

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 2370

SPONSOR: Education Committee and Senator Sullivan

SUBJECT: Public Schools

DATE: April 19, 1999 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>White</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable/CS</u>
2.	_____	_____	<u>FP</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This Committee Substitute relates to the responsibility of principals for the professional development of teachers. A second emphasis is on improving the quality of teaching at schools with low rates of student achievement and other factors identified in the bill.

Specifically, the bill:

- Requires principals to develop tailored professional development plans for each teacher and to base the plans on data related to the students in the teacher's classroom.
- Requires teachers' contracts to be renegotiated so that benefits accruing because of graduate level work will be available only for work related to the content of the teacher's assigned teaching duties.
- Requires the Commissioner of Education to select certain schools that are at risk and authorizes improvement measures including attracting master teachers to those schools.
- Authorizes principals at these selected schools to earn annual state-funded bonuses if the programs prescribed are successful.
- Authorizes teachers at these selected schools to earn annual state-funded bonuses if they are master teachers as identified in one of three ways. The designation of mastery is attained by being (1) national-board certified, (2) designated teacher-of-the-year at the state or district level, or (3) by achieving measured gains in student achievement as defined in rules adopted by the commissioner.
- Provides for additional resources for school improvement, as funded in an appropriations act.

This bill amends ss. 231.085, 230.23, and 236.08106, F.S., and creates one new law, as yet undesignated.

II. Present Situation:

Chapter 231, F.S., contains the majority of requirements for teachers and administrators of public schools, including state certification, continuing education through professional development, and qualifications for initial and continued employment in the public schools. According to s. 231.085, public school principals have the following duties:

- Supervise operation and management of schools and property.
- Carry out rules of the school board related to administration, instructional leadership, making personnel recommendations to the superintendent, production of records and reports, administration of corporal punishment, and student suspension.

The connection between teacher qualifications and student learning is a popular topic of recent research. Recent studies focus on the level of courses teachers took in the content area and on the proficiency of the teacher in advanced courses. These studies show a clear link between the teachers' preparation, the ways teachers manage the classroom, and the achievement of their students as measured by scores on tests.¹

Nevertheless, Florida does not require professional development to be related to the content of teaching assignments or to data about student achievement, and there are clear indicators that this omission is a contributing factor to what is termed "school failure," as measured by the failure of students at the school to make adequate progress.

According to data prepared in February 1998 by The Education Trust, the following facts indicate the tendency to assign teachers with lower levels of mastery to at-risk schools:

Florida High School Demographics	High school classes taught by teachers lacking even a minor in the subject
All high schools	19.9 percent
Low-poverty high schools	18.9 percent
High-poverty high schools	22.3 percent
Low-minority high schools	9.7 percent
High minority high schools	21.9 percent

III. Effect of Proposed Changes:

The legislation under consideration has two targets:

1. Responsibility of principals for the professional development of teachers.
2. Improving the quality of teaching at schools with low rates of student achievement. The following analysis by section gives details.

¹For example, see: Chaney, B. 1995. *Student Outcomes and the Professional Preparation of Eighth Grade Teachers in Science and Mathematics* and Carlsen, W.S.1991 *The Construction of Subject Matter Knowledge in Primary Science Teaching*.

Section 1. (Amends s. 231.085, F.S.)

The bill creates four new requirements for how a principal manages the school:

- ▶ Adds to the principal's responsibilities the diagnosis and prescription of professional development for teachers at the school. The evaluation must be based on reports of student progress and any additional criteria identified by the school district.
- ▶ Requires the principal to develop an individualized professional development plan for each teacher. The plans must be reported to the district and the teacher, and the district report may be in summary form. At least half of any program prescribed in the plan must be based on subject area content for which the teacher is responsible.
- ▶ Requires the principal's own evaluation to include the quality of the effort to upgrade the professional development of teachers. This section refers to an annual bonus available for principals with exemplary effort that is revealed in improved student achievement. The details of this bonus are given in subsection (9) of section 2 of the bill and in section 236.08106, F.S., as amended in section 4 of the bill.
- ▶ Requires the Department of Education to adopt rules to assure consistency among the 67 school districts in how exemplary performance is defined. The rules may identify the level of student progress and staff participation that constitutes exemplary performance.

Section 2. (Creates a new section of law.)

In this section, the bill deals with:

- I. Identifying the at-risk schools,
- II. Providing professional development for their teachers, and
- III. Providing incentives for master teachers to remain at or move to those schools.

