and set performance standards for individual ~~components~~  
 2754 | ~~of the public education system, including individual schools and~~  
 2755 | ~~community colleges postsecondary educational institutions,~~ with  
 2756 | measures and standards based primarily on student achievement.

2757 |       2. The Board of Governors of the State University System  
 2758 | establish performance measures and set performance standards for  
 2759 | individual state universities, including actual completion  
 2760 | rates.

2761 |       (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.--

2762 |       (b) The process ~~State Board of Education shall adopt~~  
 2763 | ~~guiding principles~~ for establishing state and sector-specific  
 2764 | standards and measures must be:

- 2765 |           1. Focused on student success.
- 2766 |           2. Addressable through policy and program changes.
- 2767 |           3. Efficient and of high quality.
- 2768 |           4. Measurable over time.
- 2769 |           5. Simple to explain and display to the public.
- 2770 |           6. Aligned with other measures and other sectors to  
 2771 | support a coordinated K-20 education system.

2772 |       (c) The Department ~~State Board~~ of Education shall maintain  
 2773 | an accountability system that measures student progress toward  
 2774 | the following goals:

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2775 |           1. Highest student achievement, as indicated by evidence  
 2776 | of student learning gains at all levels ~~measured by: student~~  
 2777 | ~~FCAT performance and annual learning gains; the number and~~  
 2778 | ~~percentage of schools that improve at least one school~~  
 2779 | ~~performance grade designation or maintain a school performance~~  
 2780 | ~~grade designation of "A" pursuant to s. 1008.34; graduation or~~  
 2781 | ~~completion rates at all learning levels; and other measures~~  
 2782 | ~~identified in law or rule.~~

2783 |           2. Seamless articulation and maximum access, as measured  
 2784 | by evidence of progression, readiness, and access by targeted  
 2785 | groups of students identified by the Commissioner of Education;  
 2786 | ~~the percentage of students who demonstrate readiness for the~~  
 2787 | ~~educational level they are entering, from kindergarten through~~  
 2788 | ~~postsecondary education and into the workforce; the number and~~  
 2789 | ~~percentage of students needing remediation; the percentage of~~  
 2790 | ~~Floridians who complete associate, baccalaureate, graduate,~~  
 2791 | ~~professional, and postgraduate degrees; the number and~~  
 2792 | ~~percentage of credits that articulate; the extent to which each~~  
 2793 | ~~set of exit point requirements matches the next set of entrance~~  
 2794 | ~~point requirements; the degree to which underserved populations~~  
 2795 | ~~access educational opportunity; the extent to which access is~~  
 2796 | ~~provided through innovative educational delivery strategies; and~~  
 2797 | ~~other measures identified in law or rule.~~

2798 |           3. Skilled workforce and economic development, as measured  
 2799 | by evidence of employment and earnings; ~~the number and~~  
 2800 | ~~percentage of graduates employed in their areas of preparation;~~  
 2801 | ~~the percentage of Floridians with high school diplomas and~~

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2802 ~~postsecondary education credentials; the percentage of business~~  
 2803 ~~and community members who find that Florida's graduates possess~~  
 2804 ~~the skills they need; national rankings; and other measures~~  
 2805 ~~identified in law or rule.~~

2806       4. Quality efficient services, as measured by evidence of  
 2807 return on investment: cost per completer or graduate; average  
 2808 cost per noncompleter at each educational level; cost disparity  
 2809 across institutions offering the same degrees; the percentage of  
 2810 education customers at each educational level who are satisfied  
 2811 with the education provided; and other measures identified in  
 2812 law or rule.

2813       5. Other goals as identified by law or rule.

2814       (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS SYSTEMWIDE  
 2815 DATA COLLECTION.--To provide data required to implement  
 2816 education performance accountability measures in state and  
 2817 federal law, the Commissioner of Education shall initiate and  
 2818 maintain strategies to improve data quality and timeliness. All  
 2819 data collected from state universities shall, as determined by  
 2820 the commissioner, be integrated into the K-20 data warehouse.  
 2821 The commissioner shall have unlimited access to such data solely  
 2822 for the purposes of conducting studies, reporting annual and  
 2823 longitudinal student outcomes, and improving college readiness  
 2824 and articulation. All public educational institutions shall  
 2825 provide data to the K-20 data warehouse in a format specified by  
 2826 the commissioner.

2827       (a) School districts and public postsecondary educational  
 2828 institutions shall maintain information systems that will

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2829 | provide the State Board of Education, the Board of Governors of  
 2830 | the State University System, and the Legislature with  
 2831 | information and reports necessary to address the specifications  
 2832 | of the accountability system. ~~The State Board of Education shall~~  
 2833 | ~~determine the standards for the required data.~~ The level of  
 2834 | comprehensiveness and quality shall be no less than that which  
 2835 | was available as of June 30, 2001.

2836 |       (b) The Commissioner of Education shall determine the  
 2837 | standards for the required data, monitor data quality, and  
 2838 | measure improvements. The commissioner shall report annually to  
 2839 | the State Board of Education, the Board of Governors of the  
 2840 | State University System, the President of the Senate, and the  
 2841 | Speaker of the House of Representatives data quality indicators  
 2842 | and ratings for all school districts and public postsecondary  
 2843 | educational institutions.

2844 |       (c) Before establishing any new reporting or data  
 2845 | collection requirements, the Commissioner of Education shall  
 2846 | utilize existing data being collected to reduce duplication and  
 2847 | minimize paperwork.

2848 |       (4) RULES.--The State Board of Education shall adopt rules  
 2849 | pursuant to ss. 120.536(1) and 120.54 to implement the  
 2850 | provisions of this section relating to the K-20 data warehouse.

2851 |       Section 45. Section 1008.33, Florida Statutes, is amended  
 2852 | to read:

2853 |       1008.33 Authority to enforce public school improvement.--  
 2854 | It is the intent of the Legislature that all public schools be  
 2855 | held accountable for students performing at acceptable levels.

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2856 | A system of school improvement and accountability that assesses  
 2857 | student performance by school, identifies schools in which  
 2858 | students are not making adequate progress toward state  
 2859 | standards, institutes appropriate measures for enforcing  
 2860 | improvement, and provides rewards and sanctions based on  
 2861 | performance shall be the responsibility of the State Board of  
 2862 | Education.

2863 |         (1) Pursuant to Art. IX of the State Constitution  
 2864 | prescribing the duty of the State Board of Education to  
 2865 | supervise Florida's public school system and notwithstanding any  
 2866 | other statutory provisions to the contrary, the State Board of  
 2867 | Education shall intervene in the operation of a district school  
 2868 | system when one or more schools in the school district have  
 2869 | failed to make adequate progress for 2 school years in a 4-year  
 2870 | period. For purposes of determining when a school is eligible  
 2871 | for state board action and opportunity scholarships for its  
 2872 | students, the terms "2 years in any 4-year period" and "2 years  
 2873 | in a 4-year period" mean that in any year that a school has a  
 2874 | grade of "F," the school is eligible for state board action and  
 2875 | opportunity scholarships for its students if it also has had a  
 2876 | grade of "F" in any of the previous 3 school years. The State  
 2877 | Board of Education may determine that the school district or  
 2878 | school has not taken steps sufficient for students in the school  
 2879 | to be academically well served. Considering recommendations of  
 2880 | the Commissioner of Education, the State Board of Education  
 2881 | shall recommend action to a district school board intended to  
 2882 | improve educational services to students in each school that is

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2883 designated with a ~~as~~ performance grade of category "F."  
2884 Recommendations for actions to be taken in the school district  
2885 shall be made only after thorough consideration of the unique  
2886 characteristics of a school, which shall include student  
2887 mobility rates, the number and type of exceptional students  
2888 enrolled in the school, and the availability of options for  
2889 improved educational services. The state board shall adopt by  
2890 rule steps to follow in this process. Such steps shall provide  
2891 school districts sufficient time to improve student performance  
2892 in schools and the opportunity to present evidence of assistance  
2893 and interventions that the district school board has  
2894 implemented.

2895 (2) The State Board of Education may recommend one or more  
2896 of the following actions to district school boards to enable  
2897 students in schools designated with a ~~as~~ performance grade of  
2898 ~~category~~ "F" to be academically well served by the public school  
2899 system:

2900 (a) Provide additional resources, change certain  
2901 practices, and provide additional assistance if the state board  
2902 determines the causes of inadequate progress to be related to  
2903 school district policy or practice;

2904 (b) Implement a plan that satisfactorily resolves the  
2905 education equity problems in the school;

2906 (c) Contract for the educational services of the school,  
2907 or reorganize the school at the end of the school year under a  
2908 new school principal who is authorized to hire new staff and  
2909 implement a plan that addresses the causes of inadequate

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2910 | progress. A contract to administer an alternative school may not  
2911 | be entered into with a private entity which contract changes the  
2912 | character of the alternative school population as it existed  
2913 | when the alternative school was administered by the public  
2914 | school system. The term "character of the alternative school  
2915 | population" means the percentage of students having learning  
2916 | disabilities, physical disabilities, emotional disabilities, or  
2917 | developmental disabilities, as well as the percentage of  
2918 | students having discipline problems;

2919 | (d) Allow parents of students in the school to send their  
2920 | children to another district school of their choice; or

2921 | (e) Other action appropriate to improve the school's  
2922 | performance, including, if the school is a high school,  
2923 | requiring annual publication of the school's graduation rate  
2924 | calculated without GED tests for the past 3 years, disaggregated  
2925 | by student ethnicity.

2926 | (3) In recommending actions to district school boards, the  
2927 | State Board of Education shall specify the length of time  
2928 | available to implement the recommended action. The State Board  
2929 | of Education may adopt rules to further specify how it may  
2930 | respond in specific circumstances. No action taken by the State  
2931 | Board of Education shall relieve a school from state  
2932 | accountability requirements.

