

By Senator Farmer

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1 A bill to be entitled
2 An act relating to K-12 education; amending s.
3 1001.42, F.S.; revising provisions relating to school
4 improvement plans; requiring only specified schools to
5 submit a school improvement plan; deleting a
6 requirement that certain information be included in
7 the improvement plans of certain schools; revising the
8 grade levels required to implement an early warning
9 system; revising the required content of an early
10 warning system; requiring a specified team to monitor
11 specified data; revising what constitutes an
12 educational emergency and establishing duties of
13 district school boards relating to such emergency;
14 amending s. 1002.33, F.S.; revising the criteria a
15 charter school must meet to require corrective action;
16 revising requirements for corrective action by charter
17 schools; revising criteria for waiver of automatic
18 charter termination; revising the purpose of charter
19 school cooperatives; authorizing the use of
20 unrestricted net assets and unrestricted surplus for
21 specified charter schools; requiring such funds to be
22 used in accordance with specified provisions; amending
23 s. 1002.332, F.S.; conforming a cross-reference;
24 amending s. 1008.33, F.S.; providing that intervention
25 and support services apply consistently to any school
26 meeting specified criteria; revising the required
27 timeline for the implementation of a district-managed
28 turnaround plan; providing turnaround options
29 available to school districts meeting specified

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30 criteria; amending s. 1008.345, F.S.; revising the
31 criteria a school must meet to have a community
32 assessment team; revising the duties of a community
33 assessment team; amending s. 1011.62, F.S.; revising
34 the requirements for an independent college or
35 university to participate in specified programs;
36 creating s. 1012.732, F.S.; creating the Florida Best
37 and Brightest Teacher and Principal Scholar Award
38 Program to be administered by the Department of
39 Education; providing the intent and purpose of the
40 program; providing eligibility requirements for
41 classroom teachers and school administrators to
42 participate in the program; providing timelines and
43 requirements for program implementation; providing
44 funding priorities; defining the term "school
45 district"; requiring the State Board of Education to
46 adopt rules; providing for construction of the act in
47 pari materia with laws enacted during the 2017 Regular
48 Session of the Legislature; providing an effective
49 date.

50
51 Be It Enacted by the Legislature of the State of Florida:

52
53 Section 1. Paragraphs (a) and (b) of subsection (18) and
54 subsection (21) of section 1001.42, Florida Statutes, are
55 amended to read:

56 1001.42 Powers and duties of district school board.—The
57 district school board, acting as a board, shall exercise all
58 powers and perform all duties listed below:

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(18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—

Maintain a system of school improvement and education accountability as provided by statute and State Board of Education rule. This system of school improvement and education accountability shall be consistent with, and implemented through, the district's continuing system of planning and budgeting required by this section and ss. 1008.385, 1010.01, and 1011.01. This system of school improvement and education accountability shall comply with the provisions of ss. 1008.33, 1008.34, 1008.345, and 1008.385 and include the following:

(a) *School improvement plans.*—

~~1.~~ The district school board shall annually approve and require implementation of a new, amended, or continuation school improvement plan for each school in the district which has a school grade of "D" or "F"; ~~if a school~~ has a significant gap in achievement on statewide, standardized assessments administered pursuant to s. 1008.22 by one or more student subgroups, as defined in the federal Elementary and Secondary Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II); has not significantly increased the percentage of students passing statewide, standardized assessments; has not significantly increased the percentage of students demonstrating Learning Gains, as defined in s. 1008.34 and as calculated under s. 1008.34(3)(b), who passed statewide, standardized assessments; or has significantly lower graduation rates for a subgroup when compared to the state's graduation rate. The, that school's improvement plan of a school that meets the requirements of this paragraph shall include strategies for improving these results. The state board shall adopt rules establishing thresholds and

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88 for determining compliance with this paragraph ~~subparagraph~~.

89 ~~2. A school that includes any of grades 6, 7, or 8 shall~~
90 ~~include annually in its school improvement plan information and~~
91 ~~data on the school's early warning system required under~~
92 ~~paragraph (b), including a list of the early warning indicators~~
93 ~~used in the system, the number of students identified by the~~
94 ~~system as exhibiting two or more early warning indicators, the~~
95 ~~number of students by grade level that exhibit each early~~
96 ~~warning indicator, and a description of all intervention~~
97 ~~strategies employed by the school to improve the academic~~
98 ~~performance of students identified by the early warning system.~~
99 ~~In addition, a school that includes any of grades 6, 7, or 8~~
100 ~~shall describe in its school improvement plan the strategies~~
101 ~~used by the school to implement the instructional practices for~~
102 ~~middle grades emphasized by the district's professional~~
103 ~~development system pursuant to s. 1012.98(4)(b)9.~~

104 (b) *Early warning system.*—

105 1. A school that serves any students in grade 1 through
106 grade ~~includes any of grades 6, 7, or 8~~ shall implement an early
107 warning system to identify students in such ~~grades 6, 7, and 8~~
108 who need additional support to improve academic performance and
109 stay engaged in school. The early warning system must include
110 the following early warning indicators:

111 a. Attendance below 90 percent, regardless of whether
112 absence is excused or a result of out-of-school suspension.

