

By the Committees on Appropriations; and Education; and Senator Simmons

576-04405-17

20171552c2

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 improvements plans; requiring only specified schools
5 to 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; amending s. 1002.332, F.S.;
19 conforming a cross-reference; amending s. 1008.33,
20 F.S.; providing that intervention and support services
21 apply consistently to any school meeting specified
22 criteria; revising the required timeline for the
23 implementation of a district-managed turnaround plan;
24 providing turnaround options available to school
25 districts meeting specified criteria; amending s.
26 1008.345, F.S.; revising the criteria a school must
27 meet to have a community assessment team; revising the
28 duties of a community assessment team; creating s.
29 1012.732, F.S.; creating the Florida Best and

576-04405-17

20171552c2

30 Brightest Teacher and Principal Scholar Award Program
31 to be administered by the Department of Education;
32 providing the intent and purpose of the program;
33 providing eligibility requirements for classroom
34 teachers and school administrators to participate in
35 the program; providing timelines and requirements for
36 program implementation; providing funding priorities;
37 defining the term "school district"; requiring the
38 State Board of Education to adopt rules; providing an
39 effective date.

40
41 Be It Enacted by the Legislature of the State of Florida:

42
43 Section 1. Paragraphs (a) and (b) of subsection (18) and
44 subsection (21) of section 1001.42, Florida Statutes, are
45 amended to read:

46 1001.42 Powers and duties of district school board.—The
47 district school board, acting as a board, shall exercise all
48 powers and perform all duties listed below:

49 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
50 Maintain a system of school improvement and education
51 accountability as provided by statute and State Board of
52 Education rule. This system of school improvement and education
53 accountability shall be consistent with, and implemented
54 through, the district's continuing system of planning and
55 budgeting required by this section and ss. 1008.385, 1010.01,
56 and 1011.01. This system of school improvement and education
57 accountability shall comply with the provisions of ss. 1008.33,
58 1008.34, 1008.345, and 1008.385 and include the following:

576-04405-17

20171552c2

59 (a) *School improvement plans.*—

60 ~~1.~~ The district school board shall annually approve and
61 require implementation of a new, amended, or continuation school
62 improvement plan for each school in the district which has a
63 school grade of "D" or "F"; ~~-. If a school~~ has a significant gap
64 in achievement on statewide, standardized assessments
65 administered pursuant to s. 1008.22 by one or more student
66 subgroups, as defined in the federal Elementary and Secondary
67 Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II); has not
68 significantly increased the percentage of students passing
69 statewide, standardized assessments; has not significantly
70 increased the percentage of students demonstrating Learning
71 Gains, as defined in s. 1008.34 and as calculated under s.
72 1008.34(3)(b), who passed statewide, standardized assessments;
73 or has significantly lower graduation rates for a subgroup when
74 compared to the state's graduation rate. The, that school's
75 improvement plan of a school that meets the requirements of this
76 paragraph shall include strategies for improving these results.
77 The state board shall adopt rules establishing thresholds and
78 for determining compliance with this paragraph ~~subparagraph~~.

79 ~~2. A school that includes any of grades 6, 7, or 8 shall~~
80 ~~include annually in its school improvement plan information and~~
81 ~~data on the school's early warning system required under~~
82 ~~paragraph (b), including a list of the early warning indicators~~
83 ~~used in the system, the number of students identified by the~~
84 ~~system as exhibiting two or more early warning indicators, the~~
85 ~~number of students by grade level that exhibit each early~~
86 ~~warning indicator, and a description of all intervention~~
87 ~~strategies employed by the school to improve the academic~~

576-04405-17

20171552c2

88 ~~performance of students identified by the early warning system.~~
89 ~~In addition, a school that includes any of grades 6, 7, or 8~~
90 ~~shall describe in its school improvement plan the strategies~~
91 ~~used by the school to implement the instructional practices for~~
92 ~~middle grades emphasized by the district's professional~~
93 ~~development system pursuant to s. 1012.98(4)(b)9.~~

94 (b) *Early warning system.*—

95 1. A school that serves any students in grade 1 through
96 grade ~~includes any of grades 6, 7, or 8~~ shall implement an early
97 warning system to identify students in such grades ~~6, 7, and 8~~
98 who need additional support to improve academic performance and
99 stay engaged in school. The early warning system must include
100 the following early warning indicators:

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

103 b. One or more suspensions, whether in school or out of
104 school.