2933 | (4) The State Board of Education may require the  
2934 | Department of Education or Chief Financial Officer to withhold  
2935 | any transfer of state funds to the school district if, within  
2936 | the timeframe specified in state board action, the school

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2937 district has failed to comply with the action ordered to improve  
 2938 the district's low-performing schools. Withholding the transfer  
 2939 of funds shall occur only after all other recommended actions  
 2940 for school improvement have failed to improve performance. The  
 2941 State Board of Education may impose the same penalty on any  
 2942 district school board that fails to develop and implement a plan  
 2943 for assistance and intervention for low-performing schools as  
 2944 specified in s. 1001.42(16)(d) ~~s. 1001.42(16)(e)~~.

2945 Section 46. Section 1008.34, Florida Statutes, is amended  
 2946 to read:

2947 1008.34 School grading system; school report cards;  
 2948 district ~~performance~~ grade.--

2949 (1) ANNUAL REPORTS.--The Commissioner of Education shall  
 2950 prepare annual reports of the results of the statewide  
 2951 assessment program which describe student achievement in the  
 2952 state, each district, and each school. The commissioner shall  
 2953 prescribe the design and content of these reports, which must  
 2954 include, without limitation, descriptions of the performance of  
 2955 all schools participating in the assessment program and all of  
 2956 their major student populations as determined by the  
 2957 Commissioner of Education, and must also include the median  
 2958 scores of all eligible students who scored at or in the lowest  
 2959 25th percentile of the state in the previous school year;  
 2960 provided, however, that the provisions of s. 1002.22 pertaining  
 2961 to student records apply to this section.

2962 (2) SCHOOL GRADES ~~PERFORMANCE GRADE CATEGORIES~~.--The  
 2963 annual report shall identify schools as having one of the

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- 2964 following grades, being in one of the following grade categories  
 2965 defined according to rules of the State Board of Education:
- 2966 (a) "A," schools making excellent progress.
  - 2967 (b) "B," schools making above average progress.
  - 2968 (c) "C," schools making satisfactory progress.
  - 2969 (d) "D," schools making less than satisfactory progress.
  - 2970 (e) "F," schools failing to make adequate progress.

2971

2972 Each school designated with a in performance grade of category  
 2973 "A," making excellent progress, or having improved at least two  
 2974 ~~performance grade levels categories~~, shall have greater  
 2975 authority over the allocation of the school's total budget  
 2976 generated from the FEFP, state categoricals, lottery funds,  
 2977 grants, and local funds, as specified in state board rule. The  
 2978 rule must provide that the increased budget authority shall  
 2979 remain in effect until the school's ~~performance~~ grade declines.

2980 (3) DESIGNATION OF SCHOOL GRADES ~~PERFORMANCE GRADE~~  
 2981 ~~CATEGORIES~~.--Each school that has students who are tested and  
 2982 included in the school grading system, except an alternative  
 2983 school that receives a school-improvement rating pursuant to s.  
 2984 1008.341, shall receive a school grade; however, an alternative  
 2985 school may choose to receive a school grade under this section  
 2986 in lieu of a school-improvement rating. Additionally, a school  
 2987 that serves any combination of students in kindergarten through  
 2988 grade 3 which does not receive a school grade because its  
 2989 students are not tested and included in the school grading  
 2990 system shall receive the school grade designation of a K-3

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2991 feeder pattern school identified by the Department of Education  
 2992 and verified by the school district. A school feeder pattern  
 2993 exists if at least 60 percent of the students in the school  
 2994 serving a combination of students in kindergarten through grade  
 2995 3 are scheduled to be assigned to the graded school. School  
 2996 grades ~~performance grade category designations~~ itemized in  
 2997 subsection (2) shall be based on the following:

2998 (a) Criteria Timeframes.--A school's grade shall be based  
 2999 on a combination of:

3000 1. Student achievement scores, including achievement  
 3001 scores for students seeking a special diploma ~~School performance~~  
 3002 ~~grade category designations shall be based on the school's~~  
 3003 ~~current year performance and the school's annual learning gains.~~

3004 2. A school's performance grade category designation shall  
 3005 be based on a combination of student achievement scores, Student  
 3006 learning gains as measured by annual FCAT assessments in grades  
 3007 3 through 10; learning gains for students seeking a special  
 3008 diploma, as measured by an alternate assessment tool, shall be  
 3009 included not later than the 2009-2010 school year., and

3010 3. Improvement of the lowest 25th percentile of students  
 3011 in the school in reading, math, or writing on the FCAT, unless  
 3012 these students are exhibiting ~~performing above~~ satisfactory  
 3013 performance.

3014 (b) Student assessment data.--Student assessment data used  
 3015 in determining school grades ~~performance grade categories~~ shall  
 3016 include:

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3017 1. The aggregate scores of all eligible students enrolled  
 3018 in the school who have been assessed on the FCAT.

3019 2. The aggregate scores of all eligible students enrolled  
 3020 in the school who have been assessed on the FCAT, including  
 3021 Florida Writes, and who have scored at or in the lowest 25th  
 3022 percentile of students in the school in reading, math, or  
 3023 writing, unless these students are exhibiting ~~performing above~~  
 3024 satisfactory performance.

3025 3. Effective with the 2005-2006 school year, the  
 3026 achievement scores and learning gains of eligible students  
 3027 attending alternative schools that provide dropout-prevention  
 3028 and academic-intervention services pursuant to s. 1003.53. The  
 3029 term "eligible students" in this subparagraph does not include  
 3030 students attending an alternative school who are subject to  
 3031 district school board policies for expulsion for repeated or  
 3032 serious offenses, who are in dropout-retrieval programs serving  
 3033 students who have officially been designated as dropouts, or who  
 3034 are in programs operated or contracted by the Department of  
 3035 Juvenile Justice. The student performance data for eligible  
 3036 students identified in this subparagraph shall be included in  
 3037 the calculation of the home school's grade. For purposes of this  
 3038 section and s. 1008.341, "home school" means the school the  
 3039 student was attending when assigned to an alternative school. If  
 3040 an alternative school chooses to be graded pursuant to this  
 3041 section, student performance data for eligible students  
 3042 identified in this subparagraph shall not be included in the  
 3043 home school's grade but shall be included only in the

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3044 calculation of the alternative school's grade. School districts  
 3045 must require collaboration between the home school and the  
 3046 alternative school in order to promote student success.

3047  
 3048 ~~The Department of Education shall study the effects of mobility~~  
 3049 ~~on the performance of highly mobile students and recommend~~  
 3050 ~~programs to improve the performance of such students. The State~~  
 3051 Board of Education shall adopt appropriate criteria for each  
 3052 school ~~performance grade category~~. The criteria must also give  
 3053 added weight to student achievement in reading. Schools  
 3054 designated with a ~~as performance grade of category~~ "C," making  
 3055 satisfactory progress, shall be required to demonstrate that  
 3056 adequate progress has been made by students in the school who  
 3057 are in the lowest 25th percentile in reading, math, or writing  
 3058 on the FCAT, including Florida Writes, unless these students are  
 3059 exhibiting ~~performing above~~ satisfactory performance.

3060 (4) SCHOOL IMPROVEMENT RATINGS.--The annual report shall  
 3061 identify each school's performance as having improved, remained  
 3062 the same, or declined. This school improvement rating shall be  
 3063 based on a comparison of the current year's and previous year's  
 3064 student and school performance data. Schools that improve at  
 3065 least one ~~performance grade level category~~ level are eligible for  
 3066 school recognition awards pursuant to s. 1008.36.

3067 (5) SCHOOL REPORT CARD ~~PERFORMANCE GRADE CATEGORY AND~~  
 3068 ~~IMPROVEMENT RATING REPORTS~~.--The Department of Education shall  
 3069 annually develop, in collaboration with the school districts, a  
 3070 school report card to be delivered to parents throughout each

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3071 school district. The report card shall include the school's  
 3072 grade, information regarding school improvement, an explanation  
 3073 of school performance as evaluated by the federal No Child Left  
 3074 Behind Act of 2001, and indicators of return on investment.  
 3075 ~~School performance grade category designations and improvement~~  
 3076 ~~ratings shall apply to each school's performance for the year in~~  
 3077 ~~which performance is measured.~~ Each school's report card  
 3078 ~~designation and rating~~ shall be published annually by the  
 3079 department on its website, ~~of Education~~ and the school district  
 3080 shall provide the school report card to each parent. ~~Parents~~  
 3081 ~~shall be entitled to an easy to read report card about the~~  
 3082 ~~designation and rating of the school in which their child is~~  
 3083 ~~enrolled.~~

3084 ~~(6) RULES. The State Board of Education shall adopt rules~~  
 3085 ~~pursuant to ss. 120.536(1) and 120.54 to implement the~~  
 3086 ~~provisions of this section.~~

3087 ~~(6)(7)~~ PERFORMANCE-BASED FUNDING.--The Legislature may  
 3088 factor in the performance of schools in calculating any  
 3089 performance-based funding policy that is provided for annually  
 3090 in the General Appropriations Act.

3091 ~~(7)(8)~~ DISTRICT PERFORMANCE GRADE.--The annual report  
 3092 required by subsection (1) shall include district ~~performance~~  
 3093 grades, which shall consist of weighted district average grades,  
 3094 by level, for all elementary schools, middle schools, and high  
 3095 schools in the district. A district's weighted average grade  
 3096 shall be calculated by weighting individual school grades  
 3097 determined pursuant to subsection (2) by school enrollment.

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3098 Section 47. Section 1008.341, Florida Statutes, is created  
 3099 to read:

3100 1008.341 School-improvement rating for alternative  
 3101 schools.--

3102 (1) ANNUAL REPORTS.--The Commissioner of Education shall  
 3103 prepare an annual report on the performance of each school  
 3104 receiving a school-improvement rating pursuant to this section  
 3105 if the provisions of s. 1002.22 pertaining to student records  
 3106 apply.

3107 (2) SCHOOL IMPROVEMENT RATING.--Alternative schools that  
 3108 provide dropout-prevention and academic-intervention services  
 3109 pursuant to s. 1003.53 shall receive a school-improvement rating  
 3110 pursuant to this section. The school-improvement rating shall  
 3111 identify schools as having one of the following ratings defined  
 3112 according to rules of the State Board of Education:

3113 (a) "Improving" means schools with students making more  
 3114 academic progress than when the students were served in their  
 3115 home schools.

3116 (b) "Maintaining" means schools with students making  
 3117 progress equivalent to the progress made when the students were  
 3118 served in their home schools.

