

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

(1) No change.

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

(a) “Below Effective” means a value-added model rating of Needs Improvement/Developing or Unsatisfactory.

(b) through (j) No change.

(k) “Educational emergency” exists in a school district if one or more of the schools in the district have a school grade of “D” or “F” pursuant to Section 1001.42(21), F.S. ~~A district with SI schools shall negotiate special provisions of its contract with the appropriate bargaining unit~~ To free schools from contract restrictions that limit the school’s ability to implement programs and strategies needed to improve student performance, a district school board is authorized to adopt salary incentives or other strategies that address the selection, placement, compensation, and expectations of instructional personnel notwithstanding collective bargaining requirements found in Chapter 447, and provide principals with the autonomy described in Section 1012.28(8), F.S.

(l) “Graduation rate” means the percentage of students who earned a standard diploma within four (4) years of their first full year of enrollment in ninth grade in the state as determined by ~~Rule subsection~~ 6A-1.09981(4), F.A.C., School and District Accountability.

(m) No change.

(n) “Inexperienced teachers” means a teacher who has been teaching for three years or less.

(n) through (aa) renumbered to (o) through (bb) No change.

(cc) “Teacher in need of improvement” means any instructional personnel with a VAM rating below Effective.

(dd) ~~(bb)~~ No change.

(ee) ~~(ee)~~ “Value-added model” or “VAM” means the individual student learning growth models based on the statewide standardized assessments authorized in Section 1012.34(7), F.S. Florida Statutes, and further described by Rule 6A-5.0411, F.A.C.

(ff) ~~(dd)~~ No change.

(3) through (4) No change.

(5) Support Strategies for SI schools.

(a) No change.

(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 2. No change.

~~3. Staff the SI school so that the percentage of instructional personnel with a VAM rating that is below effective is less than the district average if the district has more than five (5) total schools and less than the state average, if the district has five (5) or fewer schools;~~

~~3.4.~~ No change.

~~4.5.~~ No change.

~~5.6.~~ Ensure that K-12 intensive reading instruction is provided by teachers with a reading certificate, endorsement or micro-credential pursuant to Section 1011.62(8)(d)7., F.S.;

~~6.7.~~ No change.

~~7.8.~~ Ensure remedial and supplemental instructional resources are prioritized for K-3 students with a substantial deficiency in reading in accordance with the district's K-12 Comprehensive Evidence-based Reading Plan and for K-4 students with a substantial deficiency in mathematics as provided in Rule 6A-6.0533, F.A.C.; and

~~8.9.~~ 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. through 7. No change.

8. For any Tier 1 schools (except those identified for a graduation rate of sixty-seven percent (67%) or less) and schools implementing a DMT or EO option, ensure that the percentage of inexperienced teachers, instructional personnel in need of improvement and out-of-field instructional personnel assigned to the school is at least or at a minimum, not higher than the district average.

(6) No change.

(7) Turnaround Option Plan Types.

(a) No change.

(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), monitors the progress of those students and provides supports tailored to address student deficiencies;

3. Charter School Turnaround Option Plan (~~CH~~). Charter School TOP CH is the option through which the district contracts with a charter school with a record of effectiveness to operate ~~SI~~ the school. Under this option, the school district temporarily continues to operate the school for the remainder of the school year after selecting the Charter School TOP and the following school year until the charter school operator assumes full operational control of the school. ~~and~~

4. No change.

(8) No change.

(9) District-managed Turnaround (DMT).

(a) DMT-Step One. The district must meet and document the requirements set forth in paragraph (8)(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. through e. No change.

f. Ensure the principal ~~and~~ has a successful record in leading a turnaround school, and the qualifications to support the student population being served;

g. No change.

~~h. Ensure that the percentage of instructional personnel with a VAM rating that is below effective is less than the district average if the district has more than five (5) total schools. If the district has five (5) or fewer schools, ensure that the percentage of instructional personnel assigned to the school with a rating that is below effective, is less than that the state average;~~

~~h.i. Ensure that the instructional personnel who do not have a VAM rating and who do not show evidence of increasing student achievement are not rehired at the school;~~

~~i.j. Ensure that the percentage of inexperienced teachers temporarily certified instructional personnel, instructional personnel with a VAM rating that is below Effective in need of improvement or out-of-field~~

instructional personnel assigned to the school is at least or at a minimum, not higher than the district average; and

~~j.k.~~ Ensure that K-12 reading instruction is provided by teachers with a reading certificate, endorsement or micro-credential pursuant to Section ~~s:~~ 1011.62(8)(d)7., F.S.:

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 14. No change.

15. Provide information demonstrating that the school meets the instructional staffing requirements set forth above in sub-subparagraph (9)(a)1.h.-~~j.~~ of this rule.

(10) Reassignment/Closure (RC).