105 c. Course failure in English Language Arts or mathematics
106 during any grading period.

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

111
112 A school district may identify additional early warning
113 indicators for use in a school's early warning system. Beginning
114 in the 2018-2019 academic year, the system must include data on
115 the number of students identified by the system as exhibiting
116 two or more early warning indicators, the number of students by

576-04405-17

20171552c2

117 grade level who exhibit each early warning indicator, and a
118 description of all intervention strategies employed by the
119 school to improve the academic performance of students
120 identified by the early warning system.

121 2. When a student exhibits two or more early warning
122 indicators, the school's child study team under s. 1003.02 or a
123 school-based team formed for the purpose of implementing the
124 requirements of this paragraph, in consultation with the
125 student's parent, shall convene to determine appropriate
126 intervention strategies for the student. The team must use data
127 and information relating to a student's early warning indicators
128 to inform any intervention strategies provided to the student.
129 The school shall provide at least 10 days' written notice of the
130 meeting to the student's parent, indicating the meeting's
131 purpose, time, and location, and provide the parent the
132 opportunity to participate.

133 (21) EDUCATIONAL AUTHORITY TO DECLARE AN EMERGENCY.—Pursue
134 negotiations of ~~May declare an emergency in cases in which one~~
135 ~~or more schools in the district are failing or are in danger of~~
136 ~~failing and negotiate~~ special provisions of its contract with
137 the appropriate bargaining units to free ~~these~~ schools meeting
138 specified conditions from contract restrictions that limit ~~a the~~
139 school's ability to implement programs and strategies needed to
140 improve student performance. The negotiations must result in a
141 memorandum of understanding that addresses the selection,
142 placement, and expectations of instructional personnel and
143 school administrators. For purposes of this subsection, an
144 educational emergency exists in a school district under the
145 following conditions, and the school board must act accordingly:

576-04405-17

20171552c2

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

149 (b) Beginning in the 2018-2019 academic year, a school
150 board may negotiate in cases in which one or more schools in the
151 district are currently subject to, or are in danger of being
152 subject to, a differentiated matrix of intervention and support
153 strategies as a turnaround school or turnaround schools under s.
154 1008.33(3)(c).

155 Section 2. Paragraph (n) of subsection (9) of section
156 1002.33, Florida Statutes, is amended to read:

157 1002.33 Charter schools.—

158 (9) CHARTER SCHOOL REQUIREMENTS.—

159 (n)1. The director and a representative of the governing
160 board of a charter school that has earned a grade of "D" or is
161 in danger of earning a grade of "F" pursuant to s. 1008.34 shall
162 appear before the sponsor to present information concerning each
163 contract component having noted deficiencies. The director and a
164 representative of the governing board shall submit to the
165 sponsor for approval a school improvement plan to raise student
166 performance. Upon approval by the sponsor, the charter school
167 shall begin implementation of the school improvement plan. The
168 department shall offer technical assistance and training to the
169 charter school and its governing board and establish guidelines
170 for developing, submitting, and approving such plans.

171 2.a. If a charter school earns a grade of "F" or two three
172 consecutive grades below a "C," ~~of "D," two consecutive grades~~
173 ~~of "D" followed by a grade of "F," or two nonconsecutive grades~~
174 ~~of "F" within a 3-year period,~~ the turnaround charter school

576-04405-17

20171552c2

175 governing board must immediately implement its approved school
176 improvement plan for the remainder of the school year and
177 continue implementation for at least 1 school year, and shall
178 choose one of the following corrective actions:

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

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

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

186 (IV) Voluntarily close the charter school.