3119 (c) "Declining" means schools with students making less  
 3120 academic progress than when the students were served in their  
 3121 home schools.

3122  
 3123 The school-improvement rating shall be based on a comparison of  
 3124 student performance data for the current year and previous year.

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3125 Schools that improve at least one level or maintain an  
 3126 "improving" rating pursuant to this section are eligible for  
 3127 school recognition awards pursuant to s. 1008.36.

3128 (3) DESIGNATION OF SCHOOL-IMPROVEMENT RATING.--Student  
 3129 data used in determining an alternative school's school-  
 3130 improvement rating shall include:

3131 (a) The aggregate scores of all eligible students who were  
 3132 assigned to and enrolled in the school during the October or  
 3133 February FTE count, who have been assessed on the FCAT, and who  
 3134 have FCAT or comparable scores for the preceding school year.

3135 (b) The aggregate scores of all eligible students who were  
 3136 assigned to and enrolled in the school during the October or  
 3137 February FTE count, who have been assessed on the FCAT,  
 3138 including Florida Writes, and who have scored in the lowest 25th  
 3139 percentile of students in the state on FCAT Reading.

3140  
 3141 The assessment scores of students who are subject to district  
 3142 school board policies for expulsion for repeated or serious  
 3143 offenses, who are in dropout-retrieval programs serving students  
 3144 who have officially been designated as dropouts, or who are in  
 3145 programs operated or contracted by the Department of Juvenile  
 3146 Justice may not be included in an alternative school's school  
 3147 improvement rating.

3148 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.--For each  
 3149 alternative school receiving a school-improvement rating, the  
 3150 Department of Education shall annually identify the percentage  
 3151 of students making learning gains as compared to the percentage

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3152 of the same students making learning gains in their home schools  
 3153 in the year prior to being assigned to the alternative school.

3154 (5) SCHOOL REPORT CARD.--The Department of Education shall  
 3155 annually develop, in collaboration with the school districts, a  
 3156 school report card for alternative schools to be delivered to  
 3157 parents throughout each school district. The report card shall  
 3158 include the school-improvement rating, identification of student  
 3159 learning gains, student attendance data, information regarding  
 3160 school improvement, an explanation of school performance as  
 3161 evaluated by the federal No Child Left Behind Act of 2001, and  
 3162 indicators of return on investment.

3163 Section 48. Subsection (5), paragraphs (b) and (d) of  
 3164 subsection (6), and subsection (7) of section 1008.345, Florida  
 3165 Statutes, are amended to read:

3166 1008.345 Implementation of state system of school  
 3167 improvement and education accountability.--

3168 (5) The commissioner shall report to the Legislature and  
 3169 recommend changes in state policy necessary to foster school  
 3170 improvement and education accountability. Included in the report  
 3171 shall be a list of the schools, including schools operating for  
 3172 the purpose of providing educational services to youth in  
 3173 Department of Juvenile Justice programs, for which district  
 3174 school boards have developed assistance and intervention plans  
 3175 and an analysis of the various strategies used by the school  
 3176 boards. School reports shall be distributed pursuant to this  
 3177 subsection and s. 1001.42(16)(f) ~~s. 1001.42(16)(e)~~ and according  
 3178 to rules adopted by the State Board of Education.

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3179 (6)  
 3180 (b) Upon request, the department shall provide technical  
 3181 assistance and training to any school, including any school  
 3182 operating for the purpose of providing educational services to  
 3183 youth in Department of Juvenile Justice programs, school  
 3184 advisory council, district, or district school board for  
 3185 conducting needs assessments, developing and implementing school  
 3186 improvement plans, developing and implementing assistance and  
 3187 intervention plans, or implementing other components of school  
 3188 improvement and accountability. Priority for these services  
 3189 shall be given to schools designated with a ~~as~~ performance grade  
 3190 of category "D" or "F" and school districts in rural and  
 3191 sparsely populated areas of the state.

3192 (d) The commissioner ~~department~~ shall assign a community  
 3193 assessment team to each school district or governing board with  
 3194 a school graded ~~designated as performance grade category~~ "D" or  
 3195 "F" to review the school performance data and determine causes  
 3196 for the low performance, including the role of school, area, and  
 3197 district administrative personnel. The community assessment team  
 3198 shall review a high school's graduation rate calculated without  
 3199 GED tests for the past 3 years, disaggregated by student  
 3200 ethnicity. The team shall make recommendations to the school  
 3201 board or the governing board, to the department, and to the  
 3202 State Board of Education for implementing an assistance and  
 3203 intervention plan that will address the causes of the school's  
 3204 low performance. The assessment team shall include, but not be  
 3205 limited to, a department representative, parents, business

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3206 representatives, educators, representatives of local  
 3207 governments, and community activists, and shall represent the  
 3208 demographics of the community from which they are appointed.

3209 (7) (a) Schools designated with a in-performance grade of  
 3210 category "A," making excellent progress, shall, if requested by  
 3211 the school, be given deregulated status as specified in s.  
 3212 1003.63(5), (7), (8), (9), and (10).

3213 (b) Schools that have improved at least two grades  
 3214 performance-grade categories and that meet the criteria of the  
 3215 Florida School Recognition Program pursuant to s. 1008.36 may be  
 3216 given deregulated status as specified in s. 1003.63(5), (7),  
 3217 (8), (9), and (10).

3218 Section 49. Subsection (3) of section 1009.24, Florida  
 3219 Statutes, is amended to read:

3220 1009.24 State university student fees.--

3221 (3) Except as otherwise provided by law, undergraduate  
 3222 tuition shall be established annually in the General  
 3223 Appropriations Act. The Board of Governors, or the board's  
 3224 designee, may establish tuition for graduate and professional  
 3225 programs, and out-of-state fees for all programs. The sum of  
 3226 tuition and out-of-state fees assessed to nonresident students  
 3227 must be sufficient to offset the full instructional cost of  
 3228 servicing such students. However, adjustments to out-of-state fees  
 3229 or tuition for graduate and professional programs pursuant to  
 3230 this section may not exceed 10 percent in any year. Within  
 3231 proviso in the General Appropriations Act and law, each board of  
 3232 trustees shall set university tuition and fees. The sum of the

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3233 activity and service, health, and athletic fees a student is  
3234 required to pay to register for a course shall not exceed 40  
3235 percent of the tuition established in law or in the General  
3236 Appropriations Act. No university shall be required to lower any  
3237 fee in effect on the effective date of this act in order to  
3238 comply with this subsection. Within the 40 percent cap,  
3239 universities may not increase the aggregate sum of activity and  
3240 service, health, and athletic fees more than 5 percent per year  
3241 unless specifically authorized in law or in the General  
3242 Appropriations Act. A university may increase its athletic fee  
3243 to defray the costs associated with changing National Collegiate  
3244 Athletic Association divisions. Any such increase in the  
3245 athletic fee may exceed both the 40 percent cap and the 5  
3246 percent cap imposed by this subsection. Any such increase must  
3247 be approved by the athletic fee committee in the process  
3248 outlined in subsection (11) and cannot exceed \$2 per credit  
3249 hour. Notwithstanding the provisions of ss. 1009.534, 1009.535,  
3250 and 1009.536, that portion of any increase in an athletic fee  
3251 pursuant to this subsection that causes the sum of the activity  
3252 and service, health, and athletic fees to exceed the 40 percent  
3253 cap or the annual increase in such fees to exceed the 5 percent  
3254 cap shall not be included in calculating the amount a student  
3255 receives for a Florida Academic Scholars award, a Florida  
3256 Medallion Scholars award, or a Florida Gold Seal Vocational  
3257 Scholars award. This subsection does not prohibit a university  
3258 from increasing or assessing optional fees related to specific

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3259 | activities if payment of such fees is not required as a part of  
 3260 | registration for courses.

3261 |         Section 50. Paragraphs (f), (h), (l), (m), and (n) of  
 3262 | subsection (1) and paragraphs (a) and (b) of subsection (4) of  
 3263 | section 1011.62, Florida Statutes, are amended, present  
 3264 | subsections (8) and (9) of that section are redesignated as  
 3265 | subsections (9) and (10), respectively, and amended, and a new  
 3266 | subsection (8) is added to that section, to read:

3267 |         1011.62 Funds for operation of schools.--If the annual  
 3268 | allocation from the Florida Education Finance Program to each  
 3269 | district for operation of schools is not determined in the  
 3270 | annual appropriations act or the substantive bill implementing  
 3271 | the annual appropriations act, it shall be determined as  
 3272 | follows:

3273 |         (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
 3274 | OPERATION.--The following procedure shall be followed in  
 3275 | determining the annual allocation to each district for  
 3276 | operation:

3277 |         (f) Supplemental academic instruction; categorical fund.--

3278 |             1. There is created a categorical fund to provide  
 3279 | supplemental academic instruction to students in kindergarten  
 3280 | through grade 12. This paragraph may be cited as the  
 3281 | "Supplemental Academic Instruction Categorical Fund."

3282 |             2. Categorical funds for supplemental academic instruction  
 3283 | shall be allocated annually to each school district in the  
 3284 | amount provided in the General Appropriations Act. These funds  
 3285 | shall be in addition to the funds appropriated on the basis of

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3286 FTE student membership in the Florida Education Finance Program  
3287 and shall be included in the total potential funds of each  
3288 district. These funds shall be used to provide supplemental  
3289 academic instruction to students enrolled in the K-12 program.  
3290 Supplemental instruction strategies may include, but are not  
3291 limited to: modified curriculum, reading instruction, after-  
3292 school instruction, tutoring, mentoring, class size reduction,  
3293 extended school year, intensive skills development in summer  
3294 school, and other methods for improving student achievement.  
3295 Supplemental instruction may be provided to a student in any  
3296 manner and at any time during or beyond the regular 180-day term  
3297 identified by the school as being the most effective and  
3298 efficient way to best help that student progress from grade to  
3299 grade and to graduate.