113 b. One or more suspensions, whether in school or out of
114 school.

115 c. Course failure in English Language Arts or mathematics
116 during any grading period.

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117 d. A Level 1 score on the statewide, standardized
118 assessments in English Language Arts or mathematics or, for
119 students in grade 1 through grade 3, a substantial deficiency in
120 reading under s. 1008.25(5) (a).

121
122 A school district may identify additional early warning
123 indicators for use in a school's early warning system. Beginning
124 in the 2018-2019 academic year, the system must include data on
125 the number of students identified by the system as exhibiting
126 two or more early warning indicators, the number of students by
127 grade level who exhibit each early warning indicator, and a
128 description of all intervention strategies employed by the
129 school to improve the academic performance of students
130 identified by the early warning system.

131 2. When a student exhibits two or more early warning
132 indicators, the school's child study team under s. 1003.02 or a
133 school-based team formed for the purpose of implementing the
134 requirements of this paragraph, in consultation with the
135 student's parent, shall convene to determine appropriate
136 intervention strategies for the student. The team must use data
137 and information relating to a student's early warning indicators
138 to inform any intervention strategies provided to the student.
139 The school shall provide at least 10 days' written notice of the
140 meeting to the student's parent, indicating the meeting's
141 purpose, time, and location, and provide the parent the
142 opportunity to participate.

143 (21) EDUCATIONAL AUTHORITY TO DECLARE AN EMERGENCY.—Pursue
144 negotiations of ~~May declare an emergency in cases in which one~~
145 ~~or more schools in the district are failing or are in danger of~~

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146 ~~failing and negotiate~~ special provisions of its contract with
147 the appropriate bargaining units to free ~~these~~ schools meeting
148 specified conditions from contract restrictions that limit a the
149 school's ability to implement programs and strategies needed to
150 improve student performance. The negotiations must result in a
151 memorandum of understanding that addresses the selection,
152 placement, and expectations of instructional personnel and
153 school administrators. For purposes of this subsection, an
154 educational emergency exists in a school district under the
155 following conditions, and the school board must act accordingly:

156 (a) A school board may negotiate in cases in which one or
157 more schools in the district have a school grade of "D" or in
158 which a school is in danger of earning a grade of "F."

159 (b) Beginning in the 2018-2019 academic year, a school
160 board may negotiate in cases in which one or more schools in the
161 district are currently subject to, or are in danger of being
162 subject to, a differentiated matrix of intervention and support
163 strategies as a turnaround school or turnaround schools under s.
164 1008.33(3)(c).

165 Section 2. Paragraph (n) of subsection (9), subsection
166 (13), and paragraph (b) of subsection (17) of section 1002.33,
167 Florida Statutes, are amended to read:

168 1002.33 Charter schools.—

169 (9) CHARTER SCHOOL REQUIREMENTS.—

170 (n)1. The director and a representative of the governing
171 board of a charter school that has earned a grade of "D" or is
172 in danger of earning a grade of "F" pursuant to s. 1008.34 shall
173 appear before the sponsor to present information concerning each
174 contract component having noted deficiencies. The director and a

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175 representative of the governing board shall submit to the
176 sponsor for approval a school improvement plan to raise student
177 performance. Upon approval by the sponsor, the charter school
178 shall begin implementation of the school improvement plan. The
179 department shall offer technical assistance and training to the
180 charter school and its governing board and establish guidelines
181 for developing, submitting, and approving such plans.

182 2.a. If a charter school earns a grade of "F" or two three
183 consecutive grades below a "C," ~~of "D," two consecutive grades~~
184 ~~of "D" followed by a grade of "F," or two nonconsecutive grades~~
185 ~~of "F" within a 3-year period,~~ the turnaround charter school
186 governing board must immediately implement its approved school
187 improvement plan for the remainder of the school year and
188 continue implementation for at least 1 school year, and shall
189 choose one of the following corrective actions:

190 (I) Contract for educational services to be provided
191 directly to students, instructional personnel, and school
192 administrators, as prescribed in state board rule;

193 (II) Contract with an outside entity that has a
194 demonstrated record of effectiveness to operate the school;

195 (III) Reorganize the school under a new director or
196 principal who is authorized to hire new staff; or

197 (IV) Voluntarily close the charter school.

