

STATE BOARD OF EDUCATION

Action Item

July 18, 2018

SUBJECT: Amendment to Rule 6A-1.099811, Differentiated Accountability State System of School Improvement

PROPOSED BOARD ACTION

For Approval

AUTHORITY FOR STATE BOARD ACTION

Section 1008.33, Florida Statutes

EXECUTIVE SUMMARY

State Board of Education Rule 6A-1.099811, Florida Administrative Code, has been revised to align with statutory changes as well as the proposed ESSA plan and to update the rule and attached forms to assist districts and the state board with responsibilities under school improvement. Key changes to the proposed rule are:

- Identifies lowest performing public schools based upon state statutory and ESSA requirements.
Target Support and Improvement (TS&I) means any school that receives a single grade of "D" and Comprehensive Support and Improvement (CS&I) means any school that receives two consecutive grades of "D," a single grade of "F," or has a graduation rate of 67 percent or less.
- Sets forth the district planning process and outlines strategies for improvement.
- Reduces number of turnaround options from five to four, the turnaround options are as follows:
 - (a) District-managed: The district develops and manages the implementation of the turnaround plan at the school;
 - (b) Reassign/Closure: Reassign students to another school or schools and monitor progress of each reassigned student;
 - (c) Charter: Close and reopen the school as one or more charter schools, each with a governing board that has a demonstrated record of effectiveness; and
 - (d) External Operator/Outside Entity: Contract with an outside entity that has a demonstrated record of effectiveness to operate the school; this option may include a district-managed charter school.
- Sets forth the criteria for the State Board of Education to consider when reviewing turnaround plans.
- Establishes criteria and timelines for submittal of a Turnaround Option Plan.
- Establishes criteria for a district to request an extension of a turnaround plan and the criteria for the State Board of Education to consider for approval of the request.
- Revises incorporated forms used by school districts to align with state statute and the proposed rule.

Supporting Documentation Included: Proposed Rule 6A-1.099811, F.A.C. Form DA-1, Checklist for Districts with Targeted Support and Improvement or Comprehensive Support and Improvement Schools; Form DA-2, Checklist for Schools with Targeted Support and Improvement and Comprehensive Support and Improvement Schools; Form TOP-1, District-managed Turnaround Plan—Step 1; Form TOP-2, District-managed Turnaround Plan—Step 2; Form TOP-1, Turnaround Option Plan—Step 1, 3-Options; Form TOP-2, Turnaround Option Plan—Step 2, Reassign/Closure; Form TOP-2, Turnaround Option Plan—Step 2, Charter; and, Form TOP-2, Turnaround Option Plan—Step 2, External Operator/Outside Entity (under separate cover)

Facilitator/Presenter: Melissa Ramsey, Executive Director, Bureau of School Improvement

Substantial rewording of Rule 6A-1.099811 follows. See Florida Administrative Code for present text.

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

(1) Purpose. The purpose of this rule is to set forth the Differentiated Accountability (DA) State System of School Improvement 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 implementation plans.

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

(a) “Classroom walkthrough” means an observation of classroom activities by DA Regional Team members, district staff and school staff to gather data and provide feedback to instructional personnel and administrators to inform instructional practices for improved student achievement.

(b) “Coaching” means serving as an instructional resource in a school to generate improvement in student achievement by improving the quality of instruction through professional development support to instructional personnel in their respective content areas, as needed, based on an analysis of student performance and observational data.

(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 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 receives two (2) consecutive grades of “D,” a single grade of “F,” or 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) “Differentiated Accountability” or “DA” means the system set forth pursuant to section 1008.33, F.S., in which the state provides support and interventions of escalating intensity to low-performing schools in order to improve and sustain performance of all student subgroups, and holds districts accountable for improving the academic achievement of all students and turning around low-performing schools.

(g) “Differentiated Accountability schools” or “DA schools” means public schools identified for support and intervention by the Department because the schools earned a single grade of D, two (2) consecutive grades of D, a single grade of F or produced a graduation rate of sixty-seven (67) percent or less.

(h) “Differentiated Accountability 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.

(i) “Direct instructional support” means support provided by a district curriculum or content area specialist who visits the school frequently to provide onsite, job-embedded professional development and support to classroom instructional personnel.

(j) “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.

(k) “District Strategic Plan” means a district-level plan, which includes strategies for improving school performance and increasing student achievement and demonstrates how resources are aligned to ensure schools demonstrating the greatest need receive the highest percentage of resources.