3300 3. Effective with the 1999-2000 fiscal year, funding on  
3301 the basis of FTE membership beyond the 180-day regular term  
3302 shall be provided in the FEFP only for students enrolled in  
3303 juvenile justice education programs or in education programs for  
3304 juveniles placed in secure facilities or programs under s.  
3305 985.223. Funding for instruction beyond the regular 180-day  
3306 school year for all other K-12 students shall be provided  
3307 through the supplemental academic instruction categorical fund  
3308 and other state, federal, and local fund sources with ample  
3309 flexibility for schools to provide supplemental instruction to  
3310 assist students in progressing from grade to grade and  
3311 graduating.

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3312           4. The Florida State University School, as a lab school,  
 3313 is authorized to expend from its FEFP or Lottery Enhancement  
 3314 Trust Fund allocation the cost to the student of remediation in  
 3315 reading, writing, or mathematics for any graduate who requires  
 3316 remediation at a postsecondary educational institution.

3317           5. Beginning in the 1999-2000 school year, dropout  
 3318 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),  
 3319 (b), and (c), and 1003.54 shall be included in group 1 programs  
 3320 under subparagraph (d)3.

3321           (h) Small, isolated high schools.--Districts which levy  
 3322 the maximum nonvoted discretionary millage, exclusive of millage  
 3323 for capital outlay purposes levied pursuant to s. 1011.71(2),  
 3324 may calculate full-time equivalent students for small, isolated  
 3325 high schools by multiplying the number of unweighted full-time  
 3326 equivalent students times 2.75; provided the school has attained  
 3327 a ~~state accountability performance grade category~~ of "C" or  
 3328 better, pursuant to s. 1008.34, for the previous school year.  
 3329 For the purpose of this section, the term "small, isolated high  
 3330 school" means any high school which is located no less than 28  
 3331 miles by the shortest route from another high school; which has  
 3332 been serving students primarily in basic studies provided by  
 3333 sub-subparagraphs (c)1.b. and c. and may include subparagraph  
 3334 (c)4.; and which has a membership of no more than 100 students,  
 3335 but no fewer than 28 students, in grades 9 through 12.

3336           (1) Calculation of additional full-time equivalent  
 3337 membership based on international baccalaureate examination  
 3338 scores of students.--A value of 0.24 full-time equivalent

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3339 student membership shall be calculated for each student enrolled  
3340 in an international baccalaureate course who receives a score of  
3341 4 or higher on a subject examination. A value of 0.3 full-time  
3342 equivalent student membership shall be calculated for each  
3343 student who receives an international baccalaureate diploma.  
3344 Such value shall be added to the total full-time equivalent  
3345 student membership in basic programs for grades 9 through 12 in  
3346 the subsequent fiscal year. The school district shall distribute  
3347 to each classroom teacher who provided international  
3348 baccalaureate instruction:

3349 1. A bonus in the amount of \$50 for each student taught by  
3350 the International Baccalaureate teacher in each international  
3351 baccalaureate course who receives a score of 4 or higher on the  
3352 international baccalaureate examination.

3353 2. An additional bonus of \$500 to each International  
3354 Baccalaureate teacher in a school designated with a performance  
3355 grade of category "D" or "F" who has at least one student  
3356 scoring 4 or higher on the international baccalaureate  
3357 examination, regardless of the number of classes taught or of  
3358 the number of students scoring a 4 or higher on the  
3359 international baccalaureate examination.

3360  
3361 Bonuses awarded to a teacher according to this paragraph shall  
3362 not exceed \$2,000 in any given school year and shall be in  
3363 addition to any regular wage or other bonus the teacher received  
3364 or is scheduled to receive.

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3365 (m) Calculation of additional full-time equivalent  
3366 membership based on Advanced International Certificate of  
3367 Education examination scores of students.--A value of 0.24 full-  
3368 time equivalent student membership shall be calculated for each  
3369 student enrolled in a full-credit Advanced International  
3370 Certificate of Education course who receives a score of E or  
3371 higher on a subject examination. A value of 0.12 full-time  
3372 equivalent student membership shall be calculated for each  
3373 student enrolled in a half-credit Advanced International  
3374 Certificate of Education course who receives a score of E or  
3375 higher on a subject examination. A value of 0.3 full-time  
3376 equivalent student membership shall be calculated for each  
3377 student who receives an Advanced International Certificate of  
3378 Education diploma. Such value shall be added to the total full-  
3379 time equivalent student membership in basic programs for grades  
3380 9 through 12 in the subsequent fiscal year. The school district  
3381 shall distribute to each classroom teacher who provided Advanced  
3382 International Certificate of Education instruction:

3383 1. A bonus in the amount of \$50 for each student taught by  
3384 the Advanced International Certificate of Education teacher in  
3385 each full-credit Advanced International Certificate of Education  
3386 course who receives a score of E or higher on the Advanced  
3387 International Certificate of Education examination. A bonus in  
3388 the amount of \$25 for each student taught by the Advanced  
3389 International Certificate of Education teacher in each half-  
3390 credit Advanced International Certificate of Education course

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3391 | who receives a score of E or higher on the Advanced  
 3392 | International Certificate of Education examination.

3393 |       2. An additional bonus of \$500 to each Advanced  
 3394 | International Certificate of Education teacher in a school  
 3395 | designated with a performance grade of category "D" or "F" who  
 3396 | has at least one student scoring E or higher on the full-credit  
 3397 | Advanced International Certificate of Education examination,  
 3398 | regardless of the number of classes taught or of the number of  
 3399 | students scoring an E or higher on the full-credit Advanced  
 3400 | International Certificate of Education examination.

3401 |       3. Additional bonuses of \$250 each to teachers of half-  
 3402 | credit Advanced International Certificate of Education classes  
 3403 | in a school designated with a performance grade of category "D"  
 3404 | or "F" which has at least one student scoring an E or higher on  
 3405 | the half-credit Advanced International Certificate of Education  
 3406 | examination in that class. The maximum additional bonus for a  
 3407 | teacher awarded in accordance with this subparagraph shall not  
 3408 | exceed \$500 in any given school year. Teachers receiving an  
 3409 | award under subparagraph 2. are not eligible for a bonus under  
 3410 | this subparagraph.

3411 |  
 3412 |       Bonuses awarded to a teacher according to this paragraph shall  
 3413 | not exceed \$2,000 in any given school year and shall be in  
 3414 | addition to any regular wage or other bonus the teacher received  
 3415 | or is scheduled to receive.

3416 |       (n) Calculation of additional full-time equivalent  
 3417 | membership based on college board advanced placement scores of

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3418 students.--A value of 0.24 full-time equivalent student  
3419 membership shall be calculated for each student in each advanced  
3420 placement course who receives a score of 3 or higher on the  
3421 College Board Advanced Placement Examination for the prior year  
3422 and added to the total full-time equivalent student membership  
3423 in basic programs for grades 9 through 12 in the subsequent  
3424 fiscal year. Each district must allocate at least 80 percent of  
3425 the funds provided to the district for advanced placement  
3426 instruction, in accordance with this paragraph, to the high  
3427 school that generates the funds. The school district shall  
3428 distribute to each classroom teacher who provided advanced  
3429 placement instruction:

3430 1. A bonus in the amount of \$50 for each student taught by  
3431 the Advanced Placement teacher in each advanced placement course  
3432 who receives a score of 3 or higher on the College Board  
3433 Advanced Placement Examination.

3434 2. An additional bonus of \$500 to each Advanced Placement  
3435 teacher in a school designated with a performance grade of  
3436 ~~category~~ "D" or "F" who has at least one student scoring 3 or  
3437 higher on the College Board Advanced Placement Examination,  
3438 regardless of the number of classes taught or of the number of  
3439 students scoring a 3 or higher on the College Board Advanced  
3440 Placement Examination.

3441  
3442 Bonuses awarded to a teacher according to this paragraph shall  
3443 not exceed \$2,000 in any given school year and shall be in

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3444 addition to any regular wage or other bonus the teacher received  
3445 or is scheduled to receive.

3446 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.--The  
3447 Legislature shall prescribe the aggregate required local effort  
3448 for all school districts collectively as an item in the General  
3449 Appropriations Act for each fiscal year. The amount that each  
3450 district shall provide annually toward the cost of the Florida  
3451 Education Finance Program for kindergarten through grade 12  
3452 programs shall be calculated as follows:

3453 (a) Estimated taxable value calculations.--

3454 1.a. Not later than 2 working days prior to July 19, the  
3455 Department of Revenue shall certify to the Commissioner of  
3456 Education its most recent estimate of the taxable value for  
3457 school purposes in each school district and the total for all  
3458 school districts in the state for the current calendar year  
3459 based on the latest available data obtained from the local  
3460 property appraisers. Not later than July 19, the Commissioner of  
3461 Education shall compute a millage rate, rounded to the next  
3462 highest one one-thousandth of a mill, which, when applied to 95  
3463 percent of the estimated state total taxable value for school  
3464 purposes, would generate the prescribed aggregate required local  
3465 effort for that year for all districts. The Commissioner of  
3466 Education shall certify to each district school board the  
3467 millage rate, computed as prescribed in this subparagraph, as  
3468 the minimum millage rate necessary to provide the district  
3469 required local effort for that year.

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3470           b. The General Appropriations Act shall direct the  
 3471 computation of the statewide adjusted aggregate amount for  
 3472 required local effort for all school districts collectively from  
 3473 ad valorem taxes to ensure that no school district's revenue  
 3474 from required local effort millage will produce more than 90  
 3475 percent of the district's total Florida Education Finance  
 3476 Program calculation, and the adjustment of the required local  
 3477 effort millage rate of each district that produces more than 90  
 3478 percent of its total Florida Education Finance Program  
 3479 entitlement to a level that will produce only 90 percent of its  
 3480 total Florida Education Finance Program entitlement in the July  
 3481 calculation.

3482           2. As revised data are received from property appraisers,  
 3483 the Department of Revenue shall amend the certification of the  
 3484 estimate of the taxable value for school purposes. The  
 3485 Commissioner of Education, in administering the provisions of  
 3486 paragraph (10)(b) ~~subparagraph (9)(a)2.~~ shall use the most  
 3487 recent taxable value for the appropriate year.