198 b. The turnaround charter school must implement the
199 corrective action in the school year following receipt of a
200 grade of "F" or a second third consecutive grade below a "C." ~~of~~
201 ~~"D," a grade of "F" following two consecutive grades of "D," or~~
202 ~~a second nonconsecutive grade of "F" within a 3-year period.~~

203 c. The sponsor may annually waive a corrective action if it

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204 determines that the turnaround charter school is likely to
205 improve a letter grade if additional time is provided to
206 implement the intervention and support strategies prescribed by
207 the school improvement plan. Notwithstanding this sub-
208 subparagraph, a charter school that earns a second consecutive
209 grade of "F" is subject to subparagraph 3. 4.

210 d. A turnaround charter school is no longer required to
211 implement a corrective action if it improves to a grade of "C"
212 or higher ~~by at least one letter grade~~. However, the charter
213 school must continue to implement strategies identified in the
214 school improvement plan. The sponsor must annually review
215 implementation of the school improvement plan to monitor the
216 school's continued improvement pursuant to subparagraph 4. 5.

217 e. A turnaround charter school implementing a corrective
218 action that does not improve to a grade of "C" or higher ~~by at~~
219 ~~least one letter grade~~ after 2 full school years of implementing
220 the corrective action must select a different corrective action.
221 Implementation of the new corrective action must begin in the
222 school year following the implementation period of the existing
223 corrective action, unless the sponsor determines that the
224 charter school is likely to improve to a grade of "C" or higher
225 ~~a letter grade~~ if additional time is provided to implement the
226 existing corrective action. Notwithstanding this sub-
227 subparagraph, a charter school that earns a second consecutive
228 grade of "F" while implementing a corrective action is subject
229 to subparagraph 3. 4.

230 ~~3. A charter school with a grade of "D" or "F" that~~
231 ~~improves by at least one letter grade must continue to implement~~
232 ~~the strategies identified in the school improvement plan. The~~

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233 ~~sponsor must annually review implementation of the school~~
234 ~~improvement plan to monitor the school's continued improvement~~
235 ~~pursuant to subparagraph 5.~~

236 3.4. A charter school's charter contract is automatically
237 terminated if the school earns two consecutive grades of "F"
238 after all school grade appeals are final unless:

239 a. The charter school is established to turn around the
240 performance of a district public school pursuant to s.
241 1008.33(4)(b)6. ~~s. 1008.33(4)(b)3.~~ Such charter schools shall be
242 governed by s. 1008.33;

243 b. The charter school serves a student population the
244 majority of which resides in a school zone served by a district
245 public school subject to s. 1008.33(4) ~~that earned a grade of~~
246 ~~"F" in the year before the charter school opened~~ and the charter
247 school earns at least a grade of "D" in its third year of
248 operation. The exception provided under this sub-subparagraph
249 does not apply to a charter school in its fourth year of
250 operation and thereafter; or

251 c. The state board grants the charter school a waiver of
252 termination. The charter school must request the waiver within
253 15 days after the department's official release of school
254 grades. The state board may waive termination if the charter
255 school demonstrates that the Learning Gains of its students on
256 statewide assessments are comparable to or better than the
257 Learning Gains of similarly situated students enrolled in nearby
258 district public schools. The waiver is valid for 1 year and may
259 only be granted once. Charter schools that have been in
260 operation for more than 5 years are not eligible for a waiver
261 under this sub-subparagraph.

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263 The sponsor shall notify the charter school's governing board,
 264 the charter school principal, and the department in writing when
 265 a charter contract is terminated under this subparagraph. The
 266 letter of termination must meet the requirements of paragraph
 267 (8) (c). A charter terminated under this subparagraph must follow
 268 the procedures for dissolution and reversion of public funds
 269 pursuant to paragraphs (8) (e)-(g) and (9) (o).

270 ~~4.5.~~ The director and a representative of the governing
 271 board of a graded charter school that has implemented a school
 272 improvement plan under this paragraph shall appear before the
 273 sponsor at least once a year to present information regarding
 274 the progress of intervention and support strategies implemented
 275 by the school pursuant to the school improvement plan and
 276 corrective actions, if applicable. The sponsor shall communicate
 277 at the meeting, and in writing to the director, the services
 278 provided to the school to help the school address its
 279 deficiencies.

280 ~~5.6.~~ Notwithstanding any provision of this paragraph except
 281 sub-subparagraphs 3.a.-c. ~~4.a.-e.~~, the sponsor may terminate the
 282 charter at any time pursuant to subsection (8).

