

6A-1.099811 School Improvement State System of Support for Deficient and Failing Schools.

(1) Purpose. The purpose of this rule is to set forth the School Improvement (SI) State System of Support for Deficient and Failing Schools pursuant to section 1008.33, F.S., by establishing differentiated intervention and support strategies for traditional public schools, delineating the responsibilities of the school, district and Department of Education (Department), setting timelines for intervention and support strategies, prescribing reporting requirements to review and monitor progress of schools, and setting forth submission and approval criteria for Turnaround Option implementation Plans.

(2) Definitions. The following definitions, listed alphabetically, shall be used in this rule and incorporated documents:

(a) through (b) No change.

(c) “Common planning time” means the time provided to grade-level instructional personnel at the elementary level and subject-area instructional personnel at the secondary level to meet together, within and across grades and subjects, for data-based decision making, problem-solving and professional development on Florida’s state academic standards.

(d) “Community Assessment Team” or “CAT” means the team that reviews the school performance, identifies causes of low performance and makes recommendations for school improvement. The CAT shall include, but not be limited to, a Department representative, parents, business representatives, educators, the Regional Executive Director or designee, representatives of local government, and community activists, and shall represent the demographics of the community from which they are appointed.

(e) “Comprehensive Support and Improvement school” or “CS&I” means any school that earns a grade of “D” or “F” or any school that has a graduation rate of sixty-seven (67) percent or less in the most recently released school grades pursuant to Rule 6A-1.09981, F.A.C., School and District Accountability.

(f) No change.

(g) “District leadership team” means the team that includes the superintendent and district leadership. This may include those in charge of curriculum, general and special education, student services, human resources, professional development, and other areas relevant to school improvement. The district-based leadership team shall develop and implement the district-managed turnaround option plan.

(h) through (n) No change.

(o) “Memorandum of Understanding” or “MOU” means an agreement with the school district and bargaining unit pursuant to section 1001.42(21), F.S., to be negotiated that addresses the selection, placement and expectations of instructional personnel. The MOU must be provided to the Department by September 1, after the issuance of the SI school’s grade, pursuant to section 1008.33(4)(a), F.S.

(p) “Multi-Tiered System of Supports” or “MTSS” means the system utilizing the problem-solving process to identify and support student needs based upon the available data. The data used in the process may include, but is not limited to, attendance, behavior/discipline, statewide assessment, and progress monitoring assessment data.

(q) “Needs Assessment” means a systematic process that includes a thorough analysis of available state, district, and school-level trend data to determine priorities, address needs or gaps, and allocate resources between current conditions and desired state.

(r) No change.

(s) “Progress monitoring” means the continuous review of assessments that inform educators about ongoing student progress for mastery of Florida’s grade level standards in mathematics, English Language Arts (ELA), science, and social studies.

(t) “Progress Monitoring Data Review” or “PMDR” is a quarterly survey used to gather instructional personnel and student data to inform state, district, and school leaders about professional capacity and school climate as related to student achievement.

(u) through (x) No change.

(y) “School Improvement Regional Team” means the staff assigned by the Department to provide assistance to schools and districts located in ~~one (1) of four (4)~~ geographic regions.

(z) “School Improvement Schools” or “SI schools” means graded public schools identified for support and intervention by the Department because the schools earned a grade of “D₁”, a grade of “F” or produced a graduation rate of sixty-seven (67) percent or less.

(aa) No change.

(bb) “Value-added model” or “VAM” means a statistical model used for the purpose of determining an individual teacher’s contribution to student learning, as established by Rule 6A-5.0411, F.A.C. The three-year aggregated state VAM files includes instructional personnel with one to three years of state VAM data.

(3) School Improvement (SI) Tiers of Support. All SI schools are in need of support and intervention from the

school district and the Department and are provided this within the context of a three-tiered system.

(a) No change.

(b) A Tier 2 SI school is any school that earns a single grade of “F” or consecutive grades of “D” in any school year in which the school received a grade ~~a school that earns consecutive low performing grades~~ and is in the first cycle of turnaround.

(c) No change.

