

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

BILL: CS/SB 1552

INTRODUCER: Education Committee and Senator Simmons

SUBJECT: Florida Best and Brightest Teacher and Principal Scholar Award Program

DATE: April 4, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bouck	Graf	ED	Fav/CS
2.			AED	
3.			AP	
4.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1552 establishes the Florida Best and Brightest Teacher and Principal Scholar Award Program (Award Program) to recognize the contributions of teachers and principals in student success and performance outcomes. The bill provides eligibility criteria:

- For a full-time classroom teacher and a full-time school administrator to qualify for the Award Program scholarship; and
- For a newly hired full-time classroom teacher and full-time school administrator to qualify for a one-time hiring bonus.

Specifically, the bill requires that to qualify for the Award Program a teacher or an administrator must:

- Be employed on an annual contract or probationary contract;
- Participate in the school district's performance salary schedule;
- Meet one of the achievement requirements specified in the bill; and
- Meet one of the performance requirements specified in the bill, which include:
 - For existing teachers and administrators, a "highly effective" rating or commitment to working in a low-performing school for 3 years and a "highly effective" rating for 2 out of 3 years.
 - For newly hired teachers and administrators, graduation from or completion of a specified undergraduate program with a 3.0 grade point average, and commitment to working for three years in a Florida public school or critical teacher shortage area.

The bill requires the State Board of Education to expeditiously adopt rules to implement the Award Program.

The bill takes effect on July 1, 2017.

II. Present Situation:

The Florida Best and Brightest Teacher Scholarship Program provides categorical funding for scholarships to be awarded to classroom teachers¹ who have demonstrated a high level of academic achievement.²

To be eligible for a scholarship, a classroom teacher must have:³

- Achieved a composite score at or above the 80th percentile on either the SAT or the ACT based on the National Percentile Ranks⁴ in effect when the classroom teacher took the assessment.
- An evaluation of highly effective⁵ in the school year immediately preceding the year in which the scholarship will be awarded, unless the classroom teacher is newly hired by the district school board and has not been evaluated.

The schedule for the scholarship award is:

- No later than November 1, an eligible classroom teacher must submit to the school district an official record of his or her SAT or ACT score demonstrating a score at or above the 80th percentile based on the National Percentile Ranks in effect when the teacher took the assessment.⁶
- Annually, by December 1, each school district must submit to the Department of Education (DOE) the number of eligible classroom teachers who qualify for the scholarship.

¹ A classroom teacher is defined as a staff member assigned the professional activity of instructing students in courses in classroom situations, including basic instruction, exceptional student education, career education, and adult education, including substitute teachers. Includes classroom teachers in school districts, the Florida School for the Deaf and the Blind, and charter schools. Section 1012.731(7), F.S.

² Section 1012.731(2), F.S. *See also* s. 25, ch. 2016-62, L.O.F.

³ Section 1012.731(3)(a), F.S.

⁴ Percentile ranks represent the percentage of students who score equal to or below the score the student obtained.

⁵ Instructional personnel are assigned among four levels of performance, as “highly effective,” “effective,” “needs improvement” (or “developing” for instructional personnel in the first three years of employment), or “unsatisfactory.” Section 1012.34(2)(e), F.S. All instructional personnel and school administrators employed by Florida’s public school districts must undergo an annual performance evaluation based on sound educational principles and contemporary research in effective educational practices. Evaluations occur annually, except that newly hired classroom teachers are evaluated twice in their first year of teaching in a school district. Section 1012.34(3)(a), F.S. The evaluation criteria for instructional personnel include student performance, instructional practice, and professional and job responsibilities. Section 1012.34(3)(a)1., 2., and 4., F.S. School administrator evaluation criteria include instructional leadership. Section 1012.34(3)(a)3., F.S. Likewise, the evaluation criteria for school administrators include student performance and professional and job responsibilities. Section 1012.34(3)(a)1. and 4., F.S. Instructional leadership practices are also included in school administrator evaluations. Section 1012.34(3)(a)3., F.S.

⁶ Once a classroom teacher is deemed eligible by the school district, the teacher remains eligible as long as he or she remains employed by the school district as a classroom teacher at the time of the award and receives an annual performance evaluation rating of highly effective. Section 1012.731(3)(b), F.S.

- Annually, by February 1, the DOE must disburse scholarship funds to each school district for each eligible classroom teacher to receive a scholarship as provided in the General Appropriations Act. A scholarship in the amount provided in the General Appropriations Act must be awarded to every eligible classroom teacher. If the number of eligible classroom teachers exceeds the total appropriation authorized in the General Appropriations Act, the department must prorate the per-teacher scholarship amount.⁷
- Annually, by April 1, each school district must award the scholarship to each eligible classroom teacher.