(l) “Early warning system” or “EWS” is a system used in any school that serves students in kindergarten through grade eight used to identify students who need additional support to improve academic performance and stay engaged in school pursuant to section 1001.42(18), F.S.

(m) “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 DA schools shall negotiate special provisions of its contract with the appropriate bargaining unit to free schools from contract restrictions that limit the schools ability to implement programs and strategies needed to improve student performance.

(n) “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 6A-1.09981(4), F.A.C., School and District Accountability.

(o) “Increased learning time” means lengthening the school day, week, or year; providing before school, after school, Saturday or summer school programs to allow additional time for instruction in core academic subjects; providing enrichment activities that contribute to a well-rounded education; and allowing time for teacher collaboration, planning and professional development.

(p) “Instructional coach” means a staff member with a proven record of effectiveness in a specific subject area who has knowledge of adult learning to build capacity through coaching cycles in the development and modeling of effective lessons, analysis of data, and providing professional development and ongoing feedback.

(q) “Instructional Review” or “IR” means the continuous process used by the DA Regional Team, in collaboration with school and district leadership teams, to review a school’s performance data trends, conduct classroom walkthroughs, assist with development of coaching plans and review school improvement plan(s) to address opportunities for improvement.

(r) “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 DA school’s grade, pursuant to section 1008.33(4)(a), F.S.

(s) “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.

(t) “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.

(u) “Planning and Problem Solving” refers to a cycle of continuous improvement that allows stakeholder groups to engage in the formation of a strategic goal(s) and then develop implementation and monitoring plans.

(v) “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.

(w) “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.

(x) “Regional Executive Director” or “RED” means the person who leads the DA Regional Team to support and monitor district and school improvement efforts.

(y) “School Advisory Council” or “SAC” means an advisory council for each school established by the district school board pursuant to section 1001.452, F.S.

(z) “School Improvement Plan” or “SIP” means a fluid plan developed by school leadership and approved by the SAC and district to guide school improvement planning, problem solving and implementation processes by coordinating strategies and resources that will lead to increased student achievement.

(aa) “Targeted Support and Improvement school” or “TS&I” is any school that receives a single grade of “D” in the most recently released school grades and that did not earn a grade lower than a “C” in the previous year.

(bb) “Turnaround Option Plan” or “TOP” means a district-level plan to implement one of four turnaround options in a school: District-managed turnaround, Reassignment/ Closure, Charter School and Outside Entity/ External Operator as described in section 1008.33, F.S.

(cc) “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) Differentiated Accountability (DA) Categories. A DA school shall be categorized by the Department for Targeted Support and Improvement or Comprehensive Support and Improvement based upon the most recently released school grade or graduation rate established under Rule 6A-1.09981, F.A.C.

(a) Targeted Support and Improvement schools (TS&I) are schools that earn a single grade of “D” and that did not earn a grade lower than a C in the previous year. These schools are low performing and require support and intervention from the district and the Department.

(b) Comprehensive Support and Improvement schools (CS&I) are schools that earn two consecutive grades of “D,” a single grade of “F” or produce a graduation rate of sixty-seven (67) percent or less. These schools are the lowest performing in the state and require increased support and intervention from the district and the Department.

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

(a) Prior to the start of each school year, publish a list when school grades are released to notify school districts of any DA schools in the district;

(b) Provide districts with state Value-added Model (VAM) data on instructional personnel in August of each year, which includes the three-year aggregated state VAM file; and

(c) Provide districts with student assessment and school grade data annually.

(5) Support Strategies for DA schools.

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

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

1. Provide an ELA coach who has a record of effectiveness as an ELA teacher and coach;

2. Provide a mathematics coach who has a record of effectiveness as a mathematics teacher and coach;

3. Staff the DA school so that the percentage of instructional personnel with a state VAM rating of Effective or Highly Effective, based upon the most recent three-year aggregated state VAM data, is the same or greater than:

a. The district average for all schools in the district, where the district has at least five (5) schools; or

b. The state’s VAM average, where the district has fewer than five (5) schools;

4. Staff the school with a principal and school leadership who have a successful record of leading a turnaround school and who have the qualifications to support the student population at the assigned DA school; and

5. Implement other school improvement strategies recommended by the RED that are designed to lead to school improvement in DA schools.