283 (13) CHARTER SCHOOL COOPERATIVES.—Charter schools may enter
 284 into cooperative agreements to form charter school cooperative
 285 organizations that may provide ~~the following~~ services to further
 286 educational, operational, and administrative initiatives in
 287 which the participating charter schools share common interests;
 288 ~~charter school planning and development, direct instructional~~
 289 ~~services, and contracts with charter school governing boards to~~
 290 ~~provide personnel administrative services, payroll services,~~

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291 ~~human resource management, evaluation and assessment services,~~
292 ~~teacher preparation, and professional development.~~

293 (17) FUNDING.—Students enrolled in a charter school,
294 regardless of the sponsorship, shall be funded as if they are in
295 a basic program or a special program, the same as students
296 enrolled in other public schools in the school district. Funding
297 for a charter lab school shall be as provided in s. 1002.32.

298 (b) The basis for the agreement for funding students
299 enrolled in a charter school shall be the sum of the school
300 district's operating funds from the Florida Education Finance
301 Program as provided in s. 1011.62 and the General Appropriations
302 Act, including gross state and local funds, discretionary
303 lottery funds, and funds from the school district's current
304 operating discretionary millage levy; divided by total funded
305 weighted full-time equivalent students in the school district;
306 multiplied by the weighted full-time equivalent students for the
307 charter school. Charter schools whose students or programs meet
308 the eligibility criteria in law are entitled to their
309 proportionate share of categorical program funds included in the
310 total funds available in the Florida Education Finance Program
311 by the Legislature, including transportation, the research-based
312 reading allocation, and the Florida digital classrooms
313 allocation. Total funding for each charter school shall be
314 recalculated during the year to reflect the revised calculations
315 under the Florida Education Finance Program by the state and the
316 actual weighted full-time equivalent students reported by the
317 charter school during the full-time equivalent student survey
318 periods designated by the Commissioner of Education. For charter
319 schools operated by a not-for-profit or municipal entity, any

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320 unrestricted surplus or unrestricted net assets identified in
 321 the charter school's annual audit may be used for K-12
 322 educational purposes for other charter schools in the state
 323 operated by the same not-for-profit or municipal entity. Surplus
 324 operating funds shall be used in accordance with s. 1011.62, and
 325 surplus capital outlay funds shall be used in accordance with s.
 326 1013.62(2).

327 Section 3. Paragraph (b) of subsection (1) of section
 328 1002.332, Florida Statutes, is amended to read:

329 1002.332 High-performing charter school system.—

330 (1) For purposes of this section, the term:

331 (b) "High-performing charter school system" means an entity
 332 that:

333 1. Operated at least three high-performing charter schools
 334 in the state during each of the previous 3 school years;

335 2. Operated a system of charter schools in which at least
 336 50 percent of the charter schools were high-performing charter
 337 schools pursuant to s. 1002.331 and no charter school earned a
 338 school grade of "D" or "F" pursuant to s. 1008.34 in any of the
 339 previous 3 school years regardless of whether the entity
 340 currently operates the charter school, except that:

341 a. If the entity assumed operation of a public school
 342 pursuant to s. 1008.33(4)(b)6. ~~s. 1008.33(4)(b)3.~~ with a school
 343 grade of "F," that school's grade may not be considered in
 344 determining high-performing charter school system status for a
 345 period of 3 years.

346 b. If the entity established a new charter school that
 347 served a student population the majority of which resided in a
 348 school zone served by a public school that earned a grade of "F"

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349 or three consecutive grades of "D" pursuant to s. 1008.34, that
350 charter school's grade may not be considered in determining
351 high-performing charter school system status if it attained and
352 maintained a school grade that was higher than that of the
353 public school serving that school zone within 3 years after
354 establishment; and

355 3. Did not receive a financial audit that revealed one or
356 more of the financial emergency conditions set forth in s.
357 218.503(1) for any charter school assumed or established by the
358 entity in the most recent 3 fiscal years for which such audits
359 are available.

360 Section 4. Subsections (3), (4), and (5) of section
361 1008.33, Florida Statutes, are amended to read:

362 1008.33 Authority to enforce public school improvement.—

363 (3) (a) The academic performance of all students has a
364 significant effect on the state school system. Pursuant to Art.
365 IX of the State Constitution, which prescribes the duty of the
366 State Board of Education to supervise Florida's public school
367 system, the state board shall equitably enforce the
368 accountability requirements of the state school system and may
369 impose state requirements on school districts in order to
370 improve the academic performance of all districts, schools, and
371 students based upon the provisions of the Florida K-20 Education
372 Code, chapters 1000-1013; the federal ESEA and its implementing
373 regulations; and the ESEA flexibility waiver approved for
374 Florida by the United States Secretary of Education.

375 (b) ~~Beginning with the 2011-2012 school year,~~ The
376 Department of Education shall annually identify each public
377 school in need of intervention and support to improve student

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378 academic performance. All schools earning a grade of "D" or in
379 danger of earning a grade of "F" pursuant to s. 1008.34 are
380 considered schools in need of intervention and support.

