

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 Committee on Education Pre-K - 12

BILL: SB 434

INTRODUCER: Senators Garcia and Gaetz

SUBJECT: Principal Autonomy Pilot Program Initiative

DATE: November 17, 2015 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bailey	Klebacha	ED	Pre-meeting
2.	_____	_____	AED	_____
3.	_____	_____	AP	_____

I. Summary:

SB 434 establishes the Principal Autonomy Pilot Program Initiative (PAPPI) within the Department of Education 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.

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

The bill takes effective on July 1, 2016.

II. Present Situation:

Principal Authority and Responsibilities

Among other things, a public school principal is responsible for:¹

- 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

¹ Section 1001.54, F.S.

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

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

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

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.

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.

- 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:

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.

School districts 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

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.

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 of 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

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).

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 SBE approval of a PAPPI proposal allows a district to participate in PAPPI and be exempt from the K-20 Education Code and State Board of Education (SBE) rules, with exceptions.

The bill exempts participating school districts from the K-20 Education Code and SBE rules implementing such provisions, 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.
- Educational facilities, excluding provisions governing covered walkways for relocatables and use of relocatable facilities exceeding 20 years of age.
- Administration and implementation of PAPPI by participating school districts.

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.

A school district participating under PAPPI has broader exemptions from law and rule than afforded to academically high-performing school districts²⁶ and school districts operating an innovation school of technology.²⁷

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 the school.

Specifically, the bill provides a participating principal greater authority to deploy financial resources and control over his or her school's operational budget.

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.

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.

²⁶ Section 1003.621, F.S., outlines statutory flexibilities for academically high-performing school districts, which are districts that meet the following requirements: Earn grades of "A" for 2 consecutive years, has no district-operated school that earns a grade of "F", complies with all class size requirements, and has no material weaknesses or instances of material noncompliance noted in the annual financial audit. On May 20, 2014, the State Board of Education designated 11 school districts as 2013-2014 Academically High-Performing School Districts: Citrus, Gilchrist, Martin, Nassau, Okaloosa, St. Johns, Santa Rosa, Sarasota, Seminole, Sumter, and Wakulla counties. Florida Department of Education, *State Board of Education Consent Item* (May 2014), available at <http://www.fl DOE.org/core/fileparse.php/5444/urlt/0075021-6021.pdf>.

²⁷ Section 1002.451(5), F.S.

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.

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 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 creates s. 1011.6202 of the Florida Statutes. Also, this bill substantially amends sections 1011.69 and 1012.28 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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