1 A bill to be entitled 2 An act relating to K-12 education; amending s. 3 1001.215, F.S.; revising the duties of the Just Read, 4 Florida! Office; amending s. 1002.333, F.S.; providing 5 for certain funds for the Schools of Hope Program to 6 be carried forward for a specified number of years; 7 amending s. 1011.62, F.S.; renaming the "supplemental 8 academic instruction categorical fund" as the 9 "supplemental academic instruction allocation"; requiring certain school districts to use the 10 11 allocation for specified purposes; deleting an 12 obsolete date; deleting a provision authorizing the 13 Florida State University School to expend specified 14 funds for certain purposes; conforming provisions to changes made by the act; revising the research-based 15 reading instruction allocation; revising the criteria 16 17 for establishing the 300 lowest-performing elementary 18 schools; providing requirements for staffing summer 19 reading camps funding through the allocation; requiring school districts that meet specified 20 21 criteria, rather than all school districts, to submit a comprehensive reading plan for specified purposes; 22 deleting provisions for the release or withholding of 23 24 funds based on a school district's comprehensive 25 reading plan; revising a definition; amending s.

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1011.6202, F.S.; renaming the "Principal Autonomy Pilot Program" the "Principal Autonomy Program"; providing that any school district may apply to participate in the program; providing that a school shall retain its exemption from specified laws under specified circumstances; requiring a designated leadership team at a participating school to complete a certain turnaround program; deleting a provision providing a specified amount of funds to a participating school district who completes the turnaround program; providing requirements; specifying that no school district liability arises from the management of such schools; deleting a school's authority to renew participation in the program; deleting reporting requirements; providing funding; revising the principal eligibility criteria for a salary supplement through the program; amending s. 1011.67, F.S.; conforming a cross-reference; amending s. 1011.69, F.S.; conforming provisions to changes made by the act; amending s. 1012.28, F.S.; conforming provisions to the changes made by the act; amending s. 1013.62, F.S.; prohibiting a charter school's annual debt service obligation from exceeding a certain amount; requiring school districts to annually report certain information to the department; requiring the

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Auditor General to verify school district compliance with specified provisions; deleting an obsolete date; providing an effective date.

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

Section 1. Subsections (3), (6), and (7) of section 1001.215, Florida Statutes, are amended to read:

1001.215 Just Read, Florida! Office.—There is created in the Department of Education the Just Read, Florida! Office. The office is fully accountable to the Commissioner of Education and shall:

- (3) Work with the Lastinger Center for Learning at the University of Florida to develop training for K-12 teachers, reading coaches, and school principals on effective contentarea-specific reading strategies; the integration of contentrich curriculum from other core subject areas into reading instruction; and evidence-based reading strategies identified in subsection (6) subsection (8) to improve student reading performance. For secondary teachers, emphasis shall be on technical text. These strategies must be developed for all content areas in the K-12 curriculum.
- (6) Provide technical assistance to school districts in the development and implementation of district plans for use of the research-based reading instruction allocation provided in s.

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1011.62(9) and annually review and approve such plans.

(7) Review, evaluate, and provide technical assistance to school districts' implementation of the K-12 comprehensive reading plan required in s. 1011.62(9).

Section 2. Paragraph (d) is added to subsection (10) of section 1002.333, Florida Statutes, to read:

1002.333 Persistently low-performing schools.-

- (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program is created within the Department of Education.
- (d) Notwithstanding s. 216.301 and pursuant to s. 216.351, funds allocated for the purpose of this subsection which are not disbursed by June 30 of the fiscal year in which the funds are allocated may be carried forward for up to 5 years after the effective date of the original appropriation.

Section 3. Paragraph (f) of subsection (1), paragraph (b) of subsection (6), and paragraphs (a), (c), and (d) of subsection (9) of section 1011.62, Florida Statutes, are amended to read:

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

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR

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OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

- (f) Supplemental academic instruction <u>allocation</u>; categorical fund.
- 1. There is created the supplemental academic instruction allocation a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This paragraph may be cited as the "Supplemental Academic Instruction Categorical Fund."
- 2. The <u>supplemental academic instruction allocation shall</u> be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds are categorical fund is in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. Beginning with the 2018-2019 fiscal year, These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program. each school district that has a school earning a grade of "D" or "F" pursuant to s. 1008.34 must use that school's portion of the supplemental academic instruction allocation to implement the intervention and support strategies for school improvement pursuant to s. 1008.33 and for salary incentives pursuant to s. 1012.2315(3) or salary supplements pursuant to s. 1012.22(1) (c) 5.c. that are

