

By Senator Sullivan

22-1262-99

1 A bill to be entitled
2 An act relating to public schools; requiring
3 school principals to prepare individualized
4 professional development programs for
5 instructional personnel; requiring a review of
6 student progress as a basis for the design and
7 evaluation of the programs; requiring a
8 performance evaluation to include consideration
9 of the quality of professional development
10 activities; authorizing rules; creating a
11 program to increase student achievement in
12 certain schools; providing legislative intent;
13 providing for the identification of eligible
14 schools; requiring school districts to provide
15 certain assistance to the schools; requiring a
16 professional development program; requiring a
17 needs analysis based upon student achievement;
18 requiring certain components; requiring a plan
19 to increase the number of master teachers at
20 certain schools; encouraging certain services;
21 requiring an evaluation; providing criteria;
22 providing certain responsibilities of the
23 Education Standards Commission and the Office
24 of Program Policy and Government
25 Accountability; requiring a report; authorizing
26 a salary increase for certain principals and
27 teachers; authorizing rules; requiring that
28 contracts with teachers contain certain
29 provisions relating to content area of advanced
30 degrees; amending s. 231.085, F.S.; adding to
31 the responsibilities of principals; amending s.

1 236.08106, F.S.; authorizing salary increases
2 and bonuses for certain principals and
3 teachers; providing an effective date.
4

5 Be It Enacted by the Legislature of the State of Florida:
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7 Section 1. Individualized professional development
8 program; oversight by principals.--

9 (1) The principal is responsible for evaluating the
10 professional development needs of instructional personnel at
11 his or her school. Each principal shall base the evaluation on
12 reports of the progress of students in content areas for which
13 the teacher is responsible and may use additional criteria as
14 provided by rules or policies of the school district.

15 (2) Based upon this review, each principal shall
16 submit to the school board and the teacher an individualized
17 professional development plan for each teacher. The report to
18 the district may be in the form of a summary of the required
19 components and an estimate of the number of teachers who
20 require them. The principal shall certify that at least 50
21 percent of any professional development program prescribed in
22 the plan is based on the subject area content for which the
23 teacher is responsible.

24 (3) Beginning July 1, 2000, when a superintendent
25 evaluates the performance of a principal, he or she shall
26 consider the quality of the principal's efforts to upgrade the
27 competency of the teachers at the school. A principal whose
28 efforts are exemplary is eligible for a salary increase or
29 bonus as provided in section 236.08106, Florida Statutes, and
30 the annual Appropriations Act. Exemplary effort must be
31 demonstrated by reports of student progress as well as by

1 documentation of teachers' successful involvement in
2 individualized professional development activities.

3 (4) The Department of Education shall adopt rules to
4 assure that the conditions under which principals are eligible
5 for salary bonuses for exemplary performance are meaningful
6 and consistent statewide. The rules may categorize schools and
7 identify the level of student progress and of staff
8 participation in prescribed professional development
9 activities that constitutes exemplary performance by the
10 principal of each category of school.

11 Section 2. Incentives for improvement of student
12 achievement in selected schools.--

13 (1) The Legislature finds that teaching is the most
14 important element for student learning in school, and that
15 teachers must possess adequate knowledge of the content of
16 subject matter they are expected to impart. The Legislature
17 further finds that some schools have a particularly acute need
18 for teachers with excellent qualifications and motivations.
19 Those schools have a large proportion of students whose
20 performance is beneath the level expected for their age and
21 grade or have a large proportion of students from families
22 with economic disadvantages. Therefore, the Legislature
23 intends to:

24 (a) Provide rewards and incentives to principals and
25 teachers who improve schools by improving student learning;

26 (b) Focus those rewards upon schools that can most
27 benefit from improvements in teaching and learning; and

28 (c) Improve the preparation of all teachers through a
29 concentration on subject matter content in professional
30 development programs.

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1 (2) The Commissioner of Education shall identify
2 schools that have acute need, using criteria that must include
3 the socioeconomic status of students at the schools and the
4 average scores on statewide student assessment instruments.
5 The commissioner may also include criteria such as the number
6 of students who are enrolled at the school for less than a
7 full school year, the number whose native language is not
8 English, the number of incidents of disruptive behavior at the
9 school, or any other measure that the commissioner identifies
10 as likely to make teaching and learning more difficult than it
11 would be if the school did not possess that characteristic.
12 The commissioner is not required to select only the schools
13 identified as critically low performing schools, but is
14 encouraged to select as many schools for which an intensive
15 effort in improvement is possible given the funds appropriated
16 in any year.

