

STORAGE NAME: h4281.ei
DATE: March 19, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
EDUCATION INNOVATION
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 4281
RELATING TO: School Improvement and Education Accountability
SPONSOR(S): Committee on Education Innovation and Representative Melvin
COMPANION BILL(S): SB 1126 (Similar)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) EDUCATION INNOVATION YEAS 7 NAYS 0
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I. SUMMARY:

HB 4281 establishes the Florida Distinguished Educator School Improvement Teams. The teams will be comprised of “outstanding” state and district educators and administrators in all academic disciplines and fields of administration. The Department may determine what types of experienced people they need on a team and, based on that determination, may include retired teachers and administrators and other business, professional, and vocational people. The chosen fields of expertise and people will be based upon an appraisal of the needs of the school where the team is being sent.

The Department will include the team in the training program they develop for facilitators of school improvement. The duties of the Florida Distinguished Educator School Improvement Teams will be:

- To develop a school improvement plan for a school which does not have an approved school improvement plan.
- To assist in or as part of the implementation of an assistance and intervention plan for a school which does not meet or make adequate progress, based on the recommendations of the Florida Commission on Education Reform and Accountability. Schools operating under an assistance and intervention plan will be required to use the Team and they will have priority for the Team’s assistance. Public notice will be given of the department’s intervention.

The receiving school district will pay the cost of sending the Team to a school for either of the two functions listed above.

The bill does not specifically outline criteria for eligibility as a member of the Florida Distinguished Educator Team nor how the team members are chosen. It does, however, specify that they be “outstanding state and district educators and administrators in all academic disciplines and fields of administration”. No rulemaking authority is given to the department to specifically outline the process and procedures for selection.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Section 229.592, F.S., establishes a state system of school improvement and accountability. The Commissioner of Education is responsible for implementing and maintaining the system through the following programs and procedures:

- System of data collection and analysis
- Program to analyze information to identify schools, programs and activities
- Method of delivering services to assist school districts and schools to improve
- Method of coordinating goals, plans and incentives

The Department of Education implements a training program for state and district educators to develop school improvement facilitators. These facilitators help schools and districts conduct needs assessments and develop and implement school improvement plans which meet state goals.

If a school, school advisory council, district, or school board requests technical assistance and training, the department will provide this assistance and training in the following areas:

- Conducting needs assessments
- Developing and implementing school improvement plans
- Developing and implementing assistance and intervention plans
- Implementing other components of school improvement and accountability

Every school must have an approved school improvement plan before the district receives any funds from the Educational Enhancement Trust Fund. The department sends a team to each school which does not have an approved school improvement plan to help develop that plan. When the plan is approved, the department releases the funds. Public notice is given and each school without a plan is identified when the department intervenes.

Pursuant to s. 230.23(16), F.S., the district school board has the power and the duty to implement school improvement and accountability, including:

- Approving and requiring implementation of a new, amended or continuation school improvement plan for each school in the district;
- Developing a process for approving a school improvement plan presented by an individual school and its advisory council;
- Developing a 3-year plan of increasing individualized assistance and intervention for each school that does not meet or make adequate progress

toward meeting the goals and standards of its approved school improvement plan.;

- Notifying the Florida Commission on Education Reform and Accountability and the State Board of Education if a school does not make adequate progress after 3 years;
- Providing public information on student performance and educational programs, and;
- Providing funds to schools for developing and implementing school improvement plans.

Low Performing Schools

Critically low-performing schools were first designated in Florida in 1995. Elementary schools will be listed if students for two consecutive years fail to meet state standards in reading, writing and math. The standards are based on district-administered reading and math tests and the statewide Florida Writes! assessment. A low performing school is so labeled by the state when the school does not meet test score requirements. Listed schools must write a specific improvement plan in conjunction with district staffers.

Help from the Department of Education is through department staff members who are assigned to work with the school in charting ways to improve. DOE may visit the school to observe and offer suggestions. State help becomes more extensive with each year the school is on the list.

Florida is one of approximately 22 states that identifies low-performing schools and allows some type of intervention.

