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CS/CS/CS/HB 287

2016 Legislature

1
2 An act relating to the Principal Autonomy Pilot
3 Program Initiative; creating s. 1011.6202, F.S.;
4 creating the Principal Autonomy Pilot Program
5 Initiative; providing a procedure for certain district
6 school boards to participate in the pilot program;
7 providing requirements for participating school
8 districts and schools; exempting participating schools
9 from certain laws and rules; requiring principals of
10 participating schools and specified personnel to
11 participate in a nationally recognized school
12 turnaround program; providing for the term of
13 participation in the pilot program; providing for
14 renewal or revocation of authorization to participate
15 in the pilot program; providing for reporting,
16 funding, eligibility requirements for certain funding,
17 and rulemaking; amending s. 1011.69, F.S.; requiring
18 participating district school boards to allocate a
19 specified percentage of certain funds to participating
20 schools; amending s. 1012.28, F.S.; providing
21 additional authority and responsibilities of the
22 principal of a participating school; providing
23 appropriations; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:
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27 Section 1. Section 1011.6202, Florida Statutes, is created
 28 to read:

29 1011.6202 Principal Autonomy Pilot Program Initiative.—The
 30 Principal Autonomy Pilot Program Initiative is created within
 31 the Department of Education. The purpose of the pilot program is
 32 to provide the highly effective principal of a participating
 33 school with increased autonomy and authority to operate his or
 34 her school in a way that produces significant improvements in
 35 student achievement and school management while complying with
 36 constitutional requirements. The State Board of Education may,
 37 upon approval of a principal autonomy proposal, enter into a
 38 performance contract with up to seven district school boards for
 39 participation in the pilot program.

40 (1) PARTICIPATING SCHOOL DISTRICTS.—The district school
 41 boards in Broward, Duval, Jefferson, Madison, Palm Beach,
 42 Pinellas, and Seminole Counties may submit to the state board
 43 for approval a principal autonomy proposal that exchanges
 44 statutory and rule exemptions for an agreement to meet
 45 performance goals established in the proposal. If approved by
 46 the state board, each of these school districts shall be
 47 eligible to participate in the pilot program for 3 years. At the
 48 end of the 3 years, the performance of all participating schools
 49 in the school district shall be evaluated.

50 (2) PRINCIPAL AUTONOMY PROPOSAL.—

51 (a) To participate in the pilot program, a school district
 52 must:

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53 1. Identify three schools that received at least two
54 school grades of "D" or "F" pursuant to s. 1008.34 during the
55 previous 3 school years.

56 2. Identify three principals who have earned a highly
57 effective rating on the prior year's performance evaluation
58 pursuant to s. 1012.34, one of whom shall be assigned to each of
59 the participating schools.

60 3. Describe the current financial and administrative
61 management of each participating school; identify the areas in
62 which each school principal will have increased fiscal and
63 administrative autonomy, including the authority and
64 responsibilities provided in s. 1012.28(8); and identify the
65 areas in which each participating school will continue to follow
66 district school board fiscal and administrative policies.

67 4. Explain the methods used to identify the educational
68 strengths and needs of the participating school's students and
69 identify how student achievement can be improved.

70 5. Establish performance goals for student achievement, as
71 defined in s. 1008.34(1), and explain how the increased autonomy
72 of principals will help participating schools improve student
73 achievement and school management.

74 6. Provide each participating school's mission and a
75 description of its student population.

76 (b) The state board shall establish criteria, which must
77 include the criteria listed in paragraph (a), for the approval
78 of a principal autonomy proposal.

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79 (c) A district school board must submit its principal
 80 autonomy proposal to the state board for approval by December 1
 81 in order to begin participation in the subsequent school year.
 82 By February 28 of the school year in which the proposal is
 83 submitted, the state board shall notify the district school
 84 board in writing whether the proposal is approved.

85 (3) EXEMPTION FROM LAWS.—

86 (a) With the exception of those laws listed in paragraph
 87 (b), a participating school is exempt from the provisions of
 88 chapters 1000-1013 and rules of the state board that implement
 89 those exempt provisions.

90 (b) A participating school shall comply with the
 91 provisions of chapters 1000-1013, and rules of the state board
 92 that implement those provisions, pertaining to the following:

93 1. Those laws relating to the election and compensation of
 94 district school board members, the election or appointment and
 95 compensation of district school superintendents, public meetings
 96 and public records requirements, financial disclosure, and
 97 conflicts of interest.

98 2. Those laws relating to the student assessment program
 99 and school grading system, including chapter 1008.

100 3. Those laws relating to the provision of services to
 101 students with disabilities.

102 4. Those laws relating to civil rights, including s.
 103 1000.05, relating to discrimination.

104 5. Those laws relating to student health, safety, and

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105 welfare.

106 6. Section 1001.42(4)(f), relating to the uniform opening
 107 date for public schools.

108 7. Section 1003.03, governing maximum class size, except
 109 that the calculation for compliance pursuant to s. 1003.03 is
 110 the average at the school level for a participating school.

111 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
 112 compensation and salary schedules.

113 9. Section 1012.33(5), relating to workforce reductions
 114 for annual contracts for instructional personnel. This
 115 subparagraph does not apply to at-will employees.

116 10. Section 1012.335, relating to annual contracts for
 117 instructional personnel hired on or after July 1, 2011. This
 118 subparagraph does not apply to at-will employees.

119 11. Section 1012.34, relating to personnel evaluation
 120 procedures and criteria.