3488           (b) Final calculation.--

3489           1. The Department of Revenue shall, upon receipt of the  
 3490 official final assessed value of property from each of the  
 3491 property appraisers, certify to the Commissioner of Education  
 3492 the taxable value total for school purposes in each school  
 3493 district, subject to the provisions of paragraph (d). The  
 3494 commissioner shall use the official final taxable value for  
 3495 school purposes for each school district in the final

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3496 calculation of the annual Florida Education Finance Program  
 3497 allocations.

3498 2. For the purposes of this paragraph, the official final  
 3499 taxable value for school purposes shall be the taxable value for  
 3500 school purposes on which the tax bills are computed and mailed  
 3501 to the taxpayers, adjusted to reflect final administrative  
 3502 actions of value adjustment boards and judicial decisions  
 3503 pursuant to part I of chapter 194. By September 1 of each year,  
 3504 the Department of Revenue shall certify to the commissioner the  
 3505 official prior year final taxable value for school purposes. For  
 3506 each county that has not submitted a revised tax roll reflecting  
 3507 final value adjustment board actions and final judicial  
 3508 decisions, the Department of Revenue shall certify the most  
 3509 recent revision of the official taxable value for school  
 3510 purposes. The certified value shall be the final taxable value  
 3511 for school purposes, and no further adjustments shall be made,  
 3512 except those made pursuant to paragraph (10)(b). ~~subparagraph~~  
 3513 ~~(9)(a)2.~~

3514 (8) RESEARCH-BASED READING INSTRUCTION ALLOCATION.--

3515 (a) The research-based reading instruction allocation is  
 3516 created to provide comprehensive reading instruction to students  
 3517 in kindergarten through grade 12.

3518 (b) Funds for comprehensive, research-based reading  
 3519 instruction shall be allocated annually to each school district  
 3520 in the amount provided in the General Appropriations Act. Each  
 3521 eligible school district shall receive the same minimum amount  
 3522 as specified in the General Appropriations Act, and any

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3523 remaining funds shall be distributed to eligible school  
 3524 districts based on each school district's proportionate share of  
 3525 K-12 base funding.

3526 (c) Funds allocated under this subsection must be used to  
 3527 provide a system of comprehensive reading instruction to  
 3528 students enrolled in the K-12 programs, which may include the  
 3529 following:

3530 1. The provision of highly qualified reading coaches.

3531 2. Professional development for school district teachers  
 3532 in scientifically based reading instruction, including  
 3533 strategies to teach reading in content areas and with an  
 3534 emphasis on technical and informational text.

3535 3. The provision of summer reading camps for students who  
 3536 score at Level 1 on FCAT Reading.

3537 4. The provision of supplemental instructional materials  
 3538 that are grounded in scientifically based reading research.

3539 5. The provision of intensive interventions for middle and  
 3540 high school students reading below grade level.

3541 (d) Annually, by a date determined by the Department of  
 3542 Education but before May 1, school districts shall submit a K-12  
 3543 comprehensive reading plan for the specific use of the research-  
 3544 based reading instruction allocation in the format prescribed by  
 3545 the department for review and approval by the Just Read,  
 3546 Florida! Office created pursuant to s. 1001.215. The plan  
 3547 annually submitted by school districts shall be deemed approved  
 3548 unless the department rejects the plan on or before June 1. If a  
 3549 school district and the Just Read, Florida! Office cannot reach

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3550 agreement on the contents of the plan, the school district may  
3551 appeal to the State Board of Education for resolution. School  
3552 districts shall be allowed reasonable flexibility in designing  
3553 their plans and shall be encouraged to offer reading remediation  
3554 through innovative methods, including career academies. The plan  
3555 format shall be developed with input from school district  
3556 personnel, including teachers and principals, and shall allow  
3557 courses in core, career, and alternative programs that deliver  
3558 intensive reading remediation through integrated curricula,  
3559 provided that the teacher is deemed highly qualified to teach  
3560 reading or working toward that status. No later than July 1  
3561 annually, the department shall release the school district's  
3562 allocation of appropriated funds to those districts having  
3563 approved plans. A school district that spends 100 percent of  
3564 this allocation on its approved plan shall be deemed to have  
3565 been in compliance with the plan. The department may withhold  
3566 funds upon a determination that reading instruction allocation  
3567 funds are not being used to implement the approved plan.

3568 (9)~~(8)~~ QUALITY ASSURANCE GUARANTEE.--The Legislature may  
3569 annually in the General Appropriations Act determine a  
3570 percentage increase in funds per K-12 unweighted FTE as a  
3571 minimum guarantee to each school district. The guarantee shall  
3572 be calculated from prior year base funding per unweighted FTE  
3573 student which shall include the adjusted FTE dollars as provided  
3574 in subsection (10) ~~(9)~~, quality guarantee funds, and actual  
3575 nonvoted discretionary local effort from taxes. From the base  
3576 funding per unweighted FTE, the increase shall be calculated for

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3577 the current year. The current year funds from which the  
 3578 guarantee shall be determined shall include the adjusted FTE  
 3579 dollars as provided in subsection (10) ~~(9)~~ and potential  
 3580 nonvoted discretionary local effort from taxes. A comparison of  
 3581 current year funds per unweighted FTE to prior year funds per  
 3582 unweighted FTE shall be computed. For those school districts  
 3583 which have less than the legislatively assigned percentage  
 3584 increase, funds shall be provided to guarantee the assigned  
 3585 percentage increase in funds per unweighted FTE student. Should  
 3586 appropriated funds be less than the sum of this calculated  
 3587 amount for all districts, the commissioner shall prorate each  
 3588 district's allocation. This provision shall be implemented to  
 3589 the extent specifically funded.

3590 (10) ~~(9)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT  
 3591 FOR CURRENT OPERATION.--The total annual state allocation to  
 3592 each district for current operation for the FEFP shall be  
 3593 distributed periodically in the manner prescribed in the General  
 3594 Appropriations Act.

3595 (a) The basic amount for current operation for the FEFP as  
 3596 determined in subsection (1), multiplied by the district cost  
 3597 differential factor as determined in subsection (2), plus the  
 3598 amounts provided for categorical components within the FEFP,  
 3599 plus the amount for the sparsity supplement as determined in  
 3600 subsection (6), the decline in full-time equivalent students as  
 3601 determined in subsection (7), the research-based reading  
 3602 instruction allocation as determined in subsection (8), and the  
 3603 quality assurance guarantee as determined in subsection (9) ~~(8)~~,

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3604 less the required local effort as determined in subsection (4).  
3605 If the funds appropriated for the purpose of funding the total  
3606 amount for current operation as provided in this paragraph are  
3607 not sufficient to pay the state requirement in full, the  
3608 department shall prorate the available state funds to each  
3609 district in the following manner:

3610 1. Determine the percentage of proration by dividing the  
3611 sum of the total amount for current operation, as provided in  
3612 this paragraph for all districts collectively, and the total  
3613 district required local effort into the sum of the state funds  
3614 available for current operation and the total district required  
3615 local effort.

3616 2. Multiply the percentage so determined by the sum of the  
3617 total amount for current operation as provided in this paragraph  
3618 and the required local effort for each individual district.

3619 3. From the product of such multiplication, subtract the  
3620 required local effort of each district; and the remainder shall  
3621 be the amount of state funds allocated to the district for  
3622 current operation.

3623 (b) The amount thus obtained shall be the net annual  
3624 allocation to each school district. However, if it is determined  
3625 that any school district received an underallocation or  
3626 overallocation for any prior year because of an arithmetical  
3627 error, assessment roll change, full-time equivalent student  
3628 membership error, or any allocation error revealed in an audit  
3629 report, the allocation to that district shall be appropriately  
3630 adjusted. Beginning with audits for the 2001-2002 fiscal year,

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3631 | if the adjustment is the result of an audit finding in which  
 3632 | group 2 FTE are reclassified to the basic program and the  
 3633 | district weighted FTE are over the weighted enrollment ceiling  
 3634 | for group 2 programs, the adjustment shall not result in a gain  
 3635 | of state funds to the district. If the Department of Education  
 3636 | audit adjustment recommendation is based upon controverted  
 3637 | findings of fact, the Commissioner of Education is authorized to  
 3638 | establish the amount of the adjustment based on the best  
 3639 | interests of the state.

3640 |         (c) The amount thus obtained shall represent the net  
 3641 | annual state allocation to each district; however,  
 3642 | notwithstanding any of the provisions herein, each district  
 3643 | shall be guaranteed a minimum level of funding in the amount and  
 3644 | manner prescribed in the General Appropriations Act.

3645 |         Section 51. Paragraph (a) of subsection (2) of section  
 3646 | 1011.64, Florida Statutes, is amended to read:

3647 |         1011.64 School district minimum classroom expenditure  
 3648 | requirements.--

3649 |         (2) For the purpose of implementing the provisions of this  
 3650 | section, the Legislature shall prescribe minimum academic  
 3651 | performance standards and minimum classroom expenditure  
 3652 | requirements for districts not meeting such minimum academic  
 3653 | performance standards in the General Appropriations Act.

3654 |         (a) Minimum academic performance standards may be based  
 3655 | on, but are not limited to, district ~~performance~~ grades  
 3656 | determined pursuant to s. 1008.34(7) ~~s. 1008.34(8)~~.

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3657 Section 52. Section 1011.67, Florida Statutes, is amended  
 3658 to read:

3659 1011.67 Funds for instructional materials.--

3660 (1) The department is authorized to allocate and  
 3661 distribute to each district an amount as prescribed annually by  
 3662 the Legislature for instructional materials for student  
 3663 membership in basic and special programs in grades K-12, which  
 3664 will provide for growth and maintenance needs. For purposes of  
 3665 this subsection ~~section~~, unweighted full-time equivalent  
 3666 students enrolled in the lab schools in state universities are  
 3667 to be included as school district students and reported as such  
 3668 to the department. These funds shall be distributed to school  
 3669 districts as follows: 50 percent on or about July 10; 35 percent  
 3670 on or about October 10; 10 percent on or about January 10; and 5  
 3671 percent on or about June 10. The annual allocation shall be  
 3672 determined as follows:

3673 (a) ~~(1)~~ The growth allocation for each school district  
 3674 shall be calculated as follows:

3675 1. ~~(a)~~ Subtract from that district's projected full-time  
 3676 equivalent membership of students in basic and special programs  
 3677 in grades K-12 used in determining the initial allocation of the  
 3678 Florida Education Finance Program, the prior year's full-time  
 3679 equivalent membership of students in basic and special programs  
 3680 in grades K-12 for that district.