The current statute is scheduled to expire on July 1, 2017.⁸

For the 2016-2017 fiscal year, the Legislature appropriated funds in the amount of \$49,000,000 for the Florida Best and Brightest Teacher Scholarship Program.⁹ According to proviso in the 2016 General Appropriations Act, the scholarship amount may be up to \$10,000 to be awarded to every eligible classroom teacher.¹⁰

III. Effect of Proposed Changes:

CS/SB 1552 establishes the Florida Best and Brightest Teacher and Principal Scholar Award Program (Award Program) to recognize the contributions of teachers and principals in student success and performance outcomes. The bill provides eligibility criteria:

- For a full-time classroom teacher and a full-time school administrator to qualify for the Award Program scholarship; and
- For a newly hired full-time classroom teacher and full-time school administrator to qualify for a one-time hiring bonus.

Specifically, the bill requires that to qualify for the Award Program a teacher or an administrator must:

- Be employed on an annual contract or probationary contract;
- Participate in the school district's performance salary schedule;
- Meet one of the achievement requirements specified in the bill; and
- Meet one of the performance requirements specified in the bill, which include:
 - For existing teachers and administrators, a "highly effective" rating or commitment to working in a low-performing school for 3 years and a "highly effective" rating for 2 out of 3 years.
 - For newly hired teachers and administrators, graduation from or completion of a specified undergraduate program with a 3.0 grade point average, and commitment to working for three years in a Florida public school or critical teacher shortage area.

⁷ Section 1012.731(5), F.S.

⁸ Section 1012.731(8), F.S.

⁹ Specific Appropriation 103, ch. 2016-66, L.O.F.

¹⁰ *Id.* There were 7,188 total eligible teachers in 2016-2017. Florida Department of Education, *Florida's Best & Brightest Teacher Scholarship Program*, presentation to The Florida Senate Appropriations Subcommittee on Pre-K-12 (January 25, 2017). This would equate to a prorated award of \$6,817 per eligible teacher.

The bill provides for funding for the Award Program in the General Appropriations Act, and provides criteria to prioritize specified awards if the scholarship must be prorated.

Eligibility Requirements and Awards for Existing Teachers and School Administrators

The bill provides that, to receive an Award Program scholarship, a full-time classroom teacher or full-time administrator must:

- Be employed on an annual contract or probationary contract¹¹ and participate in the school district's performance salary schedule.¹²
- Meet one of the following achievement requirements:
 - For a classroom teacher, a score at or above the 90th percentile on the Florida Teacher Certification Examination in a subject that he or she is teaching.
 - For a school administrator, a score at or above the 90th percentile on the Florida Educational Leadership Examination.
 - For a classroom teacher or school administrator, a composite score at or above the 80th percentile on either the SAT or the ACT based on the National Percentile Ranks in effect when the classroom teacher or school administrator took the assessment.
 - For a classroom teacher or school administrator, a composite score on the GRE, LSAT, GMAT, or MCAT at or above a score adopted by the State Board of Education (SBE).¹³
 - For a classroom teacher or school administrator, a cumulative undergraduate or graduate grade point average of at least 3.5 on a 4.0 scale, as verified on the teacher's or administrator's official final college transcript.
- Meet one of the following performance requirements:
 - Received a rating of highly effective in the school year immediately preceding the year in which the scholarship will be awarded.
 - If he or she works in a low-performing school¹⁴ or a school that was designated by the department as low-performing within the previous 2 years and commits to working at the school for at least 3 years, must have been received a rating of highly effective in the school year immediately preceding the first year in which the scholarship will be awarded and maintain a highly effective evaluation rating in at least 2 of every 3 annual performance evaluations, based on a rolling 3-year period.

¹¹ An annual contract is an employment contract for a period of no longer than one school year that a district school board may choose to award or not award without cause. Section 1012.335(1)(a), F.S. As of July 1, 2011, all new hires of instructional personnel are under annual contract basis, but does not include substitute teachers. *Id.* and (1) and (2). The first annual contract for a newly hired instructional personnel is a one-year probationary contract. *Id.*

¹² The performance salary schedule predicates adjustments to an instructional personnel's base salary upon his or her annual performance evaluation. Section 1012.34, F.S. Instructional personnel and school administrators hired on or after July 1, 2014, and instructional personnel on annual contracts as of July 1, 2014, must be placed on the performance salary schedule. Section 1012.22(1)(c)4. and 5., F.S. Under the performance salary schedule, annual salary adjustments may only be given to employees rated highly effective or effective on annual performance evaluations. Section 1012.22(1)(c)5.b., F.S.

¹³ The GRE is the Graduate Record Examination; the LSAT is the Law School Admissions Test; the GMAT is the Graduate Management Admission Test; and the MCAT is the Medical College Admission Test.

¹⁴ The Department of Education must annually identify each public school in need of intervention and support to improve student academic performance; school earning a grade of "D" or "F" under the school grading system are schools in need of intervention and support. Section 1008.33(3)(b), F.S.