187 b. The turnaround charter school must implement the
188 corrective action in the school year following receipt of a
189 grade of "F" or a second ~~third~~ consecutive grade below a "C." ~~of~~
190 ~~"D," a grade of "F" following two consecutive grades of "D," or~~
191 ~~a second nonconsecutive grade of "F" within a 3-year period.~~

192 c. The sponsor may annually waive a corrective action if it
193 determines that the turnaround charter school is likely to
194 improve a letter grade if additional time is provided to
195 implement the intervention and support strategies prescribed by
196 the school improvement plan. Notwithstanding this sub-
197 subparagraph, a charter school that earns a second consecutive
198 grade of "F" is subject to subparagraph 3. 4.

199 d. A turnaround charter school is no longer required to
200 implement a corrective action if it improves to a grade of "C"
201 or higher ~~by at least one letter grade~~. However, the charter
202 school must continue to implement strategies identified in the
203 school improvement plan. The sponsor must annually review

576-04405-17

20171552c2

204 implementation of the school improvement plan to monitor the
205 school's continued improvement pursuant to subparagraph 4. 5.

206 e. A turnaround charter school implementing a corrective
207 action that does not improve to a grade of "C" or higher ~~by at~~
208 ~~least one letter grade~~ after 2 full school years of implementing
209 the corrective action must select a different corrective action.
210 Implementation of the new corrective action must begin in the
211 school year following the implementation period of the existing
212 corrective action, unless the sponsor determines that the
213 charter school is likely to improve to a grade of "C" or higher
214 ~~a letter grade~~ if additional time is provided to implement the
215 existing corrective action. Notwithstanding this sub-
216 subparagraph, a charter school that earns a second consecutive
217 grade of "F" while implementing a corrective action is subject
218 to subparagraph 3. 4.

219 ~~3. A charter school with a grade of "D" or "F" that~~
220 ~~improves by at least one letter grade must continue to implement~~
221 ~~the strategies identified in the school improvement plan. The~~
222 ~~sponsor must annually review implementation of the school~~
223 ~~improvement plan to monitor the school's continued improvement~~
224 ~~pursuant to subparagraph 5.~~

225 3.4. A charter school's charter contract is automatically
226 terminated if the school earns two consecutive grades of "F"
227 after all school grade appeals are final unless:

228 a. The charter school is established to turn around the
229 performance of a district public school pursuant to s.
230 1008.33(4)(b)6. ~~s. 1008.33(4)(b)3.~~ Such charter schools shall be
231 governed by s. 1008.33;

232 b. The charter school serves a student population the

576-04405-17

20171552c2

233 majority of which resides in a school zone served by a district
234 public school subject to s. 1008.33(4) ~~that earned a grade of~~
235 ~~"F" in the year before the charter school opened~~ and the charter
236 school earns at least a grade of "D" in its third year of
237 operation. The exception provided under this sub-subparagraph
238 does not apply to a charter school in its fourth year of
239 operation and thereafter; or

240 c. The state board grants the charter school a waiver of
241 termination. The charter school must request the waiver within
242 15 days after the department's official release of school
243 grades. The state board may waive termination if the charter
244 school demonstrates that the Learning Gains of its students on
245 statewide assessments are comparable to or better than the
246 Learning Gains of similarly situated students enrolled in nearby
247 district public schools. The waiver is valid for 1 year and may
248 only be granted once. Charter schools that have been in
249 operation for more than 5 years are not eligible for a waiver
250 under this sub-subparagraph.

251
252 The sponsor shall notify the charter school's governing board,
253 the charter school principal, and the department in writing when
254 a charter contract is terminated under this subparagraph. The
255 letter of termination must meet the requirements of paragraph
256 (8) (c). A charter terminated under this subparagraph must follow
257 the procedures for dissolution and reversion of public funds
258 pursuant to paragraphs (8) (e)-(g) and (9) (o).