381 (c) To assist in implementing paragraph (4) (a) and (b), the
382 state board shall adopt by rule a differentiated matrix of
383 intervention and support strategies for assisting traditional
384 public schools identified under this section and rules for
385 implementing s. 1002.33(9)(n), relating to charter schools. The
386 intervention and support strategies must address student
387 performance and include extended learning by at least 1 extra
388 hour, and may include improvement planning, leadership quality
389 improvement, educator quality improvement, professional
390 development, curriculum alignment and pacing, and the use of
391 continuous improvement and monitoring plans and processes. In
392 addition, the state board may prescribe reporting requirements
393 to review and monitor the progress of the schools. The rule must
394 define the intervention and support strategies for school
395 improvement for schools earning a grade of "D" or "F" and the
396 roles for the district and department. The rule shall define and
397 differentiate among schools as follows: ~~earning consecutive~~
398 ~~grades of "D" or "F," or a combination thereof, and provide for~~
399 ~~more intense monitoring, intervention, and support strategies~~
400 ~~for these schools.~~

401 1. A "school-in-need" means a school that has a grade of
402 "D" or that is in danger of earning a grade of "F," and that is
403 in need of intervention and support under paragraph (b);

404 2. A "turnaround school" means a school with a grade of "F"
405 or two consecutive grades below a "C" which is in need of
406 intensive intervention and support and which is implementing a

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407 district-managed turnaround plan or a different turnaround
408 option approved pursuant to subsection (4). A "turnaround
409 charter school" is a charter school subject to the requirements
410 of s. 1002.33(9) (n); and

411 3. A "persistently low-performing school" means a
412 turnaround school that has been subject to a differentiated
413 matrix of intensive intervention and support strategies for more
414 than 3 consecutive years, or a turnaround school that was closed
415 pursuant to s. 1008.33(4) within 2 years after the submission of
416 a notice of intent.

417
418 The rule must also define a "low-performing school" to include,
419 at minimum, any school meeting the requirements of this
420 subsection.

421 (4) (a) The state board shall apply intensive ~~the most~~
422 ~~intense~~ intervention and support strategies to turnaround
423 schools earning a grade of "F" or two consecutive grades below a
424 "C." ~~"F."~~ In the first full school year after a school initially
425 receives ~~earns~~ a turnaround school designation, grade of "F,"
426 the school district must immediately implement intensive
427 intervention and support strategies prescribed in rule under
428 paragraph (3) (c) and, by September 1, provide, select a
429 ~~turnaround option from those provided in subparagraphs (b)1. 5.,~~
430 ~~and submit a plan for implementing the turnaround option to the~~
431 department with the memorandum of understanding negotiated
432 pursuant to s. 1001.42(21) and with a district-managed
433 turnaround plan for approval by the state board. Upon approval
434 by the state board, the school district must implement the plan
435 for the remainder of the school year and continue the plan for 1

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436 ~~full school year for approval by the state board. Upon approval~~
437 ~~by the state board, the turnaround option must be implemented in~~
438 ~~the following school year.~~

439 (b) The ~~turnaround~~ options available to the turnaround a
440 ~~school district to address a school~~ include one or a combination
441 of the following turnaround options, giving priority to the
442 first three options that earns a grade of "F" are:

443 1. Implement an extended school day with at least 1 hour of
444 additional learning time. Convert the school to a district-
445 managed turnaround school;

446 2. Enter into a formal agreement with a nonprofit
447 organization with tax exempt status under s. 501(c)(3) of the
448 Internal Revenue Code to implement an integrated student support
449 service model that provides students and families with access to
450 wrap-around services, including, but not limited to, health
451 services, after-school programs, drug-prevention programs,
452 college and career readiness, and food and clothing banks.
453 Districts implementing this option may be eligible for
454 additional funding as provided in the General Appropriations
455 Act.

456 3. Implement a principal autonomy program school, through a
457 performance contract and in accordance with proposal elements,
458 criteria, and timelines established by the state board pursuant
459 to s. 1011.6202(2)(b) specifically tailored for a turnaround
460 school. For purposes of this section, a school district using
461 this option for its turnaround school is eligible to participate
462 in, and receive the benefits of, the principal autonomy program,
463 pursuant to s. 1011.6202(1) for only the turnaround school.