I. Identifying the at-risk schools:

To govern the selection of schools for the more intensive support levels, the bill:

- ▶ States a finding that schools have acute needs if they have a large proportion of students whose performance is beneath the level expected for their age and grade or have a large proportion of students from families with economic disadvantages.
- ▶ States an intent to focus incentives for improvement on those schools as well as assisting all schools through more content-based professional development.
- ▶ Requires the commissioner to identify the schools that have acute needs, based on a list of criteria that is not exclusive. The commissioner may identify as many as he or she wishes, based on funding provided -- the object is to provide an intensive effort in improvement. The schools do not need to be performance grade "F" but may be at risk of a low performance grade.

II. Providing professional development for their teachers:

To this end, the bill:

- ▶ Requires each school district with such a school to make available to the principal additional staff positions to enable teachers to participate in special professional development activities. To assure statewide consistency, the Department of Education will quantify the number of additional positions needed, based on the school's size and the components of the professional development program.
- ▶ Describes the professional development program required. It will be designed by the network of professional development academies created in CS/SB 1646 and funded in SB 2500. The program must suit the particular needs of the teachers, be based on a study of student

achievement and on content, and must provide classroom support for each teacher for at least 1 year after the formal participation is completed.

III. Providing incentives for master teachers

The bill requires each school district with an at-risk school to develop a plan to encourage master teachers to remain at or transfer to them. The bill states three ways a teacher may become a master teacher (a “teacher with identified mastery”):

- ▶ Be national-board certified,
- ▶ Have been designated a teacher-of-the year at the state or district level, or
- ▶ Have mastery identified by a method of analyzing the achievement of students in the teacher’s classes. The Department of Education will develop this methodology.

The school board must make every practical effort to allow a master teacher to be reassigned to an at-risk school, upon the teacher’s request. A master teacher is eligible for an annual bonus if he or she is assigned to an at-risk school. If the teacher is national-board certified and earning a bonus or bonuses for the certification and for mentoring other teachers, the bonus for teaching at an at-risk school is an additional one.

Not all teachers at an at-risk school are eligible for the bonus. They must first have mastery identified and be recommended by the principal.

Section 3. (Amends s. 230.23, F.S.)

This section provides an incentive for teachers to pursue relevant professional development. By June 30, 2002, the school districts must renegotiate the standard contracts so that rewards to a teacher with an advanced degree will apply only to a degree that relates to a content area for which the teacher is responsible. The school district will identify the content area relationships. Some advanced degrees, such as administration, will probably relate to all content areas.

The bill also makes the same changes to this section of the law made in CS/SB 1646 and incorporated by the Florida Senate on April 15, 1999, in CS/CS/HB 751. A school board must comply with performance-based pay for teachers or risk losing lottery funding.

Section 4. (Amends s. 236.08106, F.S.)

Provides for the bonuses for principals and teachers that are described in the bill in section 1 (for principals) and section 2 (for teachers).

This section of the bill also contains the revisions incorporated into s. 236.08106, F.S., by CS/SB 1646 and the amendment to CS/HB 751 adopted by the Florida Senate on April 16, 1999.

Through these revisions, the bill will delete the incentives paid to school districts to encourage teachers to attempt to earn national-board certification. It authorizes the state to withhold a portion of the wages of public employees who default on required repayment of their NBPTS certification fees of \$1,800 per teacher. With over 1700 teachers attempting certification, the Department of Education is concerned about collecting the repayments. Also, the enthusiastic response to the program makes it unnecessary to provide an incentive for school districts to encourage their teachers to participate.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Teachers and principals who met the requirements in the bill, and who were teaching at or transferred to an at-risk school identified as required in the bill, would be eligible for an annual bonus paid by state appropriation for the Excellent Teaching Program.

C. Government Sector Impact:

The bill requires an extensive professional development program, plus additional components of an intensive effort to improve at-risk schools, and state-funded bonuses for successful teachers and principals. It directs the commissioner to select the number of schools that could be served effectively given the annual appropriation.

The professional development component is well-suited to the statewide system of professional development academies required in CS/SB 1646 and funded at \$10 million in SB 2500, as of this date (Specific Appropriation 54A).

The components of an intensive effort to improve at-risk schools are well-suited to the requirements of Specific Appropriation 104, Innovative Practices Grants, \$1.95 million.

The 1998 Legislature appropriated \$12 million for the Excellent Teaching Program, and SB 2500 contains \$15 million for the program (Specific Appropriation 114). It is unlikely that the fund will be depleted by teachers who qualify because of national-board certification.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The Senate's proposed budget, SB 2500, contains the same provisions that are in this bill to require principals to prescribe individualized professional development plans for teachers at their schools.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
