



Rewarding Excellent Teachers

House Bill 7189 by Representative John Legg

- The number one factor that we can control in education is the quality of the teachers in our classrooms. HB 7189 advocates a practical approach that recognizes and rewards excellent teachers while promoting greater accountability within our schools.
- Our students and schools have made significant gains in the past ten years, and we have many great teachers to thank for that progress. It is time to reward teachers by increasing their pay for their phenomenal efforts.
- Without quality teachers, we cannot hope to provide the quality education our students deserve. The vitality of Florida's economy demands a highly educated workforce, and excellent teachers are one of the most important factors contributing to the success of our students.
- Last year, 99.7% of teachers in the state earned a "satisfactory" evaluation, yet 50% of our high school students, 35% of our middle school students and 30% of our elementary students did not make a year's worth of educational progress. Clearly the current evaluation system does not reflect what matters most in education: our student learning gains. If our students are not receiving the knowledge they need, then we must consider other ways to help them achieve success.
- The fundamental question is whether a teacher's salary should be based on their longevity or on their effectiveness in the classroom?

These common sense education reforms are about investing in what's best for our children and working to reward our teachers for what truly matters in education: individual student learning gains.

This legislation is focused on making sure that we encourage our best teachers to stay in the classroom and not feel that to move up they need to become administrators or leave teaching altogether.

We can build more and more schools, we can make class sizes even smaller, but if we don't have quality teachers leading our classrooms - teachers that can ensure that our students are making learning gains each year - then Florida's children will be unprepared to compete with students around rest of the world in the global economy for the high-paying careers of the future.



Bill Details

Performance and Differentiated Pay

HB 7189 requires districts to adopt salary schedules that determine salary increases based on performance, while salary increases are currently based on seniority. These performance appraisals will be based on two categories: 50 percent will be based on student learning gains and the remainder on other factors regarding classroom practices including classroom management and knowledge of subject matter. Individual student progress is a fair and objective measure of teacher performance. All students are capable of learning gains and rewarding our teachers for their success in the classroom provides recognition great teachers deserve.

This legislation also requires districts to award differentiated pay based on high-priority locations, critical teacher shortage areas, or additional academic responsibilities. Educators who teach in lower performing schools, in high clinical subject matters such as science, technology, and mathematics, or with students with special needs, or those who take on additional responsibilities such as mentoring other teachers deserve to be rewarded for this. By recognizing the additional workload teachers in these positions shoulder, we can encourage more teachers to take on these positions in order to better prepare all students to be successful and continue to decrease the gap between the highest performing schools and the lowest.

Additionally, HB 7189 bases school administrator salary increases on the progress of the school as a whole. This system further incentivizes principals to recruit and retain the best teachers available.

Performance Appraisals

Under this legislation, teachers and school administrators will be evaluated more meaningfully than under the current system. Under the new system, there will be four levels of performance: highly effective, effective, needs improvement, and unsatisfactory. 50 percent of a teacher's performance appraisal must be based on student learning gains. Currently, 100 percent of the evaluation is based on subjective views of the administrator. The remaining portion of the appraisal will focus on other factors relating to the instructional practices used by the teacher including knowledge of the subject matter and classroom management.

HB 7189 refocuses our priorities away from the current system based on longevity and to students learning gains in the classroom. By evaluating teachers based on classroom performance, student learning gains and instructional practice, we obtain a more meaningful assessment of what benefits the student. Where experience may benefit a teacher, this should be recognized in both the instructional practices and in student gains.



It is important to note that advanced degrees held by teachers may be considered when evaluating their knowledge of subject matter under the instructional practices portion of the evaluation.

This legislation takes into consideration the fact that children come into the classroom with various backgrounds, circumstances and needs, and respects that learning does not take place in a vacuum, but with real life situations and disturbances. That is why this legislation focuses on *learning gains* rather than *performance*. Every student has the ability to learn and deserves the opportunity to learn from a great teacher. To that end, a teacher will not be punished if a student enters their classroom below grade level. By measuring a student's learning gains we have the ability to see the progress of every student and more accurately assess our educational system.

Because of the array of issues that may come up in each individual district, this system has built in flexibility and a staggered timeline for implementation. After the reforms are fully implemented, in 2014-15, the appraisal system will take into consideration the learning gains of the preceding three years. By looking at three years of student learning gains, one can better assess the effect that particular teacher has on his/her students, and allows flexibility that may be needed because of exceptional circumstances, while providing a current account of the progress in the classroom.

Additionally, in order to provide our newer teachers additional resources and valuable guidance, this legislation requires that beginning teachers, out-of-state certified teachers, and teachers with a Florida professional certificate who have not taught during the previous five years be given at least two performance appraisals in the first year of teaching.

End-of-Course Assessments (EOC)

By the 2013-2014 school year, school districts must develop or acquire valid and reliable EOCs for grade levels and subjects not assessed on FCAT, AP, IB, AICE or industry certification assessments. District EOCs will be used to measure student learning gains in these subjects and grade levels.

Current law already requires local districts to already have EOCs in place. In 1999, school districts were directed to develop end-of-course examinations, for every course, that meet our state standards. Despite that statutory requirement, few school districts have put these assessments into place. This legislation allows school districts three years to collaborate and develop these evaluations.

Because these assessments are based on the Statewide Sunshine Standards, there is no reason districts could not work together to develop and acquire these assessments to help maximize their resources.