121 12. Those laws pertaining to educational facilities,
 122 including chapter 1013, except that s. 1013.20, relating to
 123 covered walkways for relocatables, and s. 1013.21, relating to
 124 the use of relocatable facilities exceeding 20 years of age, are
 125 eligible for exemption.

126 13. Those laws pertaining to participating school
 127 districts, including this section and ss. 1011.69(2) and
 128 1012.28(8).

129 (4) PROFESSIONAL DEVELOPMENT.— Each participating school
 130 district shall require that the principal of each participating

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131 school, a three-member leadership team from each participating
132 school, and district personnel working with each participating
133 school complete a nationally recognized school turnaround
134 program which focuses on improving leadership, instructional
135 infrastructure, talent management, and differentiated support
136 and accountability. The required personnel must enroll in the
137 nationally recognized school turnaround program upon acceptance
138 into the pilot program. Each participating school district shall
139 receive \$100,000 from the department for participation in the
140 nationally recognized school turnaround program.

141 (5) TERM OF PARTICIPATION.—The state board shall authorize
142 a school district to participate in the pilot program for a
143 period of 3 years commencing with approval of the principal
144 autonomy proposal. Authorization to participate in the pilot
145 program may be renewed upon action of the state board. The state
146 board may revoke authorization to participate in the pilot
147 program if the school district fails to meet the requirements of
148 this section during the 3-year period.

149 (6) REPORTING.—Each participating school district shall
150 submit an annual report to the state board. The state board
151 shall annually report on the implementation of the Principal
152 Autonomy Pilot Program Initiative. Upon completion of the pilot
153 program's first 3-year term, the Commissioner of Education shall
154 submit to the President of the Senate and the Speaker of the
155 House of Representatives by December 1 a full evaluation of the
156 effectiveness of the pilot program.

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157 (7) FUNDING.—The Legislature shall provide an
 158 appropriation to the department for the costs of the pilot
 159 program, including administrative costs and enrollment costs for
 160 the nationally recognized school turnaround program, and an
 161 additional amount of \$10,000 for each participating principal in
 162 each participating district as an annual salary supplement, a
 163 fund for the principal's school to be used at the principal's
 164 discretion, or both, as determined by the district. To be
 165 eligible for a salary supplement under this subsection, a
 166 participating principal must:

167 (a) Be rated "highly effective" as determined by the
 168 principal's performance evaluation under s. 1012.34;

169 (b) Be transferred to a school that earned a grade of "F"
 170 or three consecutive grades of "D" pursuant to s. 1008.34 and
 171 provided additional authority and responsibilities pursuant to
 172 s. 1012.28(8); and

173 (c) Have implemented a turnaround option under s.
 174 1008.33(4) at a school as the school's principal. The turnaround
 175 option must have resulted in the school improving by at least
 176 one letter grade while he or she was serving as the school's
 177 principal.

178 (8) RULEMAKING.—The State Board of Education shall adopt
 179 rules to administer this section.

180 Section 2. Subsection (2) of section 1011.69, Florida
 181 Statutes, is amended to read:

182 1011.69 Equity in School-Level Funding Act.—

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183 (2) Beginning in the 2003-2004 fiscal year, district
 184 school boards shall allocate to schools within the district an
 185 average of 90 percent of the funds generated by all schools and
 186 guarantee that each school receives at least 80 percent, except
 187 schools participating in the Principal Autonomy Pilot Program
 188 Initiative under s. 1011.6202 are guaranteed to receive at least
 189 90 percent, of the funds generated by that school based upon the
 190 Florida Education Finance Program as provided in s. 1011.62 and
 191 the General Appropriations Act, including gross state and local
 192 funds, discretionary lottery funds, and funds from the school
 193 district's current operating discretionary millage levy. Total
 194 funding for each school shall be recalculated during the year to
 195 reflect the revised calculations under the Florida Education
 196 Finance Program by the state and the actual weighted full-time
 197 equivalent students reported by the school during the full-time
 198 equivalent student survey periods designated by the Commissioner
 199 of Education. If the district school board is providing programs
 200 or services to students funded by federal funds, any eligible
 201 students enrolled in the schools in the district shall be
 202 provided federal funds.

203 Section 3. Subsection (8) is added to section 1012.28,
 204 Florida Statutes, to read:

205 1012.28 Public school personnel; duties of school
 206 principals.—

207 (8) The principal of a school participating in the
 208 Principal Autonomy Pilot Program Initiative under s. 1011.6202

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209 has the following additional authority and responsibilities:
 210 (a) In addition to the authority provided in subsection
 211 (6), the authority to select qualified instructional personnel
 212 for placement or to refuse to accept the placement or transfer
 213 of instructional personnel by the district school
 214 superintendent. Placement of instructional personnel at a
 215 participating school in a participating school district does not
 216 affect the employee's status as a school district employee.
 217 (b) The authority to deploy financial resources to school
 218 programs at the principal's discretion to help improve student
 219 achievement, as defined in s. 1008.34(1), and meet performance
 220 goals identified in the principal autonomy proposal submitted
 221 pursuant to s. 1011.6202.
 222 (c) To annually provide to the district school
 223 superintendent and the district school board a budget for the
 224 operation of the participating school that identifies how funds
 225 provided pursuant to s. 1011.69(2) are allocated. The school
 226 district shall include the budget in the annual report provided
 227 to the State Board of Education pursuant to s. 1011.6202(6).
 228 Section 4. For the 2016-2017 fiscal year, the sums of
 229 \$700,000 in nonrecurring funds and \$210,000 in recurring funds
 230 are appropriated from the General Revenue Fund to the Department
 231 of Education to implement the provisions of this act.
 232 Section 5. This act shall take effect July 1, 2016.