

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: CS/SB 434

INTRODUCER: Education Pre-K - 12 Committee and Senator Garcia and others

SUBJECT: Principal Autonomy Pilot Program Initiative

DATE: December 7, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bailey	Klebacha	ED	Fav/CS
2.	Sikes	Elwell	AED	Pre-meeting
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 434 establishes the Principal Autonomy Pilot Program Initiative (PAPPI) within the Department of Education (DOE) to provide a highly effective principal of a participating school with increased autonomy and authority to operate his or her school in a way that produces significant improvements in student achievement and school management. Schools selected for participation in PAPPI are exempt from the K-20 Education Code and State Board of Education (SBE) rules, with exceptions.

The bill requires the Legislature to provide an appropriation to the DOE for the costs of the pilot program, including \$100,000 to each participating school district for enrollment in the University of Virginia School Turnaround Program and a \$10,000 scholarship for each participating principal for use at his or her school.

The bill takes effective on July 1, 2016.

II. Present Situation:

Principal Authority and Responsibilities

A public school principal is responsible for:¹

¹ Section 1001.54, F.S.

- Fully supporting the authority of classroom teachers and school bus drivers regarding student discipline and conduct.
- Providing instructional leadership in the development, revision, and implementation of a school improvement plan.
- Accurate and timely compliance with statutory reporting requirements.
- The management and care of instructional materials.
- Facilitating parental involvement in their child's education and providing information to parents regarding their child's educational progress and available educational choices pursuant to s. 1002.23, F.S.²

When filling instructional positions³ at the school level, the district school superintendent must consider nominations received from school principals of the respective schools in the school district.⁴ The superintendent then must make recommendations to the district school board regarding each position to be filled and the persons to fill such positions.⁵ Before transferring a classroom teacher from one school to another, the superintendent must consult with the principal of the receiving school and allow the principal to review the teacher's records, including student performance results,⁶ and interview the teacher.⁷ If a principal believes students would not benefit from the placement, he or she may request an alternative placement subject to the approval by the superintendent.⁸ However, the superintendent must accept the principal's decision to refuse placement or transfer of instructional personnel if the instructional personnel has a performance evaluation rating of needs improvement or unsatisfactory.⁹

Florida Principal Leadership Standards

The Florida Principal Leadership Standards (FPLS) are Florida's core expectations for effective school administrators, including school principals.¹⁰ The FPLS are research-based; represent necessary knowledge, skills, and abilities for effective school leadership; and are the basis for school administrator performance evaluations, professional development systems, preparation programs, and certification requirements.¹¹ The FPLS emphasize the ability to improve student learning results; development and retention of quality classroom teachers; and school management practices that promote student learning, effective allocation of resources, and efficient operations.¹²

² Section 1002.23, F.S., is referred to as the Family and School Partnership for Student Achievement Act.

³ Instructional personnel include classroom teachers; staff who provide student personnel services, e.g., certified school counselors, social workers, career specialists, and school psychologists; librarians and media specialists; other instructional staff, e.g., learning resource specialists; and education paraprofessionals under the direct supervision of instructional personnel. Section 1012.01(2), F.S.

⁴ Section 1012.27(1), F.S.

⁵ *Id.*

⁶ As measured by the instructional personnel's performance evaluation. Sections 1012.28(6) and 1012.34, F.S.

⁷ Section 1012.27, F.S.

⁸ *Id.*

⁹ Section 1012.28(6), F.S.

¹⁰ State Board of Education Rule 6A-5.080, F.A.C.

¹¹ *Id.*

¹² Section 1012.34, F.S., and Rule 6A-5.080(1)-(2), F.A.C.

Performance Evaluation

Florida law requires each district school superintendent to establish procedures to evaluate the job performance of district instructional, administrative, and supervisory personnel.¹³ School district performance evaluation systems must differentiate among four levels of performance:¹⁴

- Highly effective;
- Effective;
- Needs improvement, or for instructional personnel in their first three years of employment who need improvement, developing; and
- Unsatisfactory.