Performance Fund

The House has budgeted nearly \$18 billion in total PreK-12 education funding in next year's budget. That investment includes funding for teacher salaries and assessment development, as it did years prior. HB 7189 requires school districts to change their current teacher salary schedule and assessment system for a new, better salary system and assessment methods.

This legislation establishes a Performance Fund equal to five percent of the total FEFP funds received by a district or charter school. Prior to the legislation going into full effect, this funding helps districts improve their current testing system and fill in any existing testing gaps. To the degree districts have been working to comply with current law, the performance fund dollars not needed to complete the districts testing program may be used for other operating expenditures.

In order to ensure compliance with current law and the additional reforms, the Department of Education (DOE) will conduct reviews of district testing plans and salary schedules. The only way that a school district will experience a reduction in funding under this legislation is if they fail to comply with the requirements of the new law.

Teacher Contracts

Of the nearly 175,000 who currently have tenure status or hold a professional services contract, none will lose their status because of this legislation.

Currently, teachers are eligible for a professional service contract upon completion of 3 years of probationary service. During the probationary service period, teachers are employed under annual contracts. The annual contract is not required to be renewed after each year. The first annual contract includes a 97-day period during which the teacher's contract may be terminated without cause or the teacher may resign without breach of contract. Upon completion of the probationary period, the teacher is eligible to receive a professional service contract if he or she, holds a professional certificate and is recommended by the superintendent for such contract and reappointed by the school board.

HB 7189 sets forth standards in eligibility for contracts for new teachers hired after July 1, 2010, in order to provide the highest quality in education for Florida's students. Each newly hired classroom teacher will receive a 1-year probationary contract, which may be terminated without cause or the teacher may resign without breach of contract. By extending the probationary period for new teachers, and requiring at least two appraisals for the first year, new teachers will be given more guidance and resources for improvement than previously.

After the probationary year of service, a classroom teacher may receive up to 4 annual contracts if he or she holds a professional certificate and is recommended by the superintendent and approved by the district school board.



In order to receive an annual contract beyond the 5th year of teaching, a teacher must receive an evaluation of effective or highly effective performance in at least 2 of the preceding 3 years. By requiring the top two levels of performance as condition of further employment, all students are given the opportunity to learn from quality teachers throughout their educational career.

By shifting non-tenured teachers to a new annual contract system based on student progress, school districts can reward its teachers, with raises based on classroom success, as well as remove those teachers who are not providing a meaningful opportunity for their students to learn.

Because school administrator salary increases are directly tied to the learning gains of the school as a whole, principals are incentivized to retain those excellent teachers who excel in the classroom.

HB 7189 also provides broad guidelines for school districts to develop and implement a more objective evaluation system and salary schedule for teachers tailored to meet the demands of the district. Local school districts will continue to collectively bargain with the teachers unions to set salary schedules and the levels of salary increases.

Under HB 7189, local school districts, with the input of teachers and the teacher unions, will continue to make decisions at the local level. This legislation sets parameters for the school district to follow and provides an enforcing mechanism to ensure school districts do not settle for maintaining the status quo.

Professional Certification and Preparation

In order to ensure our teachers have the subject matter background to best prepare our students, this legislation requires out-of-state certified teachers and temporary certificate-holders to demonstrate subject area mastery.

HB 7189 ensures that teacher candidates admitted to teacher preparation programs are prepared to enter the program and do not need remediation. This change will enable teacher preparation programs to focus on preparing students to enter the field and provide effective instruction to students.

Beginning with the 2014-2015 school year, applicants applying for renewal of certification must maintain effective or highly effective performance in 4 of the preceding 5 years. Currently, a teacher's performance is not a consideration for certificate renewal.

These reforms also take into consideration that learning does not take place in a vacuum, but with real life situations and disturbances. The Department of Education will set forth rules to appropriately compensate those in exceptional circumstances. Situations where learning may have been interrupted or affected because of circumstances surrounding the learning environment as a whole, the teacher individually, or



specific students will be addressed. Such examples include a teacher leaving to care for children, an aging parent, or for maternity leave or for military service.

Additionally, Florida Statute 1012.585(2)(d) already directs the State Board of Education to adopt rules regarding a one year extension for issues such as “serious injury, illness, or other extenuating circumstances.” Florida Statute 1012.585(4) says that any teacher who is called into or volunteers for military service shall have their teaching certificate renewed for a period of time equal to the time spent in military service. HB 7189 does not alter these statutes in any way and teachers continue to maintain the flexibility they already hold once HB 7189 is enacted.

Teacher Preparation Programs

HB 7189 provides that continued program approval for teacher preparation programs is contingent upon DOE’s determination that public school students taught by program graduates achieve learning gains on statewide assessments.

Teacher preparation programs will be required to annually report to DOE the percentage of graduates whose public school students achieved learning gains. HB 7189 ensures that teacher candidates admitted to teacher preparation programs are prepared to enter the program and do not need remediation. This will enable teacher preparation programs to focus on preparing students to enter the field and provide effective instruction to students.

This legislation also holds teacher preparation programs accountable for the performance of their graduates. Cost-effectiveness studies of teacher preparation programs will be conducted and submitted a report to the Governor, Senate President, and the House Speaker by December 1, 2011. Additionally, OPPAGA will review the standards for continued approval of teacher preparation programs and make recommendations to the Legislature by January 1, 2012. If we are holding our teachers accountable for their performance, we need to hold the programs that train our teachers to a higher standard to measure the effectiveness of these preparation programs.