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provided through a memorandum of understanding between the collective bargaining agent and the school board that addresses the selection, placement, and expectations of instructional personnel and school administrators. For all other schools, the school district's use of the supplemental academic instruction allocation one or more of the 300 lowest-performing elementary schools based on the state reading assessment for the prior year shall use these funds, together with the funds provided in the district's research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided by teachers or reading specialists who have demonstrated effectiveness in teaching reading or by a K-5 mentoring reading program that is supervised by a teacher who is effective at teaching reading. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers shall not be included in the 300 schools. The designation of the 300 lowest-performing elementary schools must be based on the state reading assessment for the prior year. After this requirement has been met, supplemental instruction strategies may include, but is are not limited to, the: use of a modified curriculum, reading

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instruction, after-school instruction, tutoring, mentoring, a reduction in class size, extended school year, intensive skills development in summer school, dropout prevention programs as defined in ss. 1003.52 and 1003.53(1)(a), (b), and (c), and other methods of improving student achievement. Supplemental academic instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

shall be provided annually in the Florida Education Finance
Program as specified in the General Appropriations Act. These
funds shall be provided as a supplement to the funds
appropriated for the basic funding level and shall be included
in the total funds of each district. The supplemental academic
instruction allocation shall consist of a base amount that has a
workload adjustment based on changes in unweighted FTE. In
addition, districts that have elementary schools included in the
300 lowest-performing schools designation shall be allocated
additional funds to assist those districts in providing
intensive reading instruction to students in those schools. The
amount provided shall be based on each district's level of perstudent funding in the reading instruction allocation and the
supplemental academic instruction categorical fund and on the

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instruction allocation eategorical funding shall be recalculated during the fiscal year following an updated designation of the 300 lowest-performing elementary schools and shall be based on actual student membership from the FTE surveys. Upon recalculation of funding for the supplemental academic instruction allocation eategorical fund, if the total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be provated to the level provided to support the appropriation, based on each district's share of the total.

- 4. Effective with the 1999-2000 fiscal year, Funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction allocation and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.
- 5. The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement

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Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

- 6. Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d)3.
 - (6) CATEGORICAL FUNDS.-
- (b) If a district school board finds and declares in a resolution adopted at a regular meeting of the school board that the funds received for any of the following categorical appropriations are urgently needed to maintain school board specified academic classroom instruction, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:
 - 1. Funds for student transportation.
 - 2. Funds for safe schools.
- 3. Funds for supplemental academic instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (1)(f).
- 3.4. Funds for research-based reading instruction if the required additional hour of instruction beyond the normal school

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day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (9)(a).

- 4.5. Funds for instructional materials if all instructional material purchases necessary to provide updated materials that are aligned with applicable state standards and course descriptions and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1. Funds available after March 1 may be used to purchase hardware for student instruction.
 - (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.
- (a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. Each school district that has one or more of the 300 lowest-performing elementary schools based on a 3-year average of the state reading assessment data shall give priority to using that school's portion of the allocation to provide providing an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in each school. The designation of the 300 lowest-performing elementary schools must be based on the state reading assessment for the prior year. Students enrolled in these schools who earned a have level 4 or level 5 score on the statewide, standardized English Language Arts assessment for the previous school year scores may

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participate in the additional hour of instruction on an optional basis. Exceptional student education centers may not be included in the 300 schools. The intensive reading instruction delivered in this additional hour and for other students shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on screening, diagnostic, progress monitoring, or student assessment data to meet students' specific reading needs; explicit and systematic reading strategies to develop phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading.

- (c) Except as required in paragraph (a), the school district shall use the research-based reading instruction allocation Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the K-12 programs, which may include the following:
- 1. The provision of An additional hour per day of intensive reading instruction to students in the 300 lowest-performing elementary schools by teachers and reading specialists who have demonstrated effectiveness in teaching

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276 reading.