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

1. Dedicate at least one position at the district level to lead school improvement in the district;
2. Utilize formative and summative assessments that are aligned to Florida's Standards;
3. Ensure that common planning time occurs at the DA school; and
4. Collaborate with the Department and the DA school to develop a school improvement plan that implements strategies and utilizes resources designed to lead to increased student achievement.

(d) The district shall utilize form DA-1 to document support and intervention strategies.

(e) The DA school shall utilize form DA-2 and the School Improvement Plan (Form SIP-1) to document and guide school improvement planning, problem solving and implementation processes.

(6) Turnaround Plan Types.

(a) Turnaround 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". All turnaround plans must be designed to improve a DA school's grade to a "C" or better within two (2) school years.

(b) The four (4) turnaround plan types are:

1. District-managed turnaround plan (DMT). DMT is the option through which the school district manages the two-year turnaround plan at the DA school;

2. Reassignment and Closure turnaround plan (RC). RC is the option through which the district closes the DA school, reassigns students to a "C" or higher graded school(s) and monitors the progress of those students;

3. Charter School turnaround plan (CH). CH is the option through which the district contracts with a charter school with a record of effectiveness to operate the DA school; and

4. External Operator/Outside Entity turnaround plan (EO). EO is the option through which the district contracts with an outside entity that has a record of effectiveness to operate the DA school.

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

(a) Step one requires the district to engage stakeholders in planning for the development of the turnaround plan by:

1. Identifying the causes for low performance with stakeholders and making recommendations for improvement at the DA school;

2. Describing the methodology and results of a needs assessment utilizing quantitative and qualitative data;

3. Providing a rationale for the selected turnaround option; and

4. Agreeing to meet assurances based upon the turnaround option selected.

(b) Step two requires the district to develop a turnaround 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.

(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 Plan—Step 1, TOP-1.

1. Agree to meet the following assurances:

a. Ensure the district-leadership team develops and implements the DMT and dedicates a district position to lead the turnaround efforts;

b. Ensure the instructional programs align to Florida’s Standards across grade levels and are proven to be effective with high-poverty, at-risk students;

c. Ensure progress monitoring assessments are aligned to Florida’s Standards and provide valid data to support intervention for students;

d. Ensure the development of an annual professional development plan that provides ongoing tiered support to increase leadership and educator quality;

e. Ensure the principal will be replaced upon entry into DMT unless in collaboration with the Department, it is determined that the principal will have the skillset for turnaround success at the school;

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

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. Ensure that the percentage of instructional personnel with a rating of Unsatisfactory or Needs Improvement, based on the most recent three-year aggregated state VAM is less than the district VAM average if the district has more than five (5) schools. If the district has five (5) or fewer schools, ensure that the percentage of instructional personnel assigned to the school with either a rating of Unsatisfactory or Needs Improvement, based upon the most recent three-year aggregated state VAM average, is less than the state VAM average;

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

j. Ensure that the percentage of temporarily certified instructional personnel, instructional personnel in need of improvement or out-of-field instructional personnel assigned to the school is not higher than the district average.

2. 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;

3. Submit to the Department rosters of instructional staff at the school; and

4. Provide information on the state VAM rating of instructional staff that compares the school's instructional personnel to the district VAM average and to the state VAM average.

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

1. Describe the methodology and results of a needs assessment utilizing quantitative and qualitative data;

2. Describe how the results of the needs assessment are addressed by the plan;

3. Provide a summary of the DMT plan that includes information on leadership, standards- based instruction and the culture and environment;

4. Describe how the two-year DMT plan and the annual SIP work together to improve student performance;

5. Describe the district-leadership team and its role in implementing the DMT plan;

6. Describe how the instructional programs align to Florida's Standards across grade levels and are proven to be effective with high-poverty, at-risk students;

7. Describe how progress monitoring assessments are aligned to Florida's Standards and provide valid data to support intervention for students;

8. Describe the district's allocation of resources and how they align to the specific needs of the school;

9. Describe how the district recruited the principal and assistant principal and provide evidence that demonstrates they have a successful record in leading a turnaround school and the qualifications to support the student population being served;

10. Describe the district's systems that ensure the school has effective educators capable of improving student achievement, including priority in hiring, recruitment and retention incentives and professional development and coaching support;

11. Describe how the district fills vacancies in core content areas ensuring incentives are offered and priority in hiring is given to the school;

12. Describe how the district recruits instructional personnel with Highly Effective or Effective three-year aggregated state VAM ratings;

13. Describe how the district reassigned or non-renewed instructional personnel with a rating of Unsatisfactory or Needs Improvement, based on the most recent three-year aggregated state VAM; and

14. Provide information demonstrating that the school meets the instructional staffing requirements set forth above in sub-subparagraph (8)(a)1.h. of this rule.