3681 2. ~~(b)~~ Multiply any such increase in full-time equivalent  
 3682 student membership by the allocation for a set of instructional

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3683 materials, as determined by the department, or as provided for  
3684 in the General Appropriations Act.

3685 3.~~(e)~~ The amount thus determined shall be that district's  
3686 initial allocation for growth for the school year. However, the  
3687 department shall recompute and adjust the initial allocation  
3688 based on actual full-time equivalent student membership data for  
3689 that year.

3690 (b)~~(2)~~ The maintenance of the instructional materials  
3691 allocation for each school district shall be calculated by  
3692 multiplying each district's prior year full-time equivalent  
3693 membership of students in basic and special programs in grades  
3694 K-12 by the allocation for maintenance of a set of instructional  
3695 materials as provided for in the General Appropriations Act. The  
3696 amount thus determined shall be that district's initial  
3697 allocation for maintenance for the school year; however, the  
3698 department shall recompute and adjust the initial allocation  
3699 based on such actual full-time equivalent student membership  
3700 data for that year.

3701 (c)~~(3)~~ In the event the funds appropriated are not  
3702 sufficient for the purpose of implementing this subsection  
3703 ~~section~~ in full, the department shall prorate the funds  
3704 available for instructional materials after first funding in  
3705 full each district's growth allocation.

3706 (2) Annually by July 1 and prior to the release of  
3707 instructional materials funds, each district school  
3708 superintendent shall certify to the Commissioner of Education  
3709 that the district school board has approved a comprehensive

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3710 staff development plan that supports fidelity of implementation  
 3711 of instructional materials programs. The report shall include  
 3712 verification that training was provided and that the materials  
 3713 are being implemented as designed.

3714 Section 53. Paragraph (b) of subsection (2) of section  
 3715 1011.685, Florida Statutes, is amended to read:

3716 1011.685 Class size reduction; operating categorical  
 3717 fund.--

3718 (2) Class size reduction operating categorical funds shall  
 3719 be used by school districts for the following:

3720 (b) For any lawful operating expenditure, if the district  
 3721 has met the constitutional maximums identified in s. 1003.03(1)  
 3722 or the reduction of two students per year required by s.  
 3723 1003.03(2); however, priority shall be given to increase  
 3724 salaries of classroom teachers as defined in s. 1012.01(2)(a)  
 3725 and to implement the differentiated-pay provisions detailed in  
 3726 s. 1012.22 ~~salary career ladder defined in s. 1012.231.~~

3727 Section 54. Subsection (1) of section 1011.71, Florida  
 3728 Statutes, is amended to read:

3729 1011.71 District school tax.--

3730 (1) If the district school tax is not provided in the  
 3731 General Appropriations Act or the substantive bill implementing  
 3732 the General Appropriations Act, each district school board  
 3733 desiring to participate in the state allocation of funds for  
 3734 current operation as prescribed by s. 1011.62(10) ~~s. 1011.62(9)~~  
 3735 shall levy on the taxable value for school purposes of the  
 3736 district, exclusive of millage voted under the provisions of s.

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3737 9(b) or s. 12, Art. VII of the State Constitution, a millage  
 3738 rate not to exceed the amount certified by the commissioner as  
 3739 the minimum millage rate necessary to provide the district  
 3740 required local effort for the current year, pursuant to s.  
 3741 1011.62(4)(a)1. In addition to the required local effort millage  
 3742 levy, each district school board may levy a nonvoted current  
 3743 operating discretionary millage. The Legislature shall prescribe  
 3744 annually in the appropriations act the maximum amount of millage  
 3745 a district may levy. The millage rate prescribed shall exceed  
 3746 zero mills but shall not exceed the lesser of 1.6 mills or 25  
 3747 percent of the millage which is required pursuant to s.  
 3748 1011.62(4), exclusive of millage levied pursuant to subsection  
 3749 (2).

3750 Section 55. Subsection (6) is added to section 1012.21,  
 3751 Florida Statutes, to read:

3752 1012.21 Department of Education duties; K-12 personnel.--  
 3753 (6) REPORTING.--The Department of Education shall annually  
 3754 post online links to each school district's collective  
 3755 bargaining contracts and the salary and benefits of the  
 3756 personnel or officers of any educator association which were  
 3757 paid by the school district pursuant to s. 1012.22. The  
 3758 department shall prescribe the computer format for district  
 3759 school boards to use in providing the information.

3760 Section 56. Paragraphs (b), (c), (h), and (i) of  
 3761 subsection (1) of section 1012.22, Florida Statutes, are  
 3762 amended, and subsection (3) is added to that section, to read:

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3763 1012.22 Public school personnel; powers and duties of the  
 3764 district school board.--The district school board shall:

3765 (1) Designate positions to be filled, prescribe  
 3766 qualifications for those positions, and provide for the  
 3767 appointment, compensation, promotion, suspension, and dismissal  
 3768 of employees as follows, subject to the requirements of this  
 3769 chapter:

3770 (b) Time to act on nominations.--The district school board  
 3771 shall act not later than 3 weeks following the receipt of FCAT  
 3772 scores and data, including school grades, or June 30 ~~after the~~  
 3773 ~~end of the regular legislative session or May 31~~, whichever is  
 3774 later, on the district school superintendent's nominations of  
 3775 supervisors, principals, and members of the instructional staff.

3776 (c) Compensation and salary schedules.--

3777 1. The district school board shall adopt a salary schedule  
 3778 or salary schedules designed to furnish incentives for  
 3779 improvement in training and for continued efficient service to  
 3780 be used as a basis for paying all school employees and fix and  
 3781 authorize the compensation of school employees on the basis  
 3782 thereof.

3783 2. A district school board, in determining the salary  
 3784 schedule for instructional personnel, must base a portion of  
 3785 each employee's compensation on performance demonstrated under  
 3786 s. 1012.34, must consider the prior teaching experience of a  
 3787 person who has been designated state teacher of the year by any  
 3788 state in the United States, and must consider prior professional  
 3789 experience in the field of education gained in positions in

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3790 addition to district level instructional and administrative  
 3791 positions.

3792 3. In developing the salary schedule, the district school  
 3793 board shall seek input from parents, teachers, and  
 3794 representatives of the business community.

3795 4. Beginning with the 2002-2003 fiscal year, each district  
 3796 school board must adopt a performance-pay policy for school  
 3797 administrators and instructional personnel. The district's  
 3798 performance-pay policy is subject to negotiation as provided in  
 3799 chapter 447; however, the adopted salary schedule must allow  
 3800 school administrators and instructional personnel who  
 3801 demonstrate outstanding performance, as measured under s.  
 3802 1012.34, to earn a 5-percent supplement in addition to their  
 3803 individual, negotiated salary. The supplements shall be funded  
 3804 from the performance-pay reserve funds adopted in the salary  
 3805 schedule. ~~Beginning with the 2004-2005 academic year, the~~  
 3806 ~~district's 5-percent performance-pay policy must provide for the~~  
 3807 ~~evaluation of classroom teachers within each level of the salary~~  
 3808 ~~career ladder provided in s. 1012.231.~~ The Commissioner of  
 3809 Education shall determine whether the district school board's  
 3810 adopted policy and salary schedule complies with the requirement  
 3811 for performance-based pay. If the district school board fails to  
 3812 comply with this section, the commissioner may ~~shall~~ withhold  
 3813 disbursements from the Educational Enhancement Trust Fund to the  
 3814 district and take any other measure provided by law necessary to  
 3815 ensure compliance until compliance is verified.

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3816           5. Beginning with the 2007-2008 academic year, each  
3817 district school board shall adopt a salary schedule with  
3818 differentiated pay for both instructional personnel and school-  
3819 based administrators. The salary schedule is subject to  
3820 negotiation as provided in chapter 447 and must allow  
3821 differentiated pay based on district-determined factors,  
3822 including, but not limited to, additional responsibilities,  
3823 school demographics, critical shortage areas, and level of job  
3824 performance difficulties.

3825           (h) Planning and training time for teachers.--The district  
3826 school board shall ~~may~~ adopt rules to make provisions for  
3827 teachers to have time for lunch, professional ~~and some~~ planning,  
3828 and professional development training time when they will not be  
3829 directly responsible for the children if, ~~provided that~~ some  
3830 adult supervision is ~~shall be~~ furnished for the students during  
3831 such periods.

3832           (i) Comprehensive program of staff development.--The  
3833 district school board shall establish a comprehensive program of  
3834 staff development that incorporates school improvement plans  
3835 pursuant to s. 1001.42 and is aligned with principal leadership  
3836 training pursuant to s. 1012.985 as a part of the plan.

3837           (3) Annually provide to the Department of Education the  
3838 negotiated collective bargaining contract for the school  
3839 district and the salary and benefits for the personnel or  
3840 officers of any educator association which are paid by the  
3841 school district. The district school board shall report using

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3842 the computer format prescribed by the department pursuant to s.  
3843 1012.21.

3844 Section 57. Section 1012.2315, Florida Statutes, is  
3845 created to read:

3846 1012.2315 Assignment of teachers.--

3847 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature  
3848 finds disparities between teachers assigned to teach in a  
3849 majority of "A" graded schools and teachers assigned to teach in  
3850 a majority of "F" graded schools. The disparities can be found  
3851 in the average years of experience, the median salary, and the  
3852 performance of the teachers on teacher certification  
3853 examinations. It is the intent of the Legislature that district  
3854 school boards have flexibility through the collective bargaining  
3855 process to assign teachers more equitably across the schools in  
3856 the district.

3857 (2) ASSIGNMENT TO SCHOOLS GRADED "D" OR "F."--School  
3858 districts may not assign a higher percentage than the school  
3859 district average of first-time teachers, temporarily certified  
3860 teachers, teachers in need of improvement, or out-of-field  
3861 teachers to schools with above the school district average of  
3862 minority and economically disadvantaged students or schools that  
3863 are graded "D" or "F." Each school district shall annually  
3864 certify to the Commissioner of Education that this requirement  
3865 has been met. If the commissioner determines that a school  
3866 district is not in compliance with this subsection, the State  
3867 Board of Education shall be notified and shall take action

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3868 pursuant to s. 1008.32 in the next regularly scheduled meeting  
 3869 to require compliance.