464 5.2. Reassign students to another school and monitor the

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465 progress of each reassigned student.†

466 ~~6.3.~~ Close the school and reopen the school as one or more
467 charter schools, each with a governing board that has a
468 demonstrated record of effectiveness.†

469 4. Contract as a conversion charter school or with an
470 outside entity that has a demonstrated record of effectiveness
471 to operate the school.† ~~or~~

472 ~~5. Implement a hybrid of turnaround options set forth in~~
473 ~~subparagraphs 1. 4. or other turnaround models that have a~~
474 ~~demonstrated record of effectiveness.~~

475 (c) ~~A school earning a grade of "F" shall have a planning~~
476 ~~year followed by 2 full school years to implement the initial~~
477 ~~turnaround option selected by the school district and approved~~
478 ~~by the state board. Implementation of the turnaround option is~~
479 ~~no longer required if the school improves to a grade of "C" or~~
480 ~~higher by at least one letter grade.~~

481 (d) ~~A school earning a grade of "F" that improves its~~
482 ~~letter grade must continue to implement strategies identified in~~
483 ~~its school improvement plan pursuant to s. 1001.42(18)(a). The~~
484 ~~department must annually review implementation of the school~~
485 ~~improvement plan for 3 years to monitor the school's continued~~
486 ~~improvement.~~

487 (d) ~~(e)~~ If a turnaround school ~~earning a grade of "F" does~~
488 ~~not improve to a grade of "C" or higher by at least one letter~~
489 ~~grade after 2 full school years of implementing the turnaround~~
490 ~~option selected by the school district under paragraph (b), the~~
491 ~~school district must implement ~~select a different option and~~~~
492 ~~submit another turnaround option ~~implementation plan to the~~~~
493 ~~department for approval by the state board. Implementation of~~

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494 the turnaround option ~~approved plan~~ must begin the school year
495 following the implementation period of the existing turnaround
496 option, unless the state board determines that the school is
497 likely to improve to a grade of "C" or higher ~~a letter grade~~ if
498 additional time is provided to implement the existing turnaround
499 option.

500 ~~(5) A school that earns a grade of "D" for 3 consecutive~~
501 ~~years must implement the district-managed turnaround option~~
502 ~~pursuant to subparagraph (4)(b)1. The school district must~~
503 ~~submit an implementation plan to the department for approval by~~
504 ~~the state board.~~

505 Section 5. Paragraph (d) of subsection (6) of section
506 1008.345, Florida Statutes, is amended to read:

507 1008.345 Implementation of state system of school
508 improvement and education accountability.-

509 (6)

510 (d) The commissioner shall assign a community assessment
511 team to each school district or governing board with a
512 turnaround school that earned a grade of "F" or three
513 ~~consecutive grades of "D"~~ pursuant to s. 1008.34 to review the
514 school performance data and determine causes for the low
515 performance, including the role of school, area, and district
516 administrative personnel. The community assessment team shall
517 review a high school's graduation rate calculated without high
518 school equivalency diploma recipients for the past 3 years,
519 disaggregated by student ethnicity. The team shall make
520 recommendations to the school board or the governing board and
521 to the State Board of Education based on the interventions and
522 support strategies identified pursuant to subsection (5) to

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523 ~~which~~ address the causes of the school's low performance and to
524 incorporate the strategies ~~and may be incorporated~~ into the
525 school improvement plan. The assessment team shall include, but
526 not be limited to, a department representative, parents,
527 business representatives, educators, representatives of local
528 governments, and community activists, and shall represent the
529 demographics of the community from which they are appointed.

530 Section 6. Paragraph (i) of subsection (1) of section
531 1011.62, Florida Statutes, is amended to read:

532 1011.62 Funds for operation of schools.—If the annual
533 allocation from the Florida Education Finance Program to each
534 district for operation of schools is not determined in the
535 annual appropriations act or the substantive bill implementing
536 the annual appropriations act, it shall be determined as
537 follows:

538 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
539 OPERATION.—The following procedure shall be followed in
540 determining the annual allocation to each district for
541 operation:

542 (i) *Calculation of full-time equivalent membership with*
543 *respect to dual enrollment instruction.*—Students enrolled in
544 dual enrollment instruction pursuant to s. 1007.271 may be
545 included in calculations of full-time equivalent student
546 memberships for basic programs for grades 9 through 12 by a
547 district school board. Instructional time for dual enrollment
548 may vary from 900 hours; however, the full-time equivalent
549 student membership value shall be subject to the provisions in
550 s. 1011.61(4). Dual enrollment full-time equivalent student
551 membership shall be calculated in an amount equal to the hours

