

Rule 6A-1.099811, FAC., Differentiated Accountability State System of School Improvement

<https://www.flrules.org/gateway/ruleno.asp?id=6A-1.099811>

Final 6A-1.099811 (Word Document) Excerpt:

Intervene Status; exiting the Intervene category; consequences of failing to exit.

(a) In order to exit the Intervene category a school must make significant progress after one (1) year. Significant progress is defined as:

1. The school's letter grade improves to a "C" or better, and
2. The school's AYP performance improves so that at least one (1) subgroup in reading and at least one (1) subgroup in mathematics that previously did not make AYP has made AYP.

(b) In the event a school in the Intervene category fails to make significant progress within one (1) year and exit the Intervene category, the district and Department will provide assistance with the selection and implementation of one (1) of the four (4) following reconstitution options for the school:

1. **Reassign students to another school and monitor the students' progress.** This option requires the district to:
 - a. Close the school and assign the students to different locations.
 - b. Follow established procedures for attendance boundary changes and zoning requirements in reassigning students to different locations.
 - c. Ensure that teachers from the closed school who are responsible for teaching reading and mathematics are not assigned to any school where the students from the closed school are assigned unless the teacher is highly qualified as set forth in Section 1012.05, F.S., and sixty-five (65) percent or more of the teacher's students achieved learning gains on FCAT for reading and mathematics for elementary teachers or the appropriate content area for middle and high school teachers.
 - d. Identify students from the closing school who were reassigned and monitor their academic progress. Progress will be reported annually to the Department for three (3) years.
 - e. In addition to open house events, the school must offer a flexible number of meetings to inform parents of their child's performance at school. These meetings shall be held at convenient times for the teacher and parent.
2. **Convert the school to a district-managed turnaround school.** This option requires:
 - a. The district to assign a district employee who is responsible for managing the turnaround process.
 - b. The district to replace the principal, all assistant principals, and instructional coaches unless assigned to the school for less than one (1) year. The Department shall provide recommendations to the superintendent with respect to replacing the principal, assistant principals, and instructional coaches.
 - c. The district to employ a fair, consistent, transparent, and reliable system to reassign or replace the majority of the instructional faculty and staff whose students' failure to improve can be attributed to a lack in performance on the part of faculty and staff providing instruction. Reading and mathematics teachers may not be rehired at the school unless they are highly qualified and effective instructors as set forth in Section 1012.05, F.S., and as evidenced by sixty-five (65) percent or more of their students achieving learning gains on FCAT for reading and mathematics for elementary teachers or the appropriate content area for middle and high school teachers.
 - d. The district to undertake a comprehensive search to recruit a new principal with a record of turning around a similar school. The principal's contract must include differentiated pay in the form of a signing bonus and performance pay for raising student achievement. In order to implement differentiated principal pay, the district shall employ a fair, consistent, transparent, and reliable system to determine issues surrounding raising student achievement. The selection of the principal shall be informed by guidance from the Department.
 - e. The principal and new leadership team to select new faculty and staff with the Department's assistance. Differentiated pay may be offered to faculty through signing bonuses and compensation for mandatory professional development and involvement in additional parent and student functions after school. Performance pay may also be offered to teachers for raising student achievement. In order to implement differentiated faculty pay, the district shall employ a fair, consistent, transparent, and reliable system to determine issues surrounding raising student

achievement. The hiring process shall be completed in time to ensure all teachers participate in summer professional development activities.

f. The district to provide the school with a fully released reading coach, a fully released mathematics coach, and a fully released science coach, and will provide additional coaches based on enrollment, unless the district provides direct instructional support services.

g. The district to assemble an advisory board comprised of district personnel, teachers, community members, and a representative of the Department. The advisory board shall report monthly to the superintendent regarding its activities, concerns, and recommendations. Only one advisory board is required for a district with more than one school in the Intervene category.

h. The district to make available to the school's administrators and teachers prior to the opening of school a summer professional development academy that is developed in conjunction with the Department.

i. The school to establish common planning time within the master schedule to allow meetings to occur.

j. The district to enhance its school allocation formula to provide additional funds, resources, and personnel to the school.

k. In addition to open house events, the school must offer a flexible number of meetings to inform parents of their child's performance at school. These meetings shall be held at convenient times for the teacher and parent.