17 (3) Each school district that contains a school
18 identified by the commissioner pursuant to subsection (2)
19 shall provide the principal of the school with additional
20 staff positions to enable the teachers to participate in the
21 professional development activities required by this act. The
22 Department of Education shall quantify the number of
23 additional staff required for each school identified by the
24 commissioner, based upon the size of the school and the
25 requirements of the professional development program.

26 (4) The Education Standards Commission shall work with
27 the principals of the selected schools to develop an intensive
28 professional development program for the principals and
29 teachers of the schools.

30 (a) The program may include components of programs
31 already in place in the school district, but it must also

1 include components designed to meet the particular needs of
2 instructional staff at the school. The needs must be
3 identified using data on student performance in each teacher's
4 classroom.

5 (b) These components must be content-based and must
6 focus on methods that have proved successful in improving
7 student performance in a particular content area.

8 (c) The professional development program must provide
9 classroom support for each participating teacher or principal
10 for at least 1 year after the formal participation is
11 completed.

12 (5) The school district shall develop a plan to
13 encourage teachers with demonstrated success in improving
14 student performance to remain at or transfer to schools
15 selected as provided in subsection (2).

16 (a) If a teacher whose mastery has been formally
17 recognized by the designation of Teacher of the Year at the
18 district or state level, or who is certified by the National
19 Board of Professional Teaching Standards, requests assignment
20 to a school identified as provided in subsection (2), the
21 school board and the principal shall make every practical
22 effort to grant the request. Such a teacher is eligible for
23 additional salary increases or bonuses if he or she is
24 assigned to a selected school, as provided in s. 236.08106,
25 Florida Statutes.

26 (b) The Department of Education may authorize
27 additional criteria to identify teachers who are eligible to
28 earn the rewards provided in this act. Those criteria must
29 include a recommendation by the principal at the selected
30 school and documentation of improved student performance in
31 the teacher's classroom during the previous year or several

1 years. Teachers identified under this paragraph may transfer
2 to a selected school or they may be teaching already at a
3 selected school with demonstrated mastery as measured by
4 improved student performance. Such a teacher is eligible for
5 additional salary increases or bonuses if he or she is
6 assigned to a selected school, as provided in s. 236.08106,
7 Florida Statutes.

8 (6) The school district is encouraged to provide
9 additional components of a comprehensive program of school
10 improvement at selected schools. Those components may include
11 visiting students' homes, assisting parents to oversee
12 homework, creating tutorial programs, providing after-school
13 programs, pairing of teachers with experience and mastery with
14 other teachers for planning periods and mentoring, and
15 lowering the ratio of students to teachers in classes that are
16 difficult for students as revealed by performance data.

17 (7) Each school identified as provided in subsection
18 (2) must be evaluated annually according to a process to be
19 planned and overseen by the Education Standards Commission and
20 the Office of Program Policy and Government Accountability.
21 The evaluation must include an assessment of student progress
22 as measured by any combination of the following criteria
23 identified by the commission, depending upon the grade levels
24 of children at the school: student assessment instruments,
25 grades, number of absences or times tardy, progression from
26 grade to grade, number of students over age for grade,
27 incidents of disruptive behavior, levels of courses taken,
28 standard diplomas granted, rate of enrollment in postsecondary
29 education, passing rate on the college entry level placement
30 test, and postsecondary education or employment levels
31 following high school graduation.

1 (8) Annually the Department of Education shall report
2 to the Legislature on the activities conducted as a result of
3 appropriations to implement this act.

4 (a) The report must list the schools selected, the
5 number of teacher transfers effected by district and school,
6 any increases or decreases in the number of master teachers
7 at the school and how that status was determined, the number
8 and types of professional development activities provided and
9 their attendance rates, any class size increases or
10 reductions, and any gains or losses in student performance
11 during the year.

12 (b) The department may also report on changes in other
13 measures used in selecting schools for the program. The
14 Legislature encourages the department to assess and report the
15 effect of the program on a school's environment, such as the
16 perceptions of the school's success by students, school
17 personnel, and parents.

18 (9) A principal of a school selected pursuant to
19 paragraph (2) is eligible for a salary increase or bonus as
20 provided in section 236.08106, Florida Statutes, if the
21 performance of students at the school improves sufficiently
22 after the professional development program has been in effect
23 for 1 year or more. The Department of Education shall
24 determine criteria that constitute sufficient improvement in
25 student performance to warrant the rewards authorized by this
26 act.