(a) RC-Step One. The district must meet and document the requirements set forth in paragraph (8)(a) of this rule and the following requirements on the form entitled, Turnaround Option Plan–Step 1, TOP-1, 3-Options:

1. No change.

2. Ensure that students from the closed school are not assigned to instructional personnel with VAM ratings or district evaluations that are below Effective;

3. No change.

4. Ensure that for the upcoming school year, instructional personnel from the closed school with VAM ratings that are below Effective are not reassigned to other SI schools within the district;

5. No change.

6. Ensure that, for the upcoming school year, instructional personnel from the closed school who are rated below Effective are not assigned to:

a. A high school or middle school student who was taught by a classroom teacher with a VAM rating that is below Effective for the previous school year in the same subject area.

b. An elementary school student who was taught by a classroom teacher with a VAM rating that is below Effective for the previous school year.

(b) RC-Step Two. The district must meet and document the following requirements on the form entitled, Turnaround Option Plan-Step 2, TOP-2, Reassignment/Closure.

1. No change.

2. Describe how the district will ensure that students from the closed school are not assigned to instructional personnel with VAM ratings or the district evaluations that are below Effective;

3. through 5. No change.

(11) Charter School TOP(~~CH~~).

(a) Charter School TOP ~~CH~~-Step One. The district must meet and document the requirements set forth in paragraph (8)(a) of this rule, and the following requirements on the form entitled, Turnaround Option Plan–Step 1, TOP-1, 3-Options.

1. Ensure the district closes the school and reopens it as a charter or multiple charter schools.;

2. Ensure the district enters into a contract with a charter or multiple charters that have a record of turning around schools that are low-performing with students of similar demographics or a charter school with a record of high performance.;

3. Ensure that the charter school operator has a staffing plan to make certain instructional personnel with VAM ratings or district evaluations that are below Effective do not serve as instructional personnel at the school.;

4. No change.

5. Ensure the charter school operator provides enrollment preference to students who currently attend or who would have otherwise attended or been zoned for the school.

6. Ensure the charter school operator serves the existing grade levels served by the school at its current enrollment or higher.

7. Ensure the district continues to operate the school with the same level of resources after selecting the Charter School TOP and executes a standard charter school turnaround contract, a standard facility lease, and a mutual management agreement for planning and preparation purposes before the charter school operator assumes full operational control of the school.

(b) Charter School TOP ~~CH~~-Step Two. The district must meet and document the following requirements on the form entitled, Turnaround Option Plan-Step 2, TOP-2, Charter.

1. Describe how the district will ensure that the school will close and reopen it as a charter or multiple charters.;

2. Describe how the district will ensure it enters into a contract with a charter organization following established district policy and procedures.;

3. Describe how the district will ensure selection of a charter organization that has a record of turning around a

school serving low-performing students who have similar demographics or a charter school with a record of high performance;

4. Describe how the district will ensure that instructional personnel with VAM ratings or district evaluations that are below Effective are not staffed at the school for the upcoming school year; ~~and~~

5. No change.

6. Describe how the district will ensure the charter school operator provides enrollment preference to students who currently attend or who would have otherwise attended or been zoned for the school. Include in the description how the district will consult and negotiate with the charter school every three years to determine the appropriate alignment of the attendance zone and ensure that students residing closest to the school are provided with an enrollment preference.

7. Describe how the district will ensure the charter school operator serves the existing grade levels served by the school at its current enrollment or higher or serves additional grade levels.

8. Describe how the district will ensure continued operation of the school with the same level of resources after selecting the Charter School TOP and outline a plan for collaborative efforts with the charter school to facilitate the transition and preparation toward complete operational control of the school.

(c) The district must include an updated DMT, TOP-2 form set forth in paragraph (9)(b) as an addendum to the Charter School-TOP-2 form for sustained operation of the school.

(d) ~~(e)~~ The district shall submit to the Department for Cycle Two, Cycle Three and Cycle Four schools as described in subsection (13) of this rule, a standard charter school turnaround ~~an executed~~ contract, a standard facility lease, and a mutual management agreement with the charter operator, as incorporated in Rule 6A-6.0786, F.A.C., no later than May 1, prior to the implementation of the Turnaround Option Plan.

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

(a) EO-Step One. The district must meet and document the requirements set forth in paragraph (8)(a) of this rule, and the following requirements on the form entitled, Turnaround Option Plan–Step 1, TOP-1, 3-Options.

1. through 2. No change.

3. Ensure that the percentage of inexperienced teachers, instructional personnel with a VAM rating that is below Effective or out-of-field instructional personnel assigned to the school is at least or at a minimum, not higher than the district average; ~~instructional personnel with VAM ratings or district evaluations that are below effective are not~~

~~staffed at the school;~~

4. through 9. No change.

10. Ensure the district will submit to the Department a MOU required by Section 1001.42(21), F.S., that relieves the school from any contract restrictions that limit the ability to implement strategies to improve the school's low performance;

11. through 12. No change.