The criteria used to measure school administrator performance are student performance, instructional leadership, and professional and job responsibilities.¹⁵ At least one-third of a school administrator's evaluation must be based upon student performance, with certain exceptions.¹⁶ Evaluation of instructional leadership must include performance measures related to the effectiveness of classroom teachers in the school, the administrator's appropriate use of evaluation criteria and procedures, recruitment and retention of effective and highly effective classroom teachers, improvement in the percentage of instructional personnel evaluated at the highly effective or effective level, and other leadership practices that result in student learning growth.¹⁷

Professional Development

Professional development for school administrators is provided through school district professional development systems including the William Cecil Golden Professional Development Program for School Leaders.¹⁸ This program is established in collaboration with state and national professional leadership organizations and it is designed to respond to Florida's needs for quality school leadership and support the efforts of school leaders in improving instruction and student achievement and developing and retaining quality teachers.¹⁹ Professional development provided through the program must be based upon the FPLS and other school leadership standards.²⁰

III. Effect of Proposed Changes:

CS/SB 434 establishes the Principal Autonomy Pilot Program Initiative (PAPPI) within the Department of Education (DOE) to provide a highly effective principal of a participating school with increased autonomy and authority to operate his or her school in a way that produces significant improvements in student achievement and school management.

¹³ Section 1012.34(1)(a), F.S. The term supervisory personnel is not defined. *See* s. 1012.01(3), F.S.

¹⁴ Section 1012.34(2)(e), F.S.

¹⁵ Section 1012.34(3)(a)1., 3., and 4., F.S.

¹⁶ Section 1012.34(3)(a)1., F.S. If less than three years of data are available, the years for which data are available must be used. The proportion of growth or achievement data may be determined by instructional assignment. Section 1012.34(3)(a)1.b., F.S.

¹⁷ Section 1012.34(3)(a)3., F.S.

¹⁸ Section 1012.986, F.S.

¹⁹ *See* ss. 1012.98(4) and 1012.986, F.S.

²⁰ Section 1012.986(1)-(2), F.S.

Schools selected for participation in PAPPI are exempt from the K-20 Education Code and State Board of Education (SBE) rules, with exceptions.

Participating School Districts

The bill authorizes the SBE to enter into a performance contract with up to three district school boards for participation in PAPPI. The term of the program is three years, at which time the performance of all participating schools in the school district must be evaluated. The SBE may revoke a district's participation in the program during the term of the program and may renew participation upon expiration of the initial term. The bill specifies deadlines for submission and approval of principal autonomy proposals and requires the SBE to adopt rules for administering PAPPI, including criteria for approving proposals.

Principal Autonomy Proposal

The bill requires the school districts seeking to participate in PAPPI to submit a principal autonomy proposal to the SBE for approval. The proposal must:

- Identify three middle or high schools that received at least two school grades of “D” or “F” during the previous three school years;
- Identify three principals who have earned a highly effective rating on the prior year's performance evaluations, one of whom shall be assigned to each of the participating schools;
- Describe the current financial and administrative management of each participating school;
- Identify the areas in which each school principal will have increased fiscal and administrative autonomy, including greater autonomy regarding the hiring of instructional personnel;
- Identify the areas in which each participating school will continue to follow district school board fiscal and administrative policies;
- Explain the methods used to identify the educational strengths and needs of the participating school's students and how student achievement can be improved;
- Establish performance goals for student achievement;
- Explain how increased principal autonomy will help participating schools improve student achievement and school management; and
- Provide each participating school's mission and a description of its student population.

Principal Authority and Responsibilities

The bill revises existing law governing the personnel duties for school principals participating in PAPPI and school budgeting and calculation of expenditures to facilitate implementation of PAPPI. The bill authorizes the principal of a participating school to:

- Select qualified instructional personnel for placement at the school or refuse placement or transfer of instructional personnel by the district school superintendent;
- Deploy financial resources to school programs to help improve student achievement;
- Meet performance goals identified in the principal autonomy proposal; and
- Provide, annually, to the district school superintendent and district school board a budget for the operation of the participating school that identifies how funds are allocated.

The bill requires the principal of each participating school, a three-member leadership team from each participating school, and district personnel working with each participating school to enroll and complete the University of Virginia School Turnaround Program upon acceptance into the pilot program. Each participating school district receives \$100,000 from the DOE for participation in the University of Virginia School Turnaround Program.