- 2. Kindergarten through grade 5 reading intervention teachers to provide intensive intervention during the school day and in the required extra hour for students identified as having a reading deficiency.
- 3. The provision of Highly qualified reading coaches to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.
- 4. Professional development for school district teachers in scientifically based reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text, to help school district teachers earn a certification or an endorsement in reading.
- 5. The provision of Summer reading camps, using only teachers or other district personnel who are certified or endorsed in reading consistent with s. 1008.25(7)(b)3., for all students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, and students in grades 3 through 5 who score at Level 1 on the statewide, standardized reading assessment or, upon implementation, the English Language Arts assessment.
 - 6. The provision of Supplemental instructional materials

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that are grounded in scientifically based reading research.

- 7. The provision of Intensive interventions for students in kindergarten through grade 12 who have been identified as having a reading deficiency or who are reading below grade level as determined by the statewide, standardized assessment.
- Each school district that has a school that earns a grade of "D" or "F" pursuant to s. 1008.34 shall annually, by a date determined by the Department of Education but before May 1, school districts shall submit a K-12 comprehensive reading plan for the specific use of the research-based reading instruction allocation in the format prescribed by the department for review and approval by the department as part of the monitoring, intervention, and support strategies required under s. 1008.33 Just Read, Florida! Office created pursuant to s. 1001.215. The plan annually submitted by school districts shall be deemed approved unless the department rejects the plan on or before June 1. If a school district and the Just Read, Florida! Office cannot reach agreement on the contents of the plan, the school district may appeal to the State Board of Education for resolution. School districts shall be allowed reasonable flexibility in designing their plans and shall be encouraged to offer reading intervention through innovative methods, including career academies. The plan format shall be developed with input from school district personnel, including teachers and principals, and shall allow courses in core, career, and

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alternative programs that deliver intensive reading remediation through integrated curricula, provided that the teacher is deemed highly qualified to teach reading or working toward that status. No later than July 1 annually, the department shall release the school district's allocation of appropriated funds to those districts having approved plans. A school district that spends 100 percent of this allocation on its approved plan shall be deemed to have been in compliance with the plan. The department may withhold funds upon a determination that reading instruction allocation funds are not being used to implement the approved plan. The department shall monitor and track the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its findings to the Legislature.

2. Each school district that has a school designated as one of the 300 lowest-performing elementary schools as specified in paragraph (a) shall specifically delineate in the comprehensive reading plan, or in an addendum to the comprehensive reading plan, the implementation design and reading intervention strategies that will be used for the required additional hour of reading instruction. The term "reading intervention" may include strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(6) and may include includes evidence-based strategies frequently used to

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remediate reading deficiencies and also includes individual instruction, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities.

Section 4. Section 1011.6202, Florida Statutes, is amended to read:

1011.6202 Principal Autonomy Pilot Program Initiative.—The Principal Autonomy Pilot Program Initiative is created within the Department of Education. The purpose of the pilot program is to provide a the highly effective principal of a participating school with increased autonomy and authority to operate his or her school in a way that produces significant improvements in student achievement and school management while complying with constitutional requirements. The State Board of Education may, upon approval of a principal autonomy proposal, enter into a performance contract with the up to seven district school board boards for participation in the pilot program.

(1) PARTICIPATING SCHOOL DISTRICTS.—Beginning with the 2018-2019 school year, contingent upon available funds, and on a first-come, first-served basis, a The district school board boards in Broward, Duval, Jefferson, Madison, Palm Beach, Pinellas, and Seminole Counties may submit no later than December 1 to the state board for approval a principal autonomy proposal that exchanges statutory and rule exemptions for an agreement to meet performance goals established in the proposal. If approved by the state board, the each of these school

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district is districts shall be eligible to participate in the pilot program for 3 years. At the end of the 3 years, the performance of all participating schools in the school district shall be evaluated.

- (2) PRINCIPAL AUTONOMY PROPOSAL.-
- (a) To participate in the $\frac{\text{pilot}}{\text{program}}$, a school district must:
- 1. Identify three schools that received at least two school grades of "D" or "F" pursuant to s. 1008.34 during the previous 3 school years.
- 2. Identify three principals who have earned a highly effective rating on the prior year's performance evaluation pursuant to s. 1012.34, one of whom shall be assigned to each of the participating schools.
- 3. Describe the current financial and administrative management of each participating school; identify the areas in which each school principal will have increased fiscal and administrative autonomy, including the authority and responsibilities provided in s. 1012.28(8); and identify the areas in which each participating school will continue to follow district school board fiscal and administrative policies.
- 4. Explain the methods used to identify the educational strengths and needs of the participating school's students and identify how student achievement can be improved.
 - 5. Establish performance goals for student achievement, as

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defined in s. 1008.34(1), and explain how the increased autonomy of principals will help participating schools improve student achievement and school management.