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552 of instruction that would be necessary to earn the full-time
553 equivalent student membership for an equivalent course if it
554 were taught in the school district. Students in dual enrollment
555 courses may also be calculated as the proportional shares of
556 full-time equivalent enrollments they generate for a Florida
557 College System institution or university conducting the dual
558 enrollment instruction. Early admission students shall be
559 considered dual enrollments for funding purposes. Students may
560 be enrolled in dual enrollment instruction provided by an
561 eligible independent college or university and may be included
562 in calculations of full-time equivalent student memberships for
563 basic programs for grades 9 through 12 by a district school
564 board. However, those provisions of law which exempt dual
565 enrolled and early admission students from payment of
566 instructional materials and tuition and fees, including
567 laboratory fees, shall not apply to students who select the
568 option of enrolling in an eligible independent institution. An
569 independent college or university which ~~is located and chartered~~
570 ~~in Florida,~~ is not for profit, is accredited by a regional or
571 national accrediting agency recognized by the United States
572 Department of Education ~~the Commission on Colleges of the~~
573 ~~Southern Association of Colleges and Schools or the Accrediting~~
574 ~~Council for Independent Colleges and Schools,~~ and confers
575 degrees as defined in s. 1005.02 shall be eligible for inclusion
576 in the dual enrollment or early admission program. Students
577 enrolled in dual enrollment instruction shall be exempt from the
578 payment of tuition and fees, including laboratory fees. No
579 student enrolled in college credit mathematics or English dual
580 enrollment instruction shall be funded as a dual enrollment

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581 unless the student has successfully completed the relevant
582 section of the entry-level examination required pursuant to s.
583 1008.30.

584 Section 7. Section 1012.732, Florida Statutes, is created
585 to read:

586 1012.732 The Florida Best and Brightest Teacher and
587 Principal Scholar Award Program.-

588 (1) INTENT.-The Legislature recognizes that, second only to
589 parents, teachers and principals play the most critical roles
590 within schools in preparing students to achieve a high level of
591 academic performance. The Legislature further recognizes that
592 research has linked student successes and performance outcomes
593 to the academic achievements and performance accomplishments of
594 the teachers and principals who most closely affect their
595 classroom and school learning environments. Therefore, it is the
596 intent of the Legislature to designate teachers and principals
597 who have achieved high academic standards during their own
598 education as Florida's best and brightest teacher and principal
599 scholars.

600 (2) PURPOSE.-There is created the Florida Best and
601 Brightest Teacher and Principal Scholar Award Program, as a
602 performance-based scholarship award program, to be administered
603 by the Department of Education. The performance-based award
604 shall provide categorical funding for scholarships to be awarded
605 to full-time classroom teachers, as defined in s. 1012.01(2)(a),
606 and full-time school administrators, as defined in s.
607 1012.01(3)(c), excluding substitute teachers or substitute
608 school administrators, who have demonstrated a high level of
609 academic achievement and performance.

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610 (3) ELIGIBILITY.—To be eligible for a scholarship, a full-
611 time classroom teacher or full-time school administrator must be
612 employed on an annual contract or probationary contract pursuant
613 to s. 1012.335, participate in the school district's performance
614 salary schedule pursuant to s. 1012.22, and meet at least one of
615 the achievement requirements under paragraph (a) and at least
616 one of the performance requirements under paragraph (b).

617 (a) Achievement requirements.—

618 1. For a classroom teacher, a score at or above the 90th
619 percentile on the Florida Teacher Certification Examination in a
620 subject that he or she is teaching;

621 2. For a school administrator, a score at or above the 90th
622 percentile on the Florida Educational Leadership Examination;

623 3. For a classroom teacher or school administrator, a
624 composite score at or above the 80th percentile on either the
625 SAT or the ACT based on the National Percentile Ranks in effect
626 when the classroom teacher or school administrator took the
627 assessment;

628 4. For a classroom teacher or school administrator, a
629 composite score on the GRE, LSAT, GMAT, or MCAT at or above a
630 score adopted by the State Board of Education; or

631 5. For a classroom teacher or school administrator, a
632 cumulative undergraduate or graduate grade point average of at
633 least 3.5 on a 4.0 scale, as verified on the teacher's or
634 administrator's official final college transcript.

635 (b) Performance requirements.—The classroom teacher or
636 school administrator:

637 1. Must have been evaluated as highly effective pursuant to
638 s. 1012.34 in the school year immediately preceding the year in

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639 which the scholarship will be awarded;

640 2. If he or she works in a low-performing school or a
641 school that was designated by the department as low-performing
642 within the previous 2 years and commits, pursuant to State Board
643 of Education rule, to working at the school for at least 3
644 years, must have been evaluated as highly effective pursuant to
645 s. 1012.34 in the school year immediately preceding the first
646 year in which the scholarship will be awarded and maintain a
647 highly effective evaluation rating in at least two of every
648 three annual performance evaluations, based on a rolling 3-year
649 period; or

650 3. Must be newly hired by the district school board, must
651 not have been evaluated pursuant to s. 1012.34, and must have
652 met at least one of the following conditions:

