

This is a new rule.

6A-7.0100 Merit Award Program for Instructional Personnel and School-Based Administrators. Section 1012.225, Florida Statutes, establishes the Merit Award Program as an opportunity for Florida school districts and charter schools to receive state funding for implementing performance pay plans to reward high performing instructional and school-based administrative personnel in accordance with the authorizing statute. This rule sets forth requirements for implementation provisions required by Section 1012.225(4), Florida Statutes.

(1) Calculation of the average teacher salary for each district. The calculation of the average teacher salary for each school district will be performed by the Department no later than June 1 of each year. The calculation will be based upon salary information for all of the district's classroom teachers as defined in Section 1012.01(2)(a), Florida Statutes, as reported in the February Student and Staff Membership Survey (Survey 3).

(2) Procedures for reviewing school district and charter school Merit Award Program plans. By October 1 of each year for use in the following school year, each school district and charter school seeking to participate in the Merit Award Program shall submit to the Commissioner of Education a plan for distribution of performance bonuses in an amount that equals no less than five (5) percent and no more than ten (10) percent of the district's average teacher salary to high performing employees in the district. The plan must comply with Section. 1012.225, Florida Statutes, as evidenced by documentation of all of the following:

(a) The plan includes all instructional personnel, with the exception of substitute teachers, as defined in Section 1012.01(2)(a)-(d), Florida Statutes, and school-based administrators, as defined in Section 1012.01(3)(c), Florida Statutes. Each district or charter school must include all

such employees without requiring them to apply for participation and may not exclude or hinder any employee due to his or her qualification for any other bonus or award.

(b) Final calculation of bonus awards includes a student performance component that is weighted no less than sixty (60) percent of the calculation and is based on the performance of students that are assigned to each instructional staff member's classroom or to each administrator's school. The documentation of the student performance component must include descriptions of the following:

1. Whether awards are provided to eligible individuals or instructional teams. If instructional teams are included in the plan, the description of such teams must meet the requirement of paragraph (2)(b) of this rule, such that instructional staff must be evaluated on the performance of students who are within the staff member's academic sphere of responsibility.

Personnel who are team teaching or co-teaching may be considered an instructional team.

2. The methods that will result in a determination of student proficiency, student gains in learning, or both, as applicable for all personnel assessed.

3. The assessments or tests from which results will be used to determine this component for each staff member. Such assessments must be taken from the following in accordance with Sections 1012.225 and 1012.2251, Florida Statutes:

a. Statewide standardized tests, or, for subjects and grades that are not measured by the statewide assessment program, by national, state, or district-determined testing instruments that measure the State content standards, curriculum frameworks, or course descriptions for the content area assigned and grade level taught.

b. End-of-course examinations utilized by a district for this purpose must be based on the

State content standards, curriculum frameworks, or course descriptions for the content area assigned and grade level taught in order to measure a student's understanding and mastery of the entire course in all grade groupings and subjects for any year in which the districts participate in the program. The statewide standardized assessment, College Board Advanced Placement Examination, International Baccalaureate examination, Advanced International Certificate of Education examination, or examinations resulting in national industry certification recognized by the Agency for Workforce Innovation also satisfy the requirements of this rule for the respective grade groupings and subjects assessed by these examinations and assessments. A district must offer student assessments as described in this section in order to participate in the Merit Award Program.

(c) Final calculation of bonus awards includes a professional practices component that is weighted no more than forty (40) percent of the calculation. The appraisal instrument and methods used to assess the professional practices component must be included in the documentation and must reflect methods to assess performance in each of the criteria listed in Section 1012.225(3)(e), Florida Statutes;

(d) The plan for distribution of awards results in a balance between awards earned primarily based upon student proficiency and awards primarily based upon student growth in learning for high performing employees who are also employed in a Florida public school on September 1 of the following school year;

(e) Procedures that will be used to inform all included staff members of the plan and how to qualify for an award;

(f) If included, the district's or charter school's requirements for an attendance bonus to

be awarded to Merit Award Bonus recipients; and

(g) Written assurance from the superintendent or chief executive officer of the school that the plan has been negotiated within the provisions of Sections 1012.225 and 447.403, Florida Statutes, if applicable, and has been adopted by the district or school.

(3) Reporting formats for district and charter school documentation of compliance. By October 1 of each year, each participating school district and charter school shall submit verification with supporting documentation that the district or charter school implemented its approved plan during the previous year in compliance with Section 1012.225, Florida Statutes.

(a) The district will report the amount of each Merit Award Program bonus awarded to each individual in the district through the September Student and Staff Membership Survey (Survey 5):

(b) The district will report the total amount awarded in bonuses, and any remainder that will be remitted to the Department through the regular financial reporting system.

(c) The district will provide to the Commissioner the percentages of its Merit Award Program recipients who received the bonus primarily based on student proficiency, gains in learning, or both.

Specific Authority 1012.225 and 1012.2251 FS. Law Implemented 1012.225 and 1012.225 FS.

History - New