3. **Close the school and reopen the school as a charter school or multiple charter schools.** This option requires the district to:

a. Close the school and follow procedures of Section 1002.33, F.S., to reopen the school as a charter or multiple charters.

b. Reassign students who do not choose to attend the charter to other schools.

c. Ensure that the charter includes the following provisions:

(I) The principal selected must have experience turning around a low-performing school;

(II) The principal, assistant principals, or coaches from the closed school may not be hired at the charter school unless assigned to the school for less than one (1) year and the school's failure to improve cannot be attributed, in whole or in part, to the individual;

(III) Reading and mathematics teachers from the closed school may only be hired if they are highly qualified and effective instructors as set forth in Section 1012.05, F.S., and as evidenced by sixty-five (65) percent or more of their students achieving learning gains on FCAT for reading and mathematics for elementary teachers or the appropriate content area for middle and high school teachers.

(IV) The district provides the school with a fully released reading coach, a fully released mathematics coach, and a fully released science coach and provides additional coaches based on enrollment, unless the charter provides direct instructional support services.

d. In addition to open house events, the school must offer a flexible number of meetings to inform parents of their child's performance at school. These meetings shall be held at convenient times for the teacher and parent.

4. **Contract with an outside entity to operate the school.** This option requires the district to enter into a contract with a management company having a proven success record of improving low-performing schools. The contract must include the following:

a. The principal must have experience turning around a low-performing school.

b. The principal, assistant principals, or coaches from the closed school may not be hired at the new school unless assigned to the school for less than one (1) year and the school's failure to improve cannot be attributed, in whole or in part, to the individual.

c. Reading and mathematics teachers from the closed school may only be hired if they are highly qualified and effective instructors as set forth in Section 1012.05, F.S., and as evidenced by sixty-five (65) percent or more of their students achieving learning gains on FCAT for reading and mathematics for elementary teachers or the appropriate content area for middle and high school teachers.

d. The district provides the school with a fully released reading coach, a fully released mathematics coach, and a fully released science coach and provides additional coaches based on enrollment unless the charter provides direct instructional support services.

e. In addition to open house events, the school must offer a flexible number of meetings to inform parents of their child's performance at school. These meetings shall be held at convenient times for the teacher and parent.

(c) If a school does not exit the Intervene category after one (1) year of implementing one (1) of the options for reconstitution, a different option will be selected by the district each year until all options are exhausted, in which case the school will be closed and students reassigned.

(d) If a school does not exit the lowest-performing category during the initial year of implementing one of the reconstitution options, the school district must submit a plan, for State Board of Education approval, that includes details for implementing a different reconstitution option at the beginning of the next school year, unless the provisions of paragraph (8)(e) of this rule apply.

(e) When a school district demonstrates that a school is likely to move from the lowest-performing category if additional time is provided to implement intervention and support strategies, the State Board of Education shall permit continuation of an implementation option beyond one year.

(f) Each year the Department shall publish notice of the deadline for the selection of a reconstitution option, as provided in paragraphs (8)(b) and (8)(d) of this rule and the submission of a plan for implementation of that option. The notice shall provide a district a minimum of thirty (30) days for selection of the implementation option and a minimum forty-five (45) days after that date for the submission of an implementation plan.

(9) Annual update of DA forms. DA forms will be annually updated and submitted for State Board approval.

(10) The failure to comply with the requirements of this rule will subject a district to the remedies provided in Section 1008.22, F.S.

Rulemaking Authority 1001.02(1), 1008.33 FS. Law Implemented 1006.40(2), 1008.33 FS. History—New 8-11-10.