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

1. through 5. No change.

6. Provide information demonstrating that the school meets the instructional staffing requirements set forth above in subparagraph (12)(a)3.-5. of this rule. Describe how the district will ensure that instructional personnel with VAM ratings that are below effective are not staffed at the school;

7. through 9. No change.

10. Describe how the instructional and intervention programs for reading are consistent with Section 1001.215(8), F.S.;

11. No change.

12. Describe how remedial and supplemental instruction resources are prioritized for K-3 students with a substantial deficiency in reading in accordance with the district's K-12 Comprehensive Evidence-Based Reading Plan provided under Rule 6A-6.053, F.A.C., and for K-4 students with a substantial deficiency in mathematics provided under Rule 6A-6.0533, F.A.C.;

13. through 15. No change.

(c) No change.

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

(a) Tier 1 SI schools:

1. No change.

2. Instructional Staff Rosters are due August 130; and

3. No change.

(b) Tier 2-SI schools:

1. For DMT, Charter School TOP ~~CH~~ and EO/Outside Entity schools, the SI-1 and SI-2 Checklist forms are due prior to the start of the school year and reviewed by the district at a minimum of three (3) times a year;

2. through 5. No change.

(c) Tier 3 SI schools:

1. For DMT, Charter School TOP ~~CH~~ and EO/Outside Entity schools, the SI-1 and SI-2 Checklist forms must be completed with the Regional School Improvement team prior to the start of the school year and reviewed by the district at a minimum of three (3) times a year.;

2. Instructional Staff Rosters are due August 1, except for RC.;

3. For DMT schools, MOU is due September 1.;

4. TOP-1 is due November 1 of the school year prior to implementation.;

5. TOP-2 and proposed contract with an EO/Outside Entity or Charter School TOP ~~CH~~ is due January 31 of the school year prior to implementation. ~~and~~

6. Executed annual contract with an EO/Outside Entity ~~is or CH~~ due May 1, prior to the school year of implementation of the Turnaround Option Plan.

7. Annual standard charter school turnaround contract, standard facility lease, and mutual management agreement with a charter school operator is due May 1 of the school year in which the school district selects the Charter School TOP and must be executed no later than October 1 of the school year following the selection of the Charter School TOP.

8. The charter school operator must assume full control of the school by July 1 following the year the standard charter school turnaround contract for the Charter School TOP was executed.

(d) through (e) No change.

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

(a) No change.

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

1. No change.

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 or where a district has selected reassignment and closure (RC), demonstrates that the intervention and instruction to be provided to students from the closed school are

sufficiently tailored and robust to improve deficiencies.-

(15) through (17) No change.

(18) Community School Improvement Grant Extension

(a) In addition to an extension request under subsection (17), a district implementing a DMT may request additional time to implement the DMT option if the request is approved by the local school board and the following conditions are met:

1. The school has been awarded a community school improvement model grant under Section 1003.64, F.S.:

2. The district provides information explaining the terms of the grant, including services and supports aimed at improving student academic performance; and

3. The district agrees to terminate the extension of DMT and select another turnaround option set forth in subparagraph (7)(b)2.-4. of this rule upon notice from the Department of declining student performance.

(b) Relying upon the DMT plan, including amendments, the terms of the grant and any other information provided by the district, the State Board will grant the extension on an annual basis if the Board determines that the school district has demonstrated that it is more likely than not that the school is on track to improve to a grade of at least a “C” during the term of the grant.

(19) (18) No change.

(20) (19) Forms. The following forms are hereby incorporated by reference: Form SI-1, Checklist (District Form) (effective December 2024 August 2023) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15722>); Form SI-2, Checklist (School Form) (effective December 2024 August 2023) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15723>); Form PCV-1, Principal Change Verification (effective December 2024 August 2023) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15724>); Form TOP-1, District-Managed Turnaround Plan-Step 1 (effective December 2024 August 2023) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15725>); Form TOP-2, District-managed Turnaround Plan-Step 2 (effective December 2024 August 2023) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15726>); Form TOP-1, Turnaround Option Plan-Step 1, 3-Options (effective December 2024 October 2019) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15727>); Form TOP-2, Turnaround Option Plan-Step 2, Reassignment/Closure (effective December 2024 August 2023) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15728>); Form TOP-2, Turnaround Option Plan-Step 2,

Charter (effective ~~December 2024~~ ~~August 2023~~) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15729>); and Form TOP-2, Turnaround Option Plan-Step 2, External Operator/Outside Entity (effective ~~December 2024~~ ~~August 2023~~) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15730>). All forms may be obtained by contacting the BSI, Division of Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

*Rulemaking Authority 1001.02(2)(n), 1008.33 FS. Law Implemented 1001.42(18)(a), 1008.33, 1008.345, 1012.2315 FS. History—
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