259 ~~4.5-~~ The director and a representative of the governing
260 board of a graded charter school that has implemented a school
261 improvement plan under this paragraph shall appear before the

576-04405-17

20171552c2

262 sponsor at least once a year to present information regarding
 263 the progress of intervention and support strategies implemented
 264 by the school pursuant to the school improvement plan and
 265 corrective actions, if applicable. The sponsor shall communicate
 266 at the meeting, and in writing to the director, the services
 267 provided to the school to help the school address its
 268 deficiencies.

269 ~~5.6.~~ Notwithstanding any provision of this paragraph except
 270 sub-subparagraphs 3.a.-c. ~~4.a.-e.~~, the sponsor may terminate the
 271 charter at any time pursuant to subsection (8).

272 Section 3. Paragraph (b) of subsection (1) of section
 273 1002.332, Florida Statutes, is amended to read:

274 1002.332 High-performing charter school system.—

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

276 (b) "High-performing charter school system" means an entity
 277 that:

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

280 2. Operated a system of charter schools in which at least
 281 50 percent of the charter schools were high-performing charter
 282 schools pursuant to s. 1002.331 and no charter school earned a
 283 school grade of "D" or "F" pursuant to s. 1008.34 in any of the
 284 previous 3 school years regardless of whether the entity
 285 currently operates the charter school, except that:

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

576-04405-17

20171552c2

291 b. If the entity established a new charter school that
292 served a student population the majority of which resided in a
293 school zone served by a public school that earned a grade of "F"
294 or three consecutive grades of "D" pursuant to s. 1008.34, that
295 charter school's grade may not be considered in determining
296 high-performing charter school system status if it attained and
297 maintained a school grade that was higher than that of the
298 public school serving that school zone within 3 years after
299 establishment; and

300 3. Did not receive a financial audit that revealed one or
301 more of the financial emergency conditions set forth in s.
302 218.503(1) for any charter school assumed or established by the
303 entity in the most recent 3 fiscal years for which such audits
304 are available.

305 Section 4. Subsections (3), (4), and (5) of section
306 1008.33, Florida Statutes, are amended to read:

307 1008.33 Authority to enforce public school improvement.—

308 (3) (a) The academic performance of all students has a
309 significant effect on the state school system. Pursuant to Art.
310 IX of the State Constitution, which prescribes the duty of the
311 State Board of Education to supervise Florida's public school
312 system, the state board shall equitably enforce the
313 accountability requirements of the state school system and may
314 impose state requirements on school districts in order to
315 improve the academic performance of all districts, schools, and
316 students based upon the provisions of the Florida K-20 Education
317 Code, chapters 1000-1013; the federal ESEA and its implementing
318 regulations; and the ESEA flexibility waiver approved for
319 Florida by the United States Secretary of Education.

576-04405-17

20171552c2

320 (b) ~~Beginning with the 2011-2012 school year,~~ The
321 Department of Education shall annually identify each public
322 school in need of intervention and support to improve student
323 academic performance. All schools earning a grade of "D" or in
324 danger of earning a grade of "F" pursuant to s. 1008.34 are
325 considered schools in need of intervention and support.

326 (c) To assist in implementing paragraph (4) (a) and (b), the
327 state board shall adopt by rule a differentiated matrix of
328 intervention and support strategies for assisting traditional
329 public schools identified under this section and rules for
330 implementing s. 1002.33(9)(n), relating to charter schools. The
331 intervention and support strategies must address student
332 performance and include extended learning by at least 1 extra
333 hour, and may include improvement planning, leadership quality
334 improvement, educator quality improvement, professional
335 development, curriculum alignment and pacing, and the use of
336 continuous improvement and monitoring plans and processes. In
337 addition, the state board may prescribe reporting requirements
338 to review and monitor the progress of the schools. The rule must
339 define the intervention and support strategies for school
340 improvement for schools earning a grade of "D" or "F" and the
341 roles for the district and department. The rule shall define and
342 differentiate among schools as follows: earning consecutive
343 grades of "D" or "F," or a combination thereof, and provide for
344 more intense monitoring, intervention, and support strategies
345 for these schools.