27 (10) A teacher at a school selected pursuant to
28 paragraph (2) is eligible for a salary increase or bonus as
29 provided in section 236.08106, Florida Statutes, if:

30 (a) The teacher has achieved mastery as identified by
31 a formal procedure such as the designation of Teacher of the

1 Year at the district or state level or is certified by the
2 National Board of Professional Teaching Standards. The salary
3 increase or bonus must be in addition to that provided because
4 of the NBPTS certification.

5 (b) The teacher successfully completes the prescribed
6 professional development program, is recommended by the
7 principal, and demonstrates mastery by improvements in the
8 achievement of students in his or her classes, as identified
9 by the Education Standards Commission.

10 (11) The Department of Education shall adopt rules to
11 define conditions under which a teacher or principal is
12 eligible for a salary bonus as authorized by this section. The
13 rules may define completion of a prescribed professional
14 development program and provide a formula by which student
15 progress may be measured and used to affirm that the teacher
16 has demonstrated mastery.

17 Section 3. The Legislature intends that school
18 districts provide fiduciary rewards to teachers who pursue
19 graduate-level education and earn masters or doctorate degrees
20 related to a content area for which they are responsible.
21 Therefore, by December 31, 2000, each school district shall
22 renegotiate any standard contracts with teachers so that its
23 reward to a teacher who obtains an advanced degree will apply
24 only to a degree that relates to a content area for which the
25 teacher is responsible. The renegotiation process must not
26 affect teachers who have benefitted from degrees earned in
27 2000 or before. The school district must identify the advanced
28 degrees that relate to each content area for which a teacher
29 may be certified.

30 Section 4. Section 231.085, Florida Statutes, is
31 amended to read:

1 231.085 Duties of principals.--A district school board
2 shall employ, through written contract, public school
3 principals who shall supervise the operation and management of
4 the schools and property as the board determines necessary.
5 Each principal shall perform such duties as may be assigned by
6 the superintendent pursuant to the rules of the school board.
7 Such rules shall include, but not be limited to, rules
8 relating to administrative responsibility, instructional
9 leadership of the educational program of the school to which
10 the principal is assigned, submission of personnel
11 recommendations to the superintendent, administrative
12 responsibility for records and reports, administration of
13 corporal punishment, and student suspension. Each principal
14 shall provide leadership in the development or revision and
15 implementation of a school improvement plan pursuant to s.
16 230.23(16) and in the development and implementation of
17 individualized professional development plans for
18 instructional personnel pursuant to section 1 of this act.

19 Section 5. Section 236.08106, Florida Statutes, 1998
20 Supplement, is amended to read:

21 236.08106 Excellent Teaching Program.--

22 (1) The Legislature recognizes that teachers play a
23 critical role in preparing students to achieve the high levels
24 of academic performance expected by the Sunshine State
25 Standards. The Legislature further recognizes the importance
26 of identifying and rewarding teaching excellence and of
27 encouraging good teachers to become excellent teachers.

28 (a) The Legislature finds that the National Board of
29 Professional Teaching Standards (NBPTS) has established high
30 and rigorous standards for accomplished teaching and has
31 developed a national voluntary system for assessing and

1 certifying teachers who demonstrate teaching excellence by
2 meeting those standards.

3 (b) The Legislature further finds that principals and
4 teachers meet high and rigorous standards when their schools
5 and students make significant improvements in achievement as
6 measured pursuant to sections 1 and 2 of this act.

7 (c) It is therefore the Legislature's intent to
8 provide incentives for teachers to seek NBPTS certification
9 and to reward teachers who demonstrate teaching excellence by
10 attaining NBPTS certification or by achieving and maintaining
11 the standards provided in sections 1 and 2 of this act. These
12 incentives should continue for teachers who achieve excellence
13 and ~~share~~ ~~sharing~~ their expertise with other teachers.