Other States

Although intervention policies vary from state to state, most offer some additional resources and/or professional support to help school's succeed and more and more are developing incentive programs as a means of encouraging lower-performing schools to improve. Sometimes the state pays for the technical assistance; other times the state requires the districts to reallocate their resources to cover the extra expenses. (Policy Brief on Accountability from Education Commission of the States, March 1997)

The teams sent in to help the district or school get back on track are given various names such as "distinguished educators", "external change agents", and "auditing team". The teams often help develop more effective management techniques, resulting in changes in structure and decisionmaking as well as helping with teacher planning, staff development, and other needs. Some states may also appoint an interim leader to restructure the system. (Policy Brief on Accountability from Education Commission of the States, March 1997)

Kentucky

The "Kentucky Distinguished Educator" Program was statutorily initiated in 1991. In addition to serving as teaching ambassadors to spread the message that teaching is an

important and fulfilling profession and assisting the Department of Education with research projects and staff development efforts, the distinguished educators accept assignments in schools whose percentage of successful students declined. One or more distinguished educators will be sent to a school district where the proportion of successful students declines by five percent or more in any biennium. They are assigned to the school by the commissioner of education to:

- Work in a school on a full-time or part-time basis for a designated period of time to assist the school staff with implementing its school improvement plan. The distinguished educator has the authority in a school in crisis to make decisions previously made by the school staff.
- Help to increase the effectiveness of the staff, parents, the civic and business community, and government and private agencies in improving the school's performance.
- Evaluate certified staff in a "school in crisis" and, notwithstanding any other statute to the contrary, make recommendations every six months on retention, dismissal, or transfer.
- Complete an intensive training program, provided by the Department of Education and approved by the Kentucky Board of Education, prior to being assigned to assist a school's staff with implementing its school improvement plan. The training program includes instruction in methods of personnel evaluation, school organization, school curriculum, and assessment.

Of the 54 schools with declining test scores that were assigned distinguished educators in 1995, all improved their performance by 1996, and two-thirds of them earned rewards through the state's accountability program. In May 1997 there were 49 distinguished educators assigned to schools.

To become a distinguished educator, the applicant must nominate themselves for the program, be certified in Kentucky as an educator, have five years of experience, and have three years of recent involvement in education. Additionally, the selection process provides a broad spectrum of instructional positions and generates statewide representation. The distinguished educators are given one year of sabbatical leave and are paid in accordance with their current salary.

North Carolina

North Carolina, in 1996, implemented a plan based on accountability, recognition, assistance and intervention in order to hold each school and the school's personnel accountable for improved student performance in the school. If students do not achieve a year's worth of growth for a year's worth of work, and the school does not meet the expected growth standard and is low-performing, the school will be provided assistance by a state-level team of practicing and retired educators from public schools, universities, and community colleges. Once assigned to a low-performing school, a team has six duties:

- Review and investigate all facets of school operations and assist in developing recommendations for improving student performance

- Evaluate at least semiannually school personnel and make findings and recommendations concerning their performance
- Collaborate with school staff, central office staff, and the school board in designing, implementing, and monitoring a plan that can reasonably be expected to improve student performance
- Make recommendations as the school develops and implements the plan
- Review the school's progress
- Report on the school's progress, as appropriate, to the local school board, the community and the state Board

If student performance does not improve despite the assistance team's efforts, the team may recommend continued assistance or recommend that the state board dismiss personnel.

B. EFFECT OF PROPOSED CHANGES:

HB 4281 establishes the Florida Distinguished Educator School Improvement Teams. The teams will be comprised of "outstanding" state and district educators and administrators in all academic disciplines and fields of administration, including, at the Department's discretion, retired teachers and administrators and other business, vocational, and professional people. The intent is that the Teams will supplement, not duplicate, the Department's current efforts in the structure, usage, and training of recognized practitioners to facilitate local school improvement efforts.

The Department will conduct an appraisal of the needs of the school to which the team will be going and, based upon those needs, will determine what types of experience and who will comprise the best possible team for that particular school's situation. To allow flexibility in the initial stages of establishing the Teams, the bill does not assign specific periods of time for the teams to work with schools nor how selected team members will be selected or released from their currently assigned duties.

The Department will include the team in the training program they develop for facilitators of school improvement. The duties of the Florida Distinguished Educator School Improvement Teams will be:

- To develop a school improvement plan for a school which does not have an approved school improvement plan after 1 full year of planning and development.
- To assist in or as part of the implementation of an assistance and intervention plan for a school which does not meet or make adequate progress, based on the recommendations of the Florida Commission on Education Reform and Accountability. Schools operating under an assistance and intervention plan will be required to use the Team and they will have priority for the Team's assistance. Public notice will be given of the department's intervention.