653 a. Be a recipient of the Florida Prepaid Tuition
654 Scholarship Program pursuant to s. 1009.984 who graduates with a
655 minimum 3.0 grade point average and commit, pursuant to State
656 Board of Education rule, to working in a Florida public school
657 for at least 3 years;

658 b. Have completed the college reach-out program pursuant to
659 s. 1007.34 and graduated with a minimum 3.0 grade point average,
660 and commit, pursuant to State Board of Education rule, to
661 working in a Florida public school for at least 3 years;

662 c. Be a Florida college or university graduate of a Florida
663 teacher preparation program approved pursuant to s. 1004.04,
664 have graduated with a minimum 3.0 grade point average, and
665 commit, pursuant to State Board of Education rule, to working in
666 a critical teacher shortage area under s. 1012.07 at a Florida
667 public school for at least 3 years; or

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668 d. Be a college or university graduate, have graduated with
669 a minimum 3.0 grade point average, have worked in a science-,
670 technology-, engineering-, or mathematics- (STEM-) related field
671 for at least 3 years, commit to meeting teacher certification
672 requirements within 3 years, and commit, pursuant to State Board
673 of Education rule, to teach in a STEM-related classroom at a
674 Florida public school for at least 3 years.

675 (4) IMPLEMENTATION.—In order to implement and administer
676 the program, the following timelines and requirements apply:

677 (a) To demonstrate eligibility for an award, an eligible
678 classroom teacher or school administrator, as applicable, must
679 submit to the school district, no later than November 1, an
680 official record of his or her achievement of the eligibility
681 requirements specified in paragraph (3) (a). Once a classroom
682 teacher or school administrator is deemed eligible by the school
683 district, including teachers deemed eligible for the Florida
684 Best and Brightest Teacher Scholarship Program in the 2015-2016
685 or 2016-2017 fiscal years pursuant to s. 25 of chapter 2016-62,
686 Laws of Florida, the classroom teacher or school administrator
687 remains eligible as long as he or she remains employed by the
688 school district as a full-time classroom teacher or full-time
689 school administrator at the time of the award and continues to
690 meet the conditions specified under this section.

691 (b) Annually, by December 1, each school district shall
692 submit to the department the number of eligible classroom
693 teachers and school administrators who qualify for the
694 scholarship.

695 (c) Annually, by February 1, the department shall disburse
696 scholarship funds to each school district for each eligible

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697 classroom teacher and school administrator to receive a
698 scholarship as provided in the General Appropriations Act.

699 (d) Annually, by April 1, each school district shall award
700 the scholarship to each eligible classroom teacher and school
701 administrator.

702 (5) FUNDING.—A scholarship in the amount provided in the
703 General Appropriations Act shall be awarded to every eligible
704 classroom teacher and school administrator.

705 (a) If the number of eligible classroom teachers and school
706 administrators exceeds the total appropriation authorized in the
707 General Appropriations Act, the department shall prorate the
708 per-scholar scholarship award amount, except that prior to the
709 distribution of funds, the following priorities apply:

710 1. Classroom teachers and school administrators who commit,
711 pursuant to State Board of Education rule, to work in a low-
712 performing school and meet the performance requirements of
713 subparagraph (3) (b)2., shall receive an award equal to a full
714 scholarship award amount. Classroom teachers and school
715 administrators who do not fulfill the commitment made pursuant
716 to subparagraph (3) (b)2. may not receive this priority; and

717 2. Newly hired classroom teachers and school administrators
718 who commit, pursuant to State Board of Education rule, to work
719 in a Florida public school and meet the performance requirements
720 under subparagraph (3) (b)3., shall receive a one-time hiring
721 bonus of up to \$10,000. Classroom teachers and school
722 administrators who do not fulfill the commitment made pursuant
723 to subparagraph (3) (b)3. may not receive this priority.

724 (b) Newly hired classroom teachers and newly hired school
725 administrators who initially participate in the program pursuant

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726 to subparagraph (3)(b)3. may only receive the one-time hiring
727 bonus under subparagraph (a)2. In subsequent school years, such
728 classroom teachers and school administrators may earn a
729 scholarship award pursuant to subparagraph (3)(b)1. or
730 subparagraph (3)(b)2., if they also maintain their initial
731 commitments.

732 (6) DEFINITION.—For purposes of this section, the term
733 “school district” includes the Florida School for the Deaf and
734 the Blind and charter school governing boards.

735 (7) RULES.—The State Board of Education shall expeditiously
736 adopt rules to implement this section.

737 Section 8. If any law amended by this act was also amended
738 by a law enacted during the 2017 Regular Session of the
739 Legislature, such laws shall be construed as if they had been
740 enacted during the same session of the Legislature and full
741 effect shall be given to each if possible.

742 Section 9. This act shall take effect July 1, 2017, or upon
743 becoming a law, whichever occurs later.