Eligibility Requirements and Awards for Newly Hired Teachers and School Administrators

The bill creates a separate eligibility category for newly hired classroom teachers and school administrators. A newly hired teacher and school administrator, who has not been evaluated, is not eligible for the Award Program scholarship, but may receive a one-time hiring bonus of \$10,000 if he or she meets the following conditions:

- Be employed on an annual contract or probationary contract¹⁵ and participate in the school district's performance salary schedule.¹⁶
- Meet one of the following achievement requirements:
 - For a classroom teacher, a score at or above the 90th percentile on the Florida Teacher Certification Examination in a subject that he or she is teaching.
 - For a school administrator, a score at or above the 90th percentile on the Florida Educational Leadership Examination.
 - For a classroom teacher or school administrator, a composite score at or above the 80th percentile on either the SAT or the ACT based on the National Percentile Ranks in effect when the classroom teacher or school administrator took the assessment.
 - For a classroom teacher or school administrator, a composite score on the GRE, LSAT, GMAT, or MCAT at or above a score adopted by the SBE.¹⁷
 - For a classroom teacher or school administrator, a cumulative undergraduate or graduate grade point average of at least 3.5 on a 4.0 scale, as verified on the teacher's or administrator's official final college transcript.
- Meet one of the following performance requirements:
 - Be a recipient of the Florida Prepaid Tuition Scholarship Program¹⁸ who graduated with a minimum 3.0 grade point average and commits, pursuant to SBE rule, to working in a Florida public school for at least 3 years.
 - Have completed the college reach-out program¹⁹ and graduated with a minimum 3.0 grade point average, and commits, pursuant to SBE rule, to working in a Florida public school for at least 3 years.
 - Be a Florida college or university graduate of an approved Florida teacher preparation program,²⁰ with a minimum 3.0 grade point average, and commits, pursuant to SBE rule, to working in a critical teacher shortage area²¹ at a Florida public school for at least 3 years.

In subsequent school years, such classroom teacher and school administrator may earn a scholarship award if he or she also maintains his or her initial commitments.

¹⁵ *Supra* note 14

¹⁶ *Supra* note 15

¹⁷ *Supra* note 16

¹⁸ Section 1009.984, F.S.

¹⁹ Section 1007.34, F.S.

²⁰ Section 1004.04, F.S.

²¹ The term "critical teacher shortage area" means high-need content areas and high-priority location areas identified by the State Board of Education. Section 1012.07, F.S.

Prioritization of Awards

The bill requires that a scholarship in the amount provided in the General Appropriations Act (GAA) be awarded to every eligible classroom teacher and administrator. If the number of eligible classroom teachers and school administrators exceeds the total appropriation authorized in the GAA, the bill requires the department to prorate the per-scholar scholarship award amount, except that prior to the distribution of funds, the following priorities apply:

- Classroom teachers and school administrators who commit, pursuant to SBE rule, to working in a low-performing school and meet the specified eligibility criteria, must receive an award equal to a full scholarship award amount.
- Newly hired classroom teachers and school administrators who commit, pursuant to SBE rule, to working in a Florida public school and specified eligibility criteria must receive a one-time hiring bonus of up to \$10,000.

Award Program Implementation

Similar to the Florida Best and Brightest Teacher Scholarship Program, the bill establishes the following schedule:

- By November 1, an eligible classroom teacher or school administrator must submit an official record of his or her achievement of the specified eligibility criteria. After a classroom teacher or school administrator is deemed eligible by the school district, including a teacher deemed eligible for the Florida Best and Brightest Teacher Scholarship Program in fiscal years 2015-2016 and 2016-2017, such classroom teacher or school administrator remains eligible as long as he or she maintains employment by the school district and meets other specified requirements.
- Annually, by December 1, each school district must submit to the Department of Education (DOE) the number of classroom teachers or school administrators who qualify for the scholarship.
- Annually, by February 1, the DOE must distribute scholarship funds to each school district.
- Annually, by April 1, each school district must distribute the scholarship awards to eligible classroom teachers and school administrators.

The bill requires the SBE to expeditiously adopt rules to implement the Award Program.

The bill may assist with recruiting and retaining qualified classroom teachers and school administrators in Florida.

The bill takes effect on July 1, 2017.

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:

CS/SB 1552 modifies the current Florida Best and Brightest Teacher Scholarship Program by revising classroom teacher eligibility, adding school administrators and establishing eligibility criteria, and creating a one-time hiring bonus for newly hired teachers and administrators. This may increase the number of educators eligible for the award. Since the total appropriation and award amount are not specified in the bill, the fiscal impact is indeterminate at this time.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 1012.732 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.)

CS by Education on April 3, 2017:

The committee substitute modifies the eligibility requirements for the Florida Best and Brightest Teacher and Principal Scholar Award Program by adding a way by which a classroom teacher and school administrator may satisfy the achievement eligibility requirement for the program award or bonus, as applicable. Specifically, the committee substitute authorizes a classroom teacher and school administrator to satisfy the

achievement eligibility requirement by achieving a cumulative undergraduate or graduate grade point average of at least 3.5 on a 4.0 scale, as verified on the teacher's or administrator's official final transcript.

B. Amendments:

None.