- 6. Provide each participating school's mission and a description of its student population.
- (b) The state board shall establish criteria, which must include the criteria listed in paragraph (a), for the approval of a principal autonomy proposal.
- (c) A district school board must submit its principal autonomy proposal to the state board for approval by December 1 in order to begin participation in the subsequent school year. By February 28 of the school year in which the proposal is submitted, the state board shall notify the district school board in writing whether the proposal is approved.
 - (3) EXEMPTION FROM LAWS.-
- (a) With the exception of those laws listed in paragraph (b), a participating school is exempt from the provisions of chapters 1000-1013 and rules of the state board that implement those exempt provisions.
- (b) A participating school shall comply with the provisions of chapters 1000-1013, and rules of the state board that implement those provisions, pertaining to the following:
- 1. Those laws relating to the election and compensation of district school board members, the election or appointment and compensation of district school superintendents, public meetings

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and public records requirements, financial disclosure, and conflicts of interest.

- 2. Those laws relating to the student assessment program and school grading system, including chapter 1008.
- 3. Those laws relating to the provision of services to students with disabilities.
- 4. Those laws relating to civil rights, including s. 1000.05, relating to discrimination.
- 5. Those laws relating to student health, safety, and welfare.
- 6. Section 1001.42(4)(f), relating to the uniform opening date for public schools.
- 7. Section 1003.03, governing maximum class size, except that the calculation for compliance pursuant to s. 1003.03 is the average at the school level for a participating school.
- 8. Sections 1012.22(1)(c) and 1012.27(2), relating to compensation and salary schedules.
- 9. Section 1012.33(5), relating to workforce reductions for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.
- 10. Section 1012.335, relating to annual contracts for instructional personnel hired on or after July 1, 2011. This subparagraph does not apply to at-will employees.
- 11. Section 1012.34, relating to personnel evaluation procedures and criteria.

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- 12. Those laws pertaining to educational facilities, including chapter 1013, except that s. 1013.20, relating to covered walkways for relocatables, and s. 1013.21, relating to the use of relocatable facilities exceeding 20 years of age, are eligible for exemption.
- 13. Those laws pertaining to participating school districts, including this section and ss. 1011.69(2) and 1012.28(8).
- (c) A school shall remain exempt, as provided in this subsection, beyond the term of the program so long as the school receives no grade lower than a "B".
- (4) PROFESSIONAL DEVELOPMENT.—Each participating school district shall require that the principal of each participating school and a designated leadership team selected by the principal of the participating school, a three-member leadership team from each participating school, and district personnel working with each participating school complete a nationally recognized school turnaround program which focuses on improving leadership, instructional infrastructure, talent management, and differentiated support and accountability. The required personnel must enroll in the nationally recognized school turnaround program upon acceptance into the pilot program. Each participating school district shall receive \$100,000 from the department for participation in the nationally recognized school turnaround program.

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- (5) TERM OF PARTICIPATION.—The state board shall authorize a school district to participate in the pilot program for a period of 3 years commencing with approval of the principal autonomy proposal. Authorization to participate in the pilot program may be renewed upon action of the state board. The state board may revoke authorization to participate in the pilot program if the school district fails to meet the requirements of this section during the 3-year period.
- (6) REPORTING.—Each participating school district shall submit an annual report to the state board. The state board shall annually report on the implementation of the Principal Autonomy Pilot Program Initiative. Upon completion of the pilot program's first 3-year term, the Commissioner of Education shall submit to the President of the Senate and the Speaker of the House of Representatives by December 1 a full evaluation of the effectiveness of the pilot program.
- Legislature shall provide an appropriation to the department shall fund for the costs of the pilot program, including the administrative costs and enrollment costs for the nationally recognized school turnaround program required in subsection (4), and an additional amount not to exceed of \$10,000 for each participating principal in each participating district as an annual salary supplement, a fund for the principal's school to be used at the principal's discretion, or both, as determined by