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

576-04405-17

20171552c2

349 2. A "turnaround school" means a school with a grade of "F"
350 or two consecutive grades below a "C" which is in need of
351 intensive intervention and support and which is implementing a
352 district-managed turnaround plan or a different turnaround
353 option approved pursuant to subsection (4). A "turnaround
354 charter school" is a charter school subject to the requirements
355 of s. 1002.33(9) (n); and

356 3. A "persistently low-performing school" means a
357 turnaround school that has been subject to a differentiated
358 matrix of intensive intervention and support strategies for more
359 than 3 consecutive years, or a turnaround school that was closed
360 pursuant to s. 1008.33(4) within 2 years after the submission of
361 a notice of intent.

362
363 The rule must also define a "low-performing school" to include,
364 at minimum, any school meeting the requirements of this
365 subsection.

366 (4) (a) The state board shall apply intensive ~~the most~~
367 ~~intense~~ intervention and support strategies to turnaround
368 schools earning a grade of "F" or two consecutive grades below a
369 "C." ~~"F."~~ In the first full school year after a school initially
370 receives ~~earns~~ a turnaround school designation, ~~grade of "F,"~~
371 the school district must immediately implement intensive
372 intervention and support strategies prescribed in rule under
373 paragraph (3) (c) and, by September 1, provide, ~~select a~~
374 ~~turnaround option from those provided in subparagraphs (b)1.-5.,~~
375 ~~and submit a plan for implementing the turnaround option to the~~
376 department with the memorandum of understanding negotiated
377 pursuant to s. 1001.42(21) and with a district-managed

576-04405-17

20171552c2

378 turnaround plan for approval by the state board. Upon approval
379 by the state board, the school district must implement the plan
380 for the remainder of the school year and continue the plan for 1
381 full school year for approval by the state board. Upon approval
382 by the state board, the turnaround option must be implemented in
383 the following school year.

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

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

391 2. Enter into a formal agreement with a nonprofit
392 organization with tax exempt status under s. 501(c)(3) of the
393 Internal Revenue Code to implement an integrated student support
394 service model that provides students and families with access to
395 wrap-around services, including, but not limited to, health
396 services, after-school programs, drug-prevention programs,
397 college and career readiness, and food and clothing banks.
398 Districts implementing this option may be eligible for
399 additional funding as provided in the General Appropriations
400 Act.

401 3. Implement a principal autonomy program school, through a
402 performance contract and in accordance with proposal elements,
403 criteria, and timelines established by the state board pursuant
404 to s. 1011.6202(2)(b) specifically tailored for a turnaround
405 school. For purposes of this section, a school district using
406 this option for its turnaround school is eligible to participate

576-04405-17

20171552c2

407 in, and receive the benefits of, the principal autonomy program,
408 pursuant to s. 1011.6202(1) for only the turnaround school.

409 ~~5.2.~~ Reassign students to another school and monitor the
410 progress of each reassigned student.~~†~~

411 ~~6.3.~~ Close the school and reopen the school as one or more
412 charter schools, each with a governing board that has a
413 demonstrated record of effectiveness.~~†~~

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

417 ~~5. Implement a hybrid of turnaround options set forth in~~
418 ~~subparagraphs 1. 4. or other turnaround models that have a~~
419 ~~demonstrated record of effectiveness.~~

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

426 (d) ~~A school earning a grade of "F" that improves its~~
427 ~~letter grade must continue to implement strategies identified in~~
428 ~~its school improvement plan pursuant to s. 1001.42(18)(a). The~~
429 ~~department must annually review implementation of the school~~
430 ~~improvement plan for 3 years to monitor the school's continued~~
431 ~~improvement.~~

432 (d)(e) If a turnaround school earning a grade of "F" does
433 not improve to a grade of "C" or higher by at least one letter
434 ~~grade~~ after 2 full school years of implementing the turnaround
435 option selected by the school district under paragraph (b), the

576-04405-17

20171552c2

436 school district must implement ~~select a different option and~~
437 ~~submit another~~ turnaround option ~~implementation plan to the~~
438 ~~department for approval by the state board.~~ Implementation of
439 the turnaround option ~~approved plan~~ must begin the school year
440 following the implementation period of the existing turnaround
441 option, unless the state board determines that the school is
442 likely to improve to a grade of "C" or higher ~~a letter grade~~ if
443 additional time is provided to implement the existing turnaround
444 option.