(9) Reassignment/Closure (RC).

(a) RC-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, Turnaround Option Plan—Step 1, TOP-1, 3-Options:

1. Ensure that the students from the closed school are assigned to school(s) with a grade of “C” or higher;

2. Ensure that students from the closed school are not assigned to instructional personnel who are rated as Unsatisfactory or Needs Improvement based upon both the three-year aggregated state VAM ratings, if applicable, and the district evaluation system;

3. Ensure that the district will monitor for three (3) school years on a quarterly basis student attendance, grade and progress monitoring data, as well as all instructional personnel assigned to the students and their state VAM rating;

4. Ensure that instructional personnel from the closed school who are rated as Unsatisfactory or Needs Improvement based upon the three-year aggregated state VAM ratings are not reassigned to other DA schools within the district for the upcoming school year; and

5. Ensure that administrators from the closed school are not reassigned to other DA schools within the district for the upcoming 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. Describe how the district will ensure that the students from the closed school are assigned to a school with a grade of “C” or higher;

2. Describe how the district will ensure that students from the closed school are not assigned to instructional personnel who are rated as Unsatisfactory or Needs Improvement based upon both the three-year aggregated state VAM rating, if applicable, and the district evaluation system;

3. Describe how the district will ensure that student attendance, grade, and progress monitoring data, as well as all instructional personnel assigned to the student and their state VAM rating, will be monitored for the students from the closed school for three (3) school years on a quarterly basis;

4. Describe how the district will ensure that instructional personnel rated as Unsatisfactory or Needs Improvement based upon the three-year aggregated state VAM rating are not reassigned to other DA schools for the upcoming school year; and

5. Describe how the district will ensure that administrators are not reassigned to other DA schools within the district for the upcoming school year.

(10) Charter School (CH).

(a) CH-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, 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 a high-poverty school serving low-performing students with similar demographics; and

3. Ensure that instructional personnel who are rated as Unsatisfactory or Needs Improvement based upon both the three-year aggregated state VAM ratings, if applicable, and the district's evaluation system, do not serve as instructional personnel at the school.

(b) 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 high-poverty school serving low-performing students who have similar demographics; and

4. Describe how the district will ensure that instructional personnel rated as Unsatisfactory or Needs Improvement based upon both the three-year aggregated state VAM rating, if applicable, and the district evaluation system are not staffed at the school for the upcoming school year.

(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 plan.

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

(a) EO-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, Turnaround Option Plan—Step 1, TOP-1, 3-Options.

1. Ensure its selection of an external operator which has a record of school improvement in turning around schools that are high-poverty and low-performing with students of similar demographics;

2. Ensure that the incoming principal and school leadership team have a successful record in leading turnaround schools and the qualifications to support the population being served;

3. Ensure that instructional personnel rated as Unsatisfactory or Needs Improvement based upon both the three-year aggregated state VAM rating, if applicable, and the district evaluation system are not staffed at the school;

4. Ensure that if a district-managed charter school is established 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

5. Ensure that the district will enter into a contract with the EO to operate the school following established district policies and procedures and that the contract with an EO will include:

a. Services and responsibilities for leadership and instructional staffing, curriculum and instruction, assessments, progress monitoring and professional development;

b. EO's record of school improvement and its role in recruitment, selection and placement of instructional personnel and the school leadership team;

c. Where the district has an existing contract with the EO, a detailed provision outlining the new or modified services to be provided by the EO; and

d. A detailed budget.

(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. Describe how the district selected an EO that has a record of school improvement in turning around schools that are high-poverty and low-performing with students of similar demographics;

2. Describe how the incoming principal and school leadership team who have a successful record in leading turnaround schools and the qualifications to support the population being served were selected;

3. Describe how the district will ensure that instructional personnel rated as Unsatisfactory or Needs Improvement based upon both the three-year aggregated state VAM rating, if applicable, and the district evaluation system are not staffed at the school;

4. Describe how the district will ensure that if a district-managed charter school is established 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 and approval of the charter; and

5. Describe how the district will enter into a contract with the EO to operate the school following established district policies and procedures and describe the state of contract negotiations with an EO that addresses:

a. Services and responsibilities in leadership and instructional staffing, curriculum and instruction, assessments, progress monitoring and professional development;

b. The EO’s role in recruitment, selection and placement of instructional personnel and the school leadership team;

c. Where the district has an existing contract with the EO, a detailed provision outlining the new or modified services to be provided by the EO; and

d. A detailed budget.