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the district. To be eligible for a salary supplement under this subsection, a participating principal must:

- (a) Be rated "highly effective" as determined by the principal's performance evaluation under s. 1012.34;
- (b) Be transferred to a school that earned a grade of "F" or $\underline{\text{two}}$ three consecutive grades of "D" pursuant to s. 1008.34 and provided additional authority and responsibilities pursuant to s. 1012.28(8); and
- (c) Have implemented a turnaround option under $\underline{s.\ 1008.33}$ $\underline{s.\ 1008.33(4)}$ at a school as the school's principal. The turnaround option must have resulted in the school improving by at least one letter grade while he or she was serving as the school's principal.
- $\underline{(7)}$ RULEMAKING.—The State Board of Education shall adopt rules to administer this section.
- Section 5. Subsection (2) of section 1011.67, Florida Statutes, is amended to read:
 - 1011.67 Funds for instructional materials.-
- (2) Annually by July 1 and before the release of instructional materials funds, each district school superintendent shall certify to the Commissioner of Education that the district school board has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including verification that training was provided; that the materials are being implemented

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as designed; and, beginning July 1, 2021, for core reading materials and reading intervention materials used in kindergarten through grade 5, that the materials meet the requirements of $\underline{s.\ 1001.215(6)}\ s.\ 1001.215(7)$. This subsection does not preclude school districts from purchasing or using other materials to supplement reading instruction and provide additional skills practice.

Section 6. Subsection (2) of section 1011.69, Florida Statutes, is amended to read:

1011.69 Equity in School-Level Funding Act.-

school boards shall allocate to schools within the district an average of 90 percent of the funds generated by all schools and guarantee that each school receives at least 80 percent, except schools participating in the Principal Autonomy Pilot Program Initiative under s. 1011.6202 are guaranteed to receive at least 90 percent, of the funds generated by that school based upon the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary millage levy. Total funding for each school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the school during the full-time

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equivalent student survey periods designated by the Commissioner of Education. If the district school board is providing programs or services to students funded by federal funds, any eligible students enrolled in the schools in the district shall be provided federal funds.

Section 7. Subsection (8) of section 1012.28, Florida Statutes, is amended to read:

1012.28 Public school personnel; duties of school principals.—

- (8) The principal of a school participating in the Principal Autonomy Pilot Program Initiative under s. 1011.6202 has the following additional authority and responsibilities:
- (a) In addition to the authority provided in subsection (6), the authority to select qualified instructional personnel for placement or to refuse to accept the placement or transfer of instructional personnel by the district school superintendent. Placement of instructional personnel at a participating school in a participating school district does not affect the employee's status as a school district employee.
- (b) The authority to deploy financial resources to school programs at the principal's discretion to help improve student achievement, as defined in s. 1008.34(1), and meet performance goals identified in the principal autonomy proposal submitted pursuant to s. 1011.6202.
 - (c) To annually provide to the district school

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superintendent and the district school board a budget for the operation of the participating school that identifies how funds provided pursuant to s. 1011.69(2) are allocated. The school district shall include the budget in the annual report provided to the State Board of Education pursuant to s. 1011.6202(6).

Section 8. Paragraphs (a) and (e) of subsection (3) of section 1013.62, Florida Statutes, are amended to read:

1013.62 Charter schools capital outlay funding.-

- (3) If the school board levies the discretionary millage authorized in s. 1011.71(2), the department shall use the following calculation methodology to determine the amount of revenue that a school district must distribute to each eligible charter school:
- (a) Reduce the total discretionary millage revenue by the school district's annual debt service obligation incurred as of March 1, 2017, which has not been subsequently retired, and any amount of participation requirement pursuant to s.

 1013.64(2)(a)8. that is being satisfied by revenues raised by the discretionary millage. By October 1 of each year, each school district shall certify to the department the amount of debt service and participation requirement that complies with the requirement of this paragraph and can be reduced from the total discretionary millage revenue. The Auditor General shall verify compliance with this requirement during scheduled operational audits of school districts.

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(e) School districts shall distribute capital outlay funds to charter schools no later than February 1 of each year beginning on February 1, 2018, for the 2017-2018 fiscal year.

Section 9. This act shall take effect July 1, 2018.

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