(4) SI Notification. In order to assist school districts with support and interventions for SI schools, the Department shall:

(a) No change.

(b) Provide notice of the Tier of Support for the SI school and notice of CS&I status;

(c) Provide districts with state Value-added Model (VAM) data on instructional personnel no later than July 31~~in August~~ of each year, which includes the three-year aggregated state VAM file; and

(d) No change.

(5) Support Strategies for SI schools.

(a) Districts with a SI school must coordinate with the Department, the Regional Executive Director or designee, and the school to identify and implement tailored support and improvement strategies designed to address low performance at the school.

(b) The support and improvement strategies that must be considered by a district that has any SI school to improve student performance are to:

1. through 4. No change.

5. Ensure the instructional programs align to Florida’s state academic sStandards across grade levels and are proven to be effective with high-poverty, at-risk students using ESSA’s evidence-based levels 1, 2, or 3;

6. through 9. No change.

(c) The support and improvement strategies that must be implemented by a district that has any SI school to improve student performance are to:

1. No change.

2. Utilize formative and summative assessments that are aligned to Florida’s state academic sStandards;

3. through 5. No change.

(d) through (e) No change.

(6) Turnaround Option Plan Types.

(a) Turnaround Option Plan plans are two-year district improvement plans that are required for a school that earns two (2) consecutive grades of “D” or a single grade of “F.” A school district is not required to wait until a school earns a second consecutive grade of “D” to submit a Turnaround Option Plan for approval by the State Board of Education. All Turnaround Option Plans must be designed to improve a SI school’s grade to a “C” or better within two (2) school years.

(b) The four (4) Turnaround Option Plan types are:

1. District-managed Turnaround Option Plan (DMT). DMT is the option through which the school district manages the two-year Turnaround Option Plan at the school;

2. Reassignment and Closure Turnaround Option Plan (RC). RC is the option through which the district closes the school, reassigns students to a “C” or higher graded school(s) and monitors the progress of those students;

3. Charter School Turnaround Option Plan (CH). CH is the option through which the district contracts with a charter school with a record of effectiveness to operate SI the school; and

4. External Operator/Outside Entity Turnaround Option Plan (EO). EO is the option through which the district contracts with an outside entity that has a record of effectiveness to provide turnaround services including school leadership, educational modalities, teacher and leadership professional development, curriculum, operation and management services, school-based administrative staffing, budgeting, scheduling, other educational service provider functions, or any combination thereof operate SI the school. An EO/Outside Entity includes one or a combination of the following:

a. An EO/ Outside Entity, which may be a district-managed charter school or a high-performing charter school network in which all instructional personnel are not employees of the school district but are employees of an independent governing board composed of members who did not participate in the review or approval of the charter; and

b. A contractual agreement that allows for a charter school network or any of its affiliated subsidiaries to provide individualized consultancy services tailored to address the identified needs of one or more SI schools.

(7) Turnaround Option Plan Steps. All Turnaround Option Plans must be completed by the district in collaboration with the Department. There are two (2) steps in the development of a Turnaround Option Plan.

(a) Step one requires the district to engage stakeholders in planning for the development of the Turnaround Option Plan by:

1. through 4. No change.

(b) Step two requires the district to develop a Turnaround Option Plan for implementation. All step two plans must be submitted by the district to the RED for review and feedback prior to submission to the Department and the State Board of Education for approval.

(c) After the approval of a district's Turnaround Option Plan by the State Board of Education, the district shall utilize the Principal Change Verification Form to notify and receive approval from the Department prior to replacing a principal at a turnaround school.

(8) District-managed Turnaround (DMT).

(a) DMT-Step One. The district must meet and document the requirements set forth in paragraph (7)(a) of this rule, and the following requirements on the form entitled, District-Managed Turnaround Option Plan–Step 1, TOP-1.

1. Agree to meet the following assurances:

a. No change.

b. Ensure the instructional programs align to Florida's state academic standards across grade levels and are proven to be effective with high-poverty, at-risk students using ESSA's evidence-based levels 1, 2, or 3;

c. Ensure progress monitoring assessments are aligned to Florida's state academic standards and provide valid data to support intervention for students;

d. through f. No change.

g. Ensure the review of practices in hiring, recruitment, retention, and reassignment of instructional personnel have been reviewed with priority on student performance data;

h. through k. No change.