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

450 Section 5. Paragraph (d) of subsection (6) of section
451 1008.345, Florida Statutes, is amended to read:

452 1008.345 Implementation of state system of school
453 improvement and education accountability.—

454 (6)

455 (d) The commissioner shall assign a community assessment
456 team to each school district or governing board with a
457 turnaround school ~~that earned a grade of "F" or three~~
458 ~~consecutive grades of "D"~~ pursuant to s. 1008.34 to review the
459 school performance data and determine causes for the low
460 performance, including the role of school, area, and district
461 administrative personnel. The community assessment team shall
462 review a high school's graduation rate calculated without high
463 school equivalency diploma recipients for the past 3 years,
464 disaggregated by student ethnicity. The team shall make

576-04405-17

20171552c2

465 recommendations to the school board or the governing board and
466 to the State Board of Education based on the interventions and
467 support strategies identified pursuant to subsection (5) to
468 ~~which~~ address the causes of the school's low performance and to
469 incorporate the strategies and may be incorporated into the
470 school improvement plan. The assessment team shall include, but
471 not be limited to, a department representative, parents,
472 business representatives, educators, representatives of local
473 governments, and community activists, and shall represent the
474 demographics of the community from which they are appointed.

475 Section 6. Section 1012.732, Florida Statutes, is created
476 to read:

477 1012.732 The Florida Best and Brightest Teacher and
478 Principal Scholar Award Program.-

479 (1) INTENT.-The Legislature recognizes that, second only to
480 parents, teachers and principals play the most critical roles
481 within schools in preparing students to achieve a high level of
482 academic performance. The Legislature further recognizes that
483 research has linked student successes and performance outcomes
484 to the academic achievements and performance accomplishments of
485 the teachers and principals who most closely affect their
486 classroom and school learning environments. Therefore, it is the
487 intent of the Legislature to designate teachers and principals
488 who have achieved high academic standards during their own
489 education as Florida's best and brightest teacher and principal
490 scholars.

491 (2) PURPOSE.-There is created the Florida Best and
492 Brightest Teacher and Principal Scholar Award Program, as a
493 performance-based scholarship award program, to be administered

576-04405-17

20171552c2

494 by the Department of Education. The performance-based award
495 shall provide categorical funding for scholarships to be awarded
496 to full-time classroom teachers, as defined in s. 1012.01(2)(a),
497 and full-time school administrators, as defined in s.
498 1012.01(3)(c), excluding substitute teachers or substitute
499 school administrators, who have demonstrated a high level of
500 academic achievement and performance.

501 (3) ELIGIBILITY.—To be eligible for a scholarship, a full-
502 time classroom teacher or full-time school administrator must be
503 employed on an annual contract or probationary contract pursuant
504 to s. 1012.335, participate in the school district's performance
505 salary schedule pursuant to s. 1012.22, and meet at least one of
506 the achievement requirements under paragraph (a) and at least
507 one of the performance requirements under paragraph (b).

508 (a) Achievement requirements.—

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

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

514 3. For a classroom teacher or school administrator, a
515 composite score at or above the 80th percentile on either the
516 SAT or the ACT based on the National Percentile Ranks in effect
517 when the classroom teacher or school administrator took the
518 assessment;

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

522 5. For a classroom teacher or school administrator, a

576-04405-17

20171552c2

523 cumulative undergraduate or graduate grade point average of at
524 least 3.5 on a 4.0 scale, as verified on the teacher's or
525 administrator's official final college transcript.