14 (2) The Excellent Teaching Program is created to
15 provide categorical funding for monetary incentives and
16 bonuses for teaching excellence. The Department of Education
17 shall allocate and distribute to each school district an
18 amount as prescribed annually by the Legislature for the
19 Excellent Teaching Program. Unless otherwise provided in the
20 General Appropriations Act, each school district's annual
21 allocation shall be the sum of the amounts earned for the
22 following incentives and bonuses:

23 (a) A fee subsidy to be paid by the school district to
24 the NBPTS on behalf of each individual who is an employee of
25 the district school board or a public school within that
26 school district, who is certified by the district to have
27 demonstrated satisfactory teaching performance pursuant to s.
28 231.29 and who satisfies the prerequisites for participating
29 in the NBPTS certification program, and who agrees, in
30 writing, to pay 10 percent of the NBPTS participation fee and
31 to participate in the NBPTS certification program during the

1 school year for which the fee subsidy is provided. The fee
2 subsidy for each eligible participant shall be an amount equal
3 to 90 percent of the fee charged for participating in the
4 NBPTS certification program, but not more than \$1,800 per
5 eligible participant. The fee subsidy is a one-time award and
6 may not be duplicated for any individual.

7 (b) A portfolio-preparation incentive of \$150 for each
8 teacher employed by the district school board or a public
9 school within the district who is participating in the NBPTS
10 certification program. The portfolio-preparation incentive is
11 a one-time award paid during the school year for which the
12 NBPTS fee subsidy is provided.

13 (c) An annual bonus equal to 10 percent of the prior
14 fiscal year's statewide average salary for classroom teachers
15 to be paid to each individual who holds NBPTS certification
16 and is employed by the district school board or by a public
17 school within that school district and a similar bonus to
18 teachers and principals who demonstrate excellence through
19 improved student achievement, measured as prescribed in
20 sections 1 and 2 of this act. The district school board shall
21 distribute the annual bonus to each individual who meets the
22 requirements of this paragraph and who is certified annually
23 by the district to have demonstrated satisfactory teaching
24 performance pursuant to s. 231.29 or sections 1 and 2 of this
25 act. The annual bonus may be paid as a single payment or
26 divided into not more than three payments.

27 (d) An annual bonus equal to 10 percent of the prior
28 fiscal year's statewide average salary for classroom teachers
29 to be paid to each individual who meets the requirements of
30 paragraph (c) and agrees, in writing, to provide the
31 equivalent of 12 workdays of mentoring and related services to

1 public school teachers within the district who do not hold
2 NBPTS certification and who have not demonstrated excellence
3 as prescribed by sections 1 and 2 of this act. The district
4 school board shall distribute the annual bonus in a single
5 payment following the completion of all required mentoring and
6 related services for the year. It is not the intent of the
7 Legislature to remove excellent teachers from their assigned
8 classrooms; therefore, credit may not be granted by a school
9 district or public school for mentoring or related services
10 provided during the regular school day or during the 196 days
11 of required service for the school year.

12 (e) The district shall receive an amount equal to 50
13 percent of the teacher bonuses provided under paragraphs (c)
14 and (d), which shall be used by the district for professional
15 development of teachers. The district must give priority to
16 using all funds received pursuant to this paragraph for
17 professional development of teachers employed at schools
18 identified as performing at critically low levels or
19 identified as having an acute need for excellent teachers, as
20 provided in section 2 of this act.

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22 A teacher for whom the state pays the certification fee and
23 who does not complete the certification program or does not
24 teach in a public school of this state for a least 1 year
25 after completing the certification program must repay the
26 amount of the certification fee to the state. However, a
27 teacher who completes the certification program but fails to
28 be awarded NBPTS certification is not required to repay the
29 amount of the certification fee if the teacher meets the
30 1-year teaching requirement. Repayment is not required of a
31 teacher who does not complete the certification program or

1 fails to fulfill the teaching requirement because of the
2 teacher's death or disability or because of other extenuating
3 circumstances as determined by the State Board of Education.

4 Section 6. This act shall take effect July 1, 1999.

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7 SENATE SUMMARY

8 Revises provisions relating to public schools. Requires
9 principals to prepare certain professional development
10 programs for instructional personnel, following a review
11 of student progress and a performance evaluation. Creates
12 a program to increase student achievement in certain
13 schools, provides for identification of eligible schools,
14 and requires districts to provide certain assistance to
15 these schools.

16 Requires a plan to increase the number of master teachers
17 at certain schools. Establishes responsibilities of the
18 Education Standards Commission and the Office of Program
19 Policy and Government. Authorizes a salary increase for
20 certain principals and teachers. Establishes advance
21 degree provisions in teacher contracts and revises
22 responsibilities of principals. Authorizes salary
23 increases for certain principals and teachers. (See bill
24 for details.)
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