3870 (3) SALARY INCENTIVES.--District school boards are  
 3871 authorized to provide salary incentives to meet the requirement  
 3872 of subsection (2). A district school board may not sign a  
 3873 collective bargaining agreement that precludes the school  
 3874 district from providing sufficient incentives to meet this  
 3875 requirement.

3876 (4) COLLECTIVE BARGAINING.--Notwithstanding provisions of  
 3877 chapter 447 relating to district school board collective  
 3878 bargaining, collective bargaining provisions may not preclude a  
 3879 school district from providing incentives to high-quality  
 3880 teachers and assigning such teachers to low-performing schools.

3881 (5) REPORT.--Schools graded "D" or "F" shall annually  
 3882 report their teacher-retention rate. Included in this report  
 3883 shall be reasons listed for leaving by each teacher who left the  
 3884 school for any reason.

3885 Section 58. Subsection (2) of section 1012.27, Florida  
 3886 Statutes, is amended to read:

3887 1012.27 Public school personnel; powers and duties of  
 3888 district school superintendent.--The district school  
 3889 superintendent is responsible for directing the work of the  
 3890 personnel, subject to the requirements of this chapter, and in  
 3891 addition the district school superintendent shall perform the  
 3892 following:

3893 (2) COMPENSATION AND SALARY SCHEDULES.--Prepare and  
 3894 recommend to the district school board for adoption a salary

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3895 | schedule or salary schedules. The district school superintendent  
 3896 | must recommend a salary schedule for instructional personnel  
 3897 | which bases a portion of each employee's compensation on  
 3898 | performance demonstrated under s. 1012.34. In developing the  
 3899 | recommended salary schedule, the district school superintendent  
 3900 | shall include input from parents, teachers, and representatives  
 3901 | of the business community. Beginning with the 2007-2008 ~~2004-~~  
 3902 | ~~2005~~ academic year, the recommended salary schedule for  
 3903 | classroom teachers shall be consistent with the district's  
 3904 | differentiated-pay policy ~~career ladder~~ based upon s. 1012.22 ~~s.~~  
 3905 | ~~1012.231~~.

3906 |         Section 59. Subsection (6) of section 1012.28, Florida  
 3907 | Statutes, is amended to read:

3908 |             1012.28 Public school personnel; duties of school  
 3909 | principals.--

3910 |             (6) A school principal who fails to comply with this  
 3911 | section shall be ineligible for any portion of the performance  
 3912 | pay policy incentive and differentiated pay under s. 1012.22 ~~s.~~  
 3913 | ~~1012.22(1)(c)~~.

3914 |         Section 60. Paragraph (a) of subsection (3) of section  
 3915 | 1012.34, Florida Statutes, is amended to read:

3916 |             1012.34 Assessment procedures and criteria.--

3917 |             (3) The assessment procedure for instructional personnel  
 3918 | and school administrators must be primarily based on the  
 3919 | performance of students assigned to their classrooms or schools,  
 3920 | as appropriate. Pursuant to this section, a school district's  
 3921 | performance assessment is not limited to basing unsatisfactory

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3922 performance of instructional personnel and school administrators  
3923 upon student performance, but may include other criteria  
3924 approved to assess instructional personnel and school  
3925 administrators' performance, or any combination of student  
3926 performance and other approved criteria. The procedures must  
3927 comply with, but are not limited to, the following requirements:

3928 (a) An assessment must be conducted for each employee at  
3929 least once a year. The assessment must be based upon sound  
3930 educational principles and contemporary research in effective  
3931 educational practices. The assessment must primarily use data  
3932 and indicators of improvement in student performance assessed  
3933 annually as specified in s. 1008.22 and may consider results of  
3934 peer reviews in evaluating the employee's performance. Student  
3935 performance must be measured by state assessments required under  
3936 s. 1008.22 and by local assessments for subjects and grade  
3937 levels not measured by the state assessment program. The  
3938 assessment criteria must include, but are not limited to,  
3939 indicators that relate to the following:

- 3940 1. Performance of students.
- 3941 2. Ability to maintain appropriate discipline.
- 3942 3. Knowledge of subject matter. The district school board  
3943 shall make special provisions for evaluating teachers who are  
3944 assigned to teach out-of-field.
- 3945 4. Ability to plan and deliver instruction, ~~including~~  
3946 ~~implementation of the rigorous reading requirement pursuant to~~  
3947 ~~s. 1003.415, when applicable,~~ and the use of technology in the  
3948 classroom.

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- 3949 |           5. Ability to evaluate instructional needs.
- 3950 |           6. Ability to establish and maintain a positive
- 3951 | collaborative relationship with students' families to increase
- 3952 | student achievement.
- 3953 |           7. Other professional competencies, responsibilities, and
- 3954 | requirements as established by rules of the State Board of
- 3955 | Education and policies of the district school board.

3956 |           Section 61. Subsection (4) of section 1012.56, Florida  
 3957 | Statutes, is amended to read:

3958 |           1012.56 Educator certification requirements.--

3959 |           (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable means  
 3960 | of demonstrating mastery of subject area knowledge are:

3961 |           (a) Achievement of passing scores on subject area  
 3962 | examinations required by state board rule;

3963 |           (b) Completion of the subject area specialization  
 3964 | requirements specified in state board rule and verification of  
 3965 | the attainment of the essential subject matter competencies by  
 3966 | the district school superintendent of the employing school  
 3967 | district or chief administrative officer of the employing state-  
 3968 | supported or private school for a subject area for which a  
 3969 | subject area examination has not been developed and required by  
 3970 | state board rule;

3971 |           (c) Completion of the subject area specialization  
 3972 | requirements specified in state board rule for a subject  
 3973 | coverage requiring a master's or higher degree and achievement  
 3974 | of a passing score on the subject area examination specified in  
 3975 | state board rule;

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3976 (d) A valid professional standard teaching certificate  
 3977 issued by another state; or

3978 (e) A valid certificate issued by the National Board for  
 3979 Professional Teaching Standards or a national educator  
 3980 credentialing board approved by the State Board of Education.

3981  
 3982 School districts are encouraged to provide mechanisms for those  
 3983 middle school teachers holding only a K-6 teaching certificate  
 3984 to obtain a subject area coverage for middle grades through  
 3985 postsecondary coursework or district add-on certification.

3986 Section 62. Section 1012.98, Florida Statutes, is amended  
 3987 to read:

3988 1012.98 School Community Professional Development Act.--

3989 (1) The Department of Education, public postsecondary  
 3990 educational institutions, public school districts, public  
 3991 schools, state education foundations, consortia, and  
 3992 professional organizations ~~and public schools~~ in this state  
 3993 shall work collaboratively ~~collaborate~~ to establish a  
 3994 coordinated system of professional development. The purpose of  
 3995 the professional development system is to increase student  
 3996 achievement, enhance classroom instructional strategies that  
 3997 promote rigor and relevance throughout the curriculum, and  
 3998 prepare students for continuing education and the workforce. The  
 3999 system of professional development must align to the standards  
 4000 adopted by the state and support the framework for standards  
 4001 adopted by the National Staff Development Council ~~enable the~~  
 4002 ~~school community to meet state and local student achievement~~

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4003 ~~standards and the state education goals and to succeed in school~~  
4004 ~~improvement as described in s. 1000.03.~~

4005 (2) The school community includes students and parents,  
4006 administrative personnel, managers, instructional personnel,  
4007 support personnel, members of district school boards, members of  
4008 school advisory councils, business partners, and personnel that  
4009 provide health and social services to students.

4010 (3) The activities designed to implement this section  
4011 must:

4012 (a) Support and increase the success of educators through  
4013 collaboratively developed school improvement plans that focus  
4014 on:

4015 1. Enhanced and differentiated instructional strategies to  
4016 engage students in rigorous and relevant curriculum based on ~~in~~  
4017 guiding student learning and development so as to implement  
4018 state and local educational standards, goals, and initiatives;

4019 2. Increased opportunities to provide meaningful  
4020 relationships between teachers and all students; and

4021 3. Increased opportunities for professional collaboration  
4022 among and between teachers, guidance counselors, instructional  
4023 leaders, postsecondary educators engaged in preservice training  
4024 for new teachers, and the workforce community.

4025 (b) Assist the school community in providing stimulating,  
4026 scientific ~~scientifically~~ research-based educational activities  
4027 that encourage and motivate students to achieve at the highest  
4028 levels and to participate as ~~become~~ active learners and that

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4029 prepare students for success at subsequent educational levels  
 4030 and the workforce.

4031 (c) Provide continuous support for all education  
 4032 professionals as well as temporary intervention for education  
 4033 professionals who need improvement in knowledge, skills, and  
 4034 performance.

4035 (4) The Department of Education, school districts,  
 4036 schools, community colleges, and state universities share the  
 4037 responsibilities described in this section. These  
 4038 responsibilities include the following:

4039 (a) The department shall ~~develop and~~ disseminate to the  
 4040 school community research-based ~~model~~ professional development  
 4041 methods and programs that have demonstrated success in meeting  
 4042 identified student needs. The Commissioner of Education shall  
 4043 use data on student achievement to identify student needs. The  
 4044 methods of dissemination must include a web-based statewide  
 4045 performance support system, including a database of exemplary  
 4046 professional development activities, a listing of available  
 4047 professional development resources, training programs, and  
 4048 available assistance.

4049 (b) Each school district shall develop a professional  
 4050 development system as specified in subsection (3). The system  
 4051 shall be developed in consultation with teachers, teacher-  
 4052 educators ~~and representatives~~ of community colleges ~~college~~ and  
 4053 state universities ~~university faculty~~, business and community  
 4054 representatives ~~agencies~~, and local education foundations,  
 4055 consortia, and professional organizations ~~other interested~~

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4056 ~~citizen groups to establish policy and procedures to guide the~~  
4057 ~~operation of the district professional development program.~~ The  
4058 professional development system must:

4059 1. Be approved by the department. All substantial  
4060 revisions to the system shall be submitted to the department for  
4061 review for continued approval.