526 (b) Performance requirements.—The classroom teacher or
527 school administrator:

528 1. Must have been evaluated as highly effective pursuant to
529 s. 1012.34 in the school year immediately preceding the year in
530 which the scholarship will be awarded;

531 2. If he or she works in a low-performing school or a
532 school that was designated by the department as low-performing
533 within the previous 2 years and commits, pursuant to State Board
534 of Education rule, to working at the school for at least 3
535 years, must have been evaluated as highly effective pursuant to
536 s. 1012.34 in the school year immediately preceding the first
537 year in which the scholarship will be awarded and maintain a
538 highly effective evaluation rating in at least two of every
539 three annual performance evaluations, based on a rolling 3-year
540 period; or

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

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

549 b. Have completed the college reach-out program pursuant to
550 s. 1007.34 and graduated with a minimum 3.0 grade point average,
551 and commit, pursuant to State Board of Education rule, to

576-04405-17

20171552c2

552 working in a Florida public school for at least 3 years;

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

559 d. Be a college or university graduate, have graduated with
560 a minimum 3.0 grade point average, have worked in a science-,
561 technology-, engineering-, or mathematics- (STEM-) related field
562 for at least 3 years, commit to meeting teacher certification
563 requirements within 3 years, and commit, pursuant to State Board
564 of Education rule, to teach in a STEM-related classroom at a
565 Florida public school for at least 3 years.

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

568 (a) To demonstrate eligibility for an award, an eligible
569 classroom teacher or school administrator, as applicable, must
570 submit to the school district, no later than November 1, an
571 official record of his or her achievement of the eligibility
572 requirements specified in paragraph (3)(a). Once a classroom
573 teacher or school administrator is deemed eligible by the school
574 district, including teachers deemed eligible for the Florida
575 Best and Brightest Teacher Scholarship Program in the 2015-2016
576 or 2016-2017 fiscal years pursuant to s. 25 of chapter 2016-62,
577 Laws of Florida, the classroom teacher or school administrator
578 remains eligible as long as he or she remains employed by the
579 school district as a full-time classroom teacher or full-time
580 school administrator at the time of the award and continues to

576-04405-17

20171552c2

581 meet the conditions specified under this section.

582 (b) Annually, by December 1, each school district shall
583 submit to the department the number of eligible classroom
584 teachers and school administrators who qualify for the
585 scholarship.

586 (c) Annually, by February 1, the department shall disburse
587 scholarship funds to each school district for each eligible
588 classroom teacher and school administrator to receive a
589 scholarship as provided in the General Appropriations Act.

590 (d) Annually, by April 1, each school district shall award
591 the scholarship to each eligible classroom teacher and school
592 administrator.

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

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

601 1. Classroom teachers and school administrators who commit,
602 pursuant to State Board of Education rule, to work in a low-
603 performing school and meet the performance requirements of
604 subparagraph (3) (b)2., shall receive an award equal to a full
605 scholarship award amount. Classroom teachers and school
606 administrators who do not fulfill the commitment made pursuant
607 to subparagraph (3) (b)2. may not receive this priority; and

608 2. Newly hired classroom teachers and school administrators
609 who commit, pursuant to State Board of Education rule, to work

576-04405-17

20171552c2

610 in a Florida public school and meet the performance requirements
611 under subparagraph (3)(b)3., shall receive a one-time hiring
612 bonus of up to \$10,000. Classroom teachers and school
613 administrators who do not fulfill the commitment made pursuant
614 to subparagraph (3)(b)3. may not receive this priority.

615 (b) Newly hired classroom teachers and newly hired school
616 administrators who initially participate in the program pursuant
617 to subparagraph (3)(b)3. may only receive the one-time hiring
618 bonus under subparagraph (a)2. In subsequent school years, such
619 classroom teachers and school administrators may earn a
620 scholarship award pursuant to subparagraph (3)(b)1. or
621 subparagraph (3)(b)2., if they also maintain their initial
622 commitments.

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

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

628 Section 7. This act shall take effect July 1, 2017.