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

(12) DA Timeline. The timeline for submission of the DA forms and contracts to the Department are based upon a school’s cycle, which refers to the number of times a district has consecutively implemented a turnaround plan at the DA school. The deadlines the district must meet are set forth below.

(a) Turnaround schools in Cycle One:

1. TOP-1 due September 1 after the school grade requiring turnaround is issued; and

2. TOP-2 due October 1 of the same school year.

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

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

2. TOP-2 due January 31 of the school year prior to implementation; and

3. Executed contract with an EO or CH due May 1, prior to the school year of implementation of the turnaround plan.

(13) State Board Approval of District Turnaround Plans. The State Board of Education is authorized to approve, approve with conditions or deny a district turnaround plan for a DA school.

(a) The State Board shall consider, at a minimum, the following factors:

1. The strength of the turnaround plan;

2. Whether the plan is sufficiently tailored to address the causes of low performance;

3. The prior record of the proposed school leadership team in improving low performing schools;

4. The school district's history of success with this school and other low performing schools in the district; and

5. The extent to which the recommendations of the RED and the Department have been incorporated into the district's turnaround plan.

(b) Approval. The State Board shall approve a turnaround plan when a school district:

1. Meets the requirements for turnaround 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 plan.

(14) Exiting DA. In order to exit DA, a school must meet one of the following requirements:

(a) When the school is categorized as a DA school based upon its grade, the school must earn a grade of "C" or higher; or

(b) When the school is categorized as a DA school solely based upon its graduation rate, the school must achieve a graduation rate that exceeds sixty-seven (67) percent.

(15) Extension of a turnaround plan.

(a) A district may request additional time to implement its turnaround plan if the following conditions are met:

1. The request is received by the Department on or before November 1 of the year before the extension would be implemented on the form entitled TOP-1, 3-Options;

2. The request demonstrates that the school has a positive trajectory using the school grade components listed in section 1008.34(3)(b), F.S.:

3. The request demonstrates that the DA school has no Unsatisfactory rated instructional personnel and the percentage of Needs Improvement instructional personnel must be at or below the district VAM average where the district has more than five (5) schools, or the state VAM average where the district has five (5) or fewer schools; and

4. During the remainder of the implementation of the turnaround 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.

(b) The State Board of Education is authorized to approve, conditionally approve or deny the request.

(c) The State Board of Education shall approve a district's request for additional time to implement its turnaround plan when a school district:

1. Meets the requirements set forth in paragraph (15)(a) of this rule; and

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 plan.

(16) Failure to comply with the requirements of this rule will subject a district to the remedies provided in section 1008.32, F.S.

(17) Forms. The following forms are hereby incorporated by reference: Form DA-1, Checklist for Districts with Targeted Support and Improvement or Comprehensive Support and Improvement Schools (effective August 2018) (DOS link); Form DA-2, Checklist for Targeted Support and Improvement and Comprehensive Support and Improvement Schools (effective August 2018) (DOS link); Form TOP-1, District-managed Turnaround Plan—Step 1 (effective August 2018) (DOS link); Form TOP-2, District-managed Turnaround Plan—Step 2 (effective August 2018) (DOS link); Form TOP-1, Turnaround Option Plan—Step 1, 3-Options (effective August 2018) (DOS link); Form TOP-2, Turnaround Option Plan—Step 2, Reassign/Closure (effective August 2018) (DOS link); Form TOP-2, Turnaround Option Plan—Step 2, Charter (effective August 2018) (DOS link); Form TOP-2, Turnaround Option Plan—Step 2, External Operator/Outside Entity (effective August 2018) (DOS link); and Form SIP-1, School Improvement Plan (SIP) (December 2014) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-04622>). All forms may be obtained by contacting the Bureau of School Improvement, Division of Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

Rulemaking Authority 1001.02(2)(n)(1), ~~1001.42(18)(a)~~, 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.