2. through 4. No change.

(b) DMT – Step Two. The district must meet and document the following requirements on the form entitled District-Managed Turnaround Option Plan–Step 2, TOP-2.

1. through 5. No change.

6. Describe how the instructional programs align to Florida's state academic standards across grade levels and are proven to be effective with high-poverty, at-risk students using ESSA's evidence-based levels 1, 2, or 3;

7. No change.

8. Describe how progress monitoring assessments are aligned to Florida's state academic standards and provide valid data to support intervention for students;

9. through 16. No change.

(9) No change.

(10) Charter School (CH).

(a) through (b) No change.

(c) The district shall submit to the Department for Cycle Two, Cycle Three and Cycle Four schools as described in subsection (12) of this rule, an executed contract with the charter operator no later than May 1, prior to the implementation of the Turnaround Option Plan.

(11) External Operator/Outside Entity (EO).

(a) through (b) No change.

(c) The district shall submit to the Department for Cycle Two, Cycle Three and Cycle Four schools, an executed performance contract with the EO no later than May 1, prior to the implementation of the Turnaround Option Plan ~~turnaround plan~~.

(12) Timeline. The deadlines the district must meet are set forth below.

(a) No Change.

(b) Turnaround schools in Cycle Two, Cycle Three and Cycle Four:

1. through 2. No change.

3. Executed annual contract with an EO or CH due May 1, prior to the school year of implementation of Turnaround Option Plan.

(c) No change.

(13) State Board Approval of District Turnaround Option Plans.

(a) When considering whether to approve a Turnaround Option Plan, the State Board shall consider, at a minimum, the following factors:

1. The strength of the Turnaround Option Plan;

2. through 4. No change.

5. The extent to which the recommendations of the RED and the Department have been incorporated into the

district's Turnaround Option Plan.

(b) Approval. The State Board shall approve a Turnaround Option Plan when a school district:

1. Meets the requirements for Turnaround Option Plan plans set forth in this rule and incorporated forms; and

2. Demonstrates that it is more likely than not that the school will improve to a grade of at least a "C" during

implementation of the two year Turnaround Option Plan.

(14) Revocation of an Approved Turnaround Option Plan.

(a) The State Board is authorized to revoke a Turnaround Option Plan when:

1. A district has failed to follow the terms of its approved Turnaround Option Plan or meet the requirements for such plans, as set forth in subsections (8) through (11) of this rule; and

2. It is unlikely the school will improve to a grade of at least a "C" during the remainder of the implementation of the two-year Turnaround Option Plan.

(b) through (c) No change.

(d) Upon revocation, a district shall be afforded no less than twenty (20) days to submit a revised Turnaround Option Plan to the State Board.

(15) Exiting School Improvement. In order to exit SI, a school must meet one of the following requirements:

(a) When the school is categorized as a SI school based upon its grade, the school must earn a grade of at least a "C₂;" or

(b) No change.

(16) Extension of a Turnaround Option Plan.

(a) A district may request additional time to implement its Turnaround Option Plan if the following conditions are met:

1. through 3. No change.

4. During the remainder of the implementation of the Turnaround Option Plan, the district agrees to staff the school without any Unsatisfactory rated instructional personnel and maintain or improve the school's percentage of Needs Improvement rated instructional personnel from the percentage reported; and

5. No change.

(b) The State Board of Education shall approve a district's request for additional time to implement its Turnaround Option Plan when a school district:

1. No change.

2. The State Board determines that the school district has demonstrated that it is more likely than not that the school will improve to a grade of at least a “C” during an extended period of implementation of the Turnaround Option Plan.

(17) through (18) No change.

Rulemaking Authority 1001.02(2)(n), 1008.33 FS. Law Implemented 1001.42(18)(a), 1008.33, 1008.345, 1012.2315 FS. History—New 8-11-10, Amended 8-6-13, 12-23-14, 8-21-18, 10-24-19.