The receiving school district will pay the cost of sending the Team to a school for either of the two functions listed above.

The bill does not specifically outline criteria for eligibility as a member of the Florida Distinguished Educator Team nor how the team members are chosen. It does, however, specify that they be "outstanding state and district educators and administrators in all academic disciplines and fields of administration".

No rulemaking authority is given to the department to specifically outline the process and procedures for selection. However, the bill does give flexibility to the Department and districts in determining what skills the Team members would need, how they would receive training, and how a district or school would deal with the absence of a staff person who serves on a Team.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

N/A

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

The department already offers assistance to schools to develop and implement school improvement plans or assistance and intervention plans.

(3) any entitlement to a government service or benefit?

N/A

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No

b. Does the bill require or authorize an increase in any fees?

N/A

c. Does the bill reduce total taxes, both rates and revenues?

N/A

d. Does the bill reduce total fees, both rates and revenues?

N/A

e. Does the bill authorize any fee or tax increase by any local government?

N/A

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

The districts are responsible for the cost of sending the Team.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

N/A

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

- (5) Are families penalized for not participating in a program?

N/A

- b. Does the bill directly affect the legal rights and obligations between family members?

N/A

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

- (1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Amends Sections 229.592 and 230.23, Florida Statutes.

E. SECTION-BY-SECTION RESEARCH:

Section 1 Amends s. 229.592, F.S., adding "outstanding" to describe state and district educators in the Department of Education's training program for facilitators of school improvement. Adds administrators in all academic disciplines and fields of administration to the cadre of facilitators for which the training program is developed. Allows Department to include, as they deem appropriate based on an appraisal of the school's needs, to include retired teachers and administrators and other business, vocational, and business people on the team. Requires that facilitators be organized into Florida distinguished Educator School Improvement Teams.

Provides that the assistance and training that the department offers will be provided as part of an assistance and intervention and approved by a district school board as part of the school improvement and accountability. Provides that priority for assistance and training will be given to schools operating under an assistance and intervention plan approved by the school board as part of the school improvement and accountability.

Provides department will send a Florida Distinguished Educator School Improvement Team to each school without an approved school improvement and accountability plan. Provides that the receiving school district will pay the cost of sending the Team to develop a school improvement plan. Provides that the department will release Educational Enhancement Trust Fund monies when the school improvement plan is approved. Provides that schools without an approved school improvement plan will identified through a public notice. Provides that if an assistance and intervention plan has been approved by the district school board for the school improvement and accountability, the department will send a Florida Distinguished Educator School Improvement Team to assist in the implementation of the assistance and intervention plan and notice of the department's intervention will be given to the public.

Section 2 Requires that each assistance and intervention plan under the system of school improvement and education accountability will include the use of a Florida Distinguished Educator School Improvement Team.

Section 3 Provides an effective date of July 1 of the year in which enacted.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. FISCAL COMMENTS:

Fiscal issues include providing travel and per diem for team members while training. When the team members are sent to a specific school, that school district will pay for the cost of that team. The bill outlines two situations where the teams will be used. In the first case where a school does not have an approved school improvement plan, it is not anticipated that the Team will be used often since districts have processes in place to ensure that all schools have approved plans in place annually.

In the second case where the district is required to include a Team in an assistance and intervention plan for a school that is not making adequate progress, the Team could be used more often. The Department estimates that at \$300 per day per team member, a five member team spending five days at a school would equal of total of \$7500 in expenses. During the 1995-1996 school year, 158 schools did not make adequate progress by state criteria. The total costs for these 158 schools would have been \$1,185,000; however, the individual districts where the schools are located would have paid the costs. Currently, the Department pays under \$2 million annually to supply a cadre of team leaders for school improvement; the districts pay none of these costs.

The districts do sometimes pay expenses for faculty members from a lower performing school to spend time on successful school campuses to observe best practices and to hold informal conversations with educators.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to expend funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority of counties or municipalities to raise revenue.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties and municipalities.

V. COMMENTS:

N/A

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VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

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