The University of Virginia School Turnaround Program is a professional development program for school-level leaders established in collaboration with the University of Virginia Darden School of Business and the Curry School of Education.²¹ The three-year program is designed to respond to the needs of underperforming schools by helping education leaders identify individual key issues and develop individual strategies to turn around a school.²² The program's managers accomplish these tasks by, among other things, hosting workshops to develop turnaround plans, helping participating schools identify qualified school leaders to oversee school turnaround, and conducting on-site visits to help participating schools accomplish turnaround goals.²³ The program's managers and participating schools also collaborate to develop plans designed to help teachers and students reach performance goals.²⁴

Exemptions

The bill exempts schools participating in PAPPI from the K-20 Education Code and SBE rules, except provisions relating to:

- Election and compensation of district school board members, the election or appointment and compensation of district school superintendents, public meetings and public records requirements, financial disclosure, and conflicts of interest.
- Student assessment program, school grading system, and other school improvement and accountability requirements.
- Services to students with disabilities.
- Civil rights and discrimination.
- Student health, safety, and welfare.
- Uniform opening date for public schools.
- Maximum class size, except that compliance for a participating school is calculated at the school-level average, rather than at the individual classroom level.²⁵
- Personnel compensation and salary schedules.
- Workforce reductions for annual contracts for instructional personnel, excluding at-will employees.
- Annual contracts for instructional personnel hired on or after July 1, 2011, excluding at-will employees.
- Personnel performance evaluations.

²¹ University of Virginia, *Darden/Curry Partnership for Leadership in Education*, <http://www.darden.virginia.edu/darden-curry-ple/about/> (last visited November 10, 2015).

²² University of Virginia, *Darden Partnership for Leadership in Education*, available at <http://web3.darden.virginia.edu/ple/>.

²³ *Id.*

²⁴ *Id.*

²⁵ The Florida Constitution provides that class sizes may not exceed 18 students for prekindergarten through 3rd grade; 22 students for 4th through 8th grades; and 25 students for 9th through 12th grades. *Section* 1(a), Art. IX of the State Constitution and s. 1003.03(1), F.S. The law provides for calculation of class size compliance at the school-level average for public schools of choice, including charter schools. Sections 1002.31(5) and 1002.33(16)(b)3., F.S.

- Educational facilities, excluding provisions governing covered walkways for relocatables and use of relocatable facilities exceeding 20 years of age.
- Administration and implementation of PAPPI.

Funding of the Program

The bill requires the Legislature to provide an appropriation to the DOE for the costs of the pilot program, including administrative costs and enrollment costs for the University of Virginia School Turnaround Program and an additional \$10,000 for each participating principal to use at his or her school.

The bill specifies that a school participating in PAPPI must be guaranteed to receive at least 90 percent of the funds generated in the Florida Education Finance Program (FEFP), including gross state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary millage levy by that school rather than current law which specifies at least 80 percent of the FEFP funds generated by that school.

Evaluation and Reporting

The bill authorizes a school district to participate in the pilot program for a period of three years. The SBE may renew or revoke a school district's participation in PAPPI if the school district fails to meet the requirements of the program.

The bill requires a participating school district to annually submit a report to the SBE regarding program implementation. Upon completion of the program's first three-year term, the Commissioner of Education must submit a full evaluation of the program's effectiveness to the President of the Senate and the Speaker of the House of Representatives by December 1 of that year.

The bill takes effect on July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill requires the Legislature to provide an appropriation to the DOE for the costs of the pilot program, including administrative costs and enrollment costs for the University of Virginia School Turnaround Program. If all potential schools participate in the pilot, the total appropriation required for the three participating districts in the 2016-2017 fiscal year would be \$390,000.

The bill requires the principal of each participating school, a three-member leadership team from each participating school, and district personnel working with each participating school to enroll and complete the University of Virginia School Turnaround Program upon acceptance into the pilot program. Each participating school district would receive \$100,000 from the DOE for participation in the University of Virginia School Turnaround Program and an additional \$10,000 for each participating principal to use at his or her participating school.

The bill specifies that schools participating in PAPPI must be guaranteed to receive at least 90 percent of the funds generated in the FEFP by that school rather than current law which specifies at least 80 percent of the funds generated by that school based upon the Florida Education Finance Program (FEFP), including gross state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary millage levy.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 1011.69 and 1012.28 of the Florida Statutes.

This bill creates s. 1011.6202 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K – 12 on November 18, 2015:

The committee substitute authorizes the exemption from the K-20 Education Code and State Board of Education rules to the schools participating in the Principal Autonomy Pilot Program Initiative rather than their respective school districts.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