4062 2. Be based on analyses ~~Require the use of student~~  
4063 achievement data and instructional strategies and methods that  
4064 support rigorous, relevant, and challenging curricula for all  
4065 students. Schools and districts, in developing and refining the  
4066 professional development system, shall also review and monitor,  
4067 school discipline data; school environment surveys; assessments  
4068 of parental satisfaction; performance appraisal data of  
4069 teachers, managers, and administrative personnel; and other  
4070 performance indicators to identify school and student needs that  
4071 can be met by improved professional performance.

4072 3. Provide inservice activities coupled with followup  
4073 support ~~that are~~ appropriate to accomplish district-level and  
4074 school-level improvement goals and standards. The inservice  
4075 activities for instructional personnel shall ~~primarily~~ focus on  
4076 analysis of student achievement data, ongoing formal and  
4077 informal assessments of student achievement, identification and  
4078 use of enhanced and differentiated instructional strategies that  
4079 emphasize rigor, relevance, and reading in the content areas,  
4080 enhancement of subject content expertise, integrated use of  
4081 classroom technology that enhances teaching and learning and  
4082 ~~teaching methods, including technology, as related to the~~

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4083 ~~Sunshine State Standards, assessment and data analysis,~~  
 4084 classroom management, parent involvement, and school safety.

4085 4. Include a master plan for inservice activities,  
 4086 pursuant to rules of the State Board of Education, for all  
 4087 district employees from all fund sources. The master plan shall  
 4088 be updated annually by September 1, must be based on input from  
 4089 teachers and district and school instructional leaders, and must  
 4090 use the latest available student achievement data and research  
 4091 to enhance rigor and relevance in the classroom. Each district  
 4092 inservice plan must be aligned to and support the school-based  
 4093 inservice plans and school improvement plans pursuant to s.  
 4094 1001.42(16). District plans using criteria for continued  
 4095 ~~approval as specified by rules of the State Board of Education.~~  
 4096 ~~Written verification that the inservice plan meets all~~  
 4097 ~~requirements of this section must be approved by the district~~  
 4098 school board submitted annually in order to ensure compliance  
 4099 with subsection (1) and to allow for dissemination of research-  
 4100 based best practices to other districts to the commissioner by  
 4101 October 1. District school boards must submit verification of  
 4102 their approval to the Commissioner of Education no later than  
 4103 October 1, annually.

4104 5. Require each school principal to establish and maintain  
 4105 an individual professional development plan for each  
 4106 instructional employee assigned to the school as a seamless  
 4107 component to the school improvement plans developed pursuant to  
 4108 1001.42(16). The individual professional development plan must:

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- 4109           a. Be related to specific performance data for the  
 4110 students to whom the teacher is assigned.
- 4111           b. Define the inservice objectives and specific measurable  
 4112 improvements expected in student performance as a result of the  
 4113 inservice activity.
- 4114           c. Include an evaluation component that determines the  
 4115 effectiveness of the professional development plan.
- 4116           6. Include inservice activities for school administrative  
 4117 personnel that address updated skills necessary for ~~effective~~  
 4118 ~~school management and instructional leadership and effective~~  
 4119 school management pursuant to s. 1012.986.
- 4120           7. Provide for systematic consultation with regional and  
 4121 state personnel designated to provide technical assistance and  
 4122 evaluation of local professional development programs.
- 4123           8. Provide for delivery of professional development by  
 4124 distance learning and other technology-based delivery systems to  
 4125 reach more educators at lower costs.
- 4126           9. Provide for the continuous evaluation of the quality  
 4127 and effectiveness of professional development programs in order  
 4128 to eliminate ineffective programs and strategies and to expand  
 4129 effective ones. Evaluations must consider the impact of such  
 4130 activities on the performance of participating educators and  
 4131 their students' achievement and behavior.
- 4132           ~~(c) Each community college and state university shall~~  
 4133 ~~assist the department, school districts, and schools in the~~  
 4134 ~~design, delivery, and evaluation of professional development~~  
 4135 ~~activities. This assistance must include active participation in~~

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4136 | ~~state and local activities required by the professional~~  
4137 | ~~development system.~~

4138 |        (c) ~~(d)~~ The Department of Education shall approve a public  
4139 | state university having an approved physical education teacher  
4140 | preparation program within its college of education to develop  
4141 | and implement an Internet-based clearinghouse for physical  
4142 | education professional development programs that may be accessed  
4143 | and used by all instructional personnel. The development of  
4144 | these programs shall be financed primarily by private funds and  
4145 | shall be available for use no later than August 1, 2005.

4146 |        (5) Each district school board shall provide funding for  
4147 | the professional development system as required by s. 1011.62  
4148 | and the General Appropriations Act, and shall direct  
4149 | expenditures from other funding sources to continuously  
4150 | strengthen the system in order to increase student achievement  
4151 | and support instructional staff in enhancing rigor and relevance  
4152 | in the classroom ~~and make it uniform and coherent.~~ A school  
4153 | district may coordinate its professional development program  
4154 | with that of another district, with an educational consortium,  
4155 | or with a community college or university, especially in  
4156 | preparing and educating personnel. Each district school board  
4157 | shall make available inservice activities to instructional  
4158 | personnel of nonpublic schools in the district and the state  
4159 | certified teachers who are not employed by the district school  
4160 | board on a fee basis not to exceed the cost of the activity per  
4161 | all participants.

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4162 (6) An organization of private schools which has no fewer  
 4163 than 10 member schools in this state, which publishes and files  
 4164 with the Department of Education copies of its standards, and  
 4165 the member schools of which comply with the provisions of part  
 4166 II of chapter 1003, relating to compulsory school attendance,  
 4167 may also develop a professional development system that includes  
 4168 a master plan for inservice activities. The system and inservice  
 4169 plan must be submitted to the commissioner for approval pursuant  
 4170 to rules of the State Board of Education.

4171 (7) The Department of Education shall disseminate, using  
 4172 web-based technology, research-based best-practice design  
 4173 methods by which the state and district school boards may  
 4174 evaluate and improve the professional development system. The  
 4175 best practices ~~evaluation~~ must include ~~an annual assessment of~~  
 4176 data that indicate the ~~progress or lack of progress~~ of all  
 4177 students. ~~If the review of the data indicates progress, the~~  
 4178 ~~department shall identify the best practices that contributed to~~  
 4179 ~~the progress. If the review of the data indicates a lack of~~  
 4180 ~~progress, the department shall investigate the causes of the~~  
 4181 ~~lack of progress, provide technical assistance, and require the~~  
 4182 ~~school district to employ a different approach to professional~~  
 4183 ~~development.~~ The department shall report annually to the State  
 4184 Board of Education and the Legislature any school district that,  
 4185 in the determination of the department, has failed to provide an  
 4186 adequate professional development system. This report must  
 4187 include the results of the department's investigation and of any  
 4188 intervention provided.

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4189 (8) The State Board of Education may adopt rules pursuant  
 4190 to ss. 120.536(1) and 120.54 to administer this section.

4191 (9) This section does not limit or discourage a district  
 4192 school board from contracting with independent entities for  
 4193 professional development services and inservice education if the  
 4194 district school board can demonstrate to the Commissioner of  
 4195 Education that, through such a contract, a better product can be  
 4196 acquired or its goals for education improvement can be better  
 4197 met.

4198 (10) For teachers, managers, and administrative personnel  
 4199 who have been evaluated as less than satisfactory, a district  
 4200 school board shall require participation in specific  
 4201 professional development programs as part of the improvement  
 4202 prescription.

4203 (11) The department shall disseminate to the school  
 4204 community proven model professional development programs that  
 4205 have demonstrated success in increasing rigorous and relevant  
 4206 content, increasing student achievement and engagement, and  
 4207 meeting identified student needs. The methods of dissemination  
 4208 must include a web-based statewide performance-support system  
 4209 including a database of exemplary professional development  
 4210 activities, a listing of available professional development  
 4211 resources, training programs, and available technical  
 4212 assistance.

4213 Section 63. Section 1012.986, Florida Statutes, is created  
 4214 to read:

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4215           1012.986 William Cecil Golden Professional Development  
 4216 Program for School Leaders.--  
 4217           (1) There is established the William Cecil Golden  
 4218 Professional Development Program for school leaders to provide  
 4219 high standards and sustained support for principals as  
 4220 instructional leaders. The program shall consist of a  
 4221 collaborative network of state and national professional  
 4222 leadership organizations to respond to instructional leadership  
 4223 needs throughout the state. The network shall support the human-  
 4224 resource development needs of principals, principal leadership  
 4225 teams, and candidates for principal leadership positions using  
 4226 the framework of leadership standards adopted by the State Board  
 4227 of Education, the Southern Regional Education Board, and the  
 4228 National Staff Development Council. The goal of the network  
 4229 leadership program is to:  
 4230           (a) Provide resources to support and enhance the  
 4231 principal's role as the instructional leader.  
 4232           (b) Maintain a clearinghouse and disseminate data-  
 4233 supported information related to enhanced student achievement,  
 4234 based on educational research and best practices.  
 4235           (c) Build the capacity to increase the quality of programs  
 4236 for preservice education for aspiring principals and inservice  
 4237 professional development for principals and principal leadership  
 4238 teams.  
 4239           (d) Support best teaching and research-based instructional  
 4240 practices through dissemination and modeling at the preservice  
 4241 and inservice levels for both teachers and principals.

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4242           (2) The Department of Education shall coordinate through  
 4243 the network identified in subsection (1) to offer the program  
 4244 through multiple delivery systems, including:

4245           (a) Approved school district training programs.

4246           (b) Interactive technology-based instruction.

4247           (c) Regional consortium service organizations pursuant to  
 4248 s. 1001.451.

4249           (d) State, regional, or local leadership academies.

4250           (3) The State Board of Education shall adopt rules  
 4251 pursuant to ss. 120.536(1) and 120.54 to administer this  
 4252 section.

4253           Section 64. Section 1012.987, Florida Statutes, is  
 4254 repealed.

4255           Section 65. This act shall take effect upon becoming a  
 4256 law.