



What is differentiated accountability?

Differentiated accountability is a nuanced system of interventions for improving student achievement at low performing schools. Under differentiated accountability, low performing schools are categorized according to the causes and severity of substandard student achievement. School improvement interventions are then applied to the school based upon the school's categorization. A school's categorization determines the type and intensity of school improvement interventions and whether interventions are directed by the school, school district, or state.¹ The lowest performing schools receive more comprehensive interventions, while schools that are closer to meeting student achievement goals receive less intensive interventions.² This enables states, school districts, and schools to target a greater share of school improvement resources to the lowest performing schools, while still addressing the needs of schools that are closer to achieving satisfactory levels of student achievement.³

Differentiated accountability is the subject of a U.S. Department of Education pilot project. In exchange for flexibility to implement differentiated accountability, pilot states must agree to provide data to the department for use in analyzing and comparing the effects of differentiated accountability on student achievement and school improvement with outcomes achieved under the state's existing school accountability system. Outcomes of the pilot project will ultimately inform reauthorization of the *No Child Left Behind Act of 2001* (NCLB).⁴ Florida is one of nine states participating in the pilot project.⁵

¹ Section 1008.33(3)(b) and (4), F.S.; rule 6A-1.099811(3), F.A.C.

² Section 1008.33(2)(b) and (4), F.S.

³ See U.S. Department of Education, *Differentiated Accountability: Targeting Resources to Schools with the Greatest Need* (May 2008), available at <http://www.ed.gov/nclb/accountability/differentiated/factsheet02.pdf> [hereinafter U.S. DOE Differentiated Accountability Fact Sheet]; s. 1008.33(3)(b) and (4), F.S.; rule 6A-1.099811, F.A.C.

⁴ U.S. DOE Differentiated Accountability Fact Sheet, *supra* note 3; see Pub. L. No. 107-110, 115 Stat. 1425 (Jan. 8, 2002).

⁵ U.S. Department of Education, Press Release, *U.S. Education Secretary Margaret Spellings Announces Approval of Three Additional States to Use Differentiated Accountability Under NCLB* (Jan. 8, 2009), available at <http://www2.ed.gov/news/pressreleases/2009/01/01082009b.html>. Florida was one of 17 states that submitted proposals to the U.S. Department of Education to participate in the differentiated accountability pilot project. The pilot project was open to up to 10 states. U.S. Department of Education, *Differentiated Accountability: Targeting Resources to Schools with the Greatest Need* (May 2008), available at <http://www.ed.gov/nclb/accountability/differentiated/factsheet02.pdf>. In August 2008, the U.S. Secretary of Education approved Florida's proposal for the differentiated accountability pilot project. Letter from Assistant Secretary, U.S. Department of Education, to Florida Commissioner of Education (Aug. 1, 2008), available at <http://www.ed.gov/admins/lead/account/differentiatedaccountability/fldr.pdf> (conditional federal approval of Florida's differentiated accountability proposal).

Differentiated accountability is a variation of the system of school improvement interventions established by NCLB. Under NCLB, each state must demonstrate that its public school students are making adequate yearly progress (AYP), as measured primarily by achievement on statewide standardized assessments in reading/language arts and mathematics.⁶ States must measure the progress of all public school students and that of students in four subgroups – economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency.⁷

While NCLB’s education accountability provisions are aimed at improving the achievement of all public school students, the law places particular emphasis on improving the achievement of students attending high-poverty schools, known as Title I schools.⁸ States must identify Title I schools that fail to make AYP for two consecutive years as “schools in need of improvement” (SINI).⁹ NCLB prescribes a series of school improvement interventions which gradually increase in intensity with each consecutive year a school is identified as a SINI, as follows:

- ❖ **SINI Year 1.** The school must implement an improvement plan¹⁰ and the school district must provide students attending the school with the option to transfer to another district public school.¹¹
- ❖ **SINI Year 2.** The school district must continue to provide the public school transfer option and provide “supplemental educational services” (SES) to students attending the school who are from low-income families.¹²
- ❖ **SINI Year 3.** The school district must continue to provide the public school transfer option and SES to students who attend the school and take at least one of the following corrective actions – replace school staff who are relevant to the school’s failure to make AYP, implement a new curriculum, decrease school level management authority, appoint outside advisors for the school, extend the school year or school day, or restructure the school’s organization.¹³
- ❖ **SINI Year 4.** The school district must continue to provide the public school transfer option and SES to students who attend the school and prepare a plan to restructure the school’s governance structure.¹⁴ The following year, the district must implement at least one of the following restructuring options – reopen the SINI as a public charter school; replace most of

⁶ 20 U.S.C. s. 6311(b)(2)(G).

⁷ 20 U.S.C. s. 6311(b)(2)(C)(v)(II); see No Child Left Behind Act Fact Sheet. Florida’s NCLB state plan establishes eight subgroups – white, black, Hispanic, Asian, American Indian, economically disadvantaged, students with disabilities, and English language learners. Florida Department of Education, *Florida NCLB Consolidated State Application Accountability Workbook*, at 104 (Jan. 15, 2009), available at <http://www.ed.gov/admins/lead/account/stateplans03/flcsa.pdf> [hereinafter *Florida NCLB State Plan*].

⁸ 20 U.S.C. s. 6311(b)(2)(C)(v); see U.S. Government Accountability Office, *No Child Left Behind Act: Improvements Needed in Education’s Process for Tracking States’ Implementation of Key Provisions*, Report No. GAO-04-734, at 6 (Sept. 30, 2004), available at <http://www.gao.gov/new.items/d04734.pdf>.

⁹ 20 U.S.C. s. 6316(b).

¹⁰ 20 U.S.C. s. 6316(b)(1) and (3); 34 C.F.R. s. 200.41(a).

¹¹ 20 U.S.C. s. 6316(b)(1)(E)(i); see ss. 1001.42(20), 1002.38(3), F.S.; see also Opportunity Scholarships Fact Sheet.

¹² 20 U.S.C. s. 6316(b)(5)(B) and (e)(1), (6) and (12)(a); see s. 1008.331, F.S. SES include tutoring, after-school services, summer school, and other supplemental academic enrichment services, offered by state-approved public or private service providers. 20 U.S.C. s. 6316(e)(12)(C).

¹³ 20 U.S.C. s. 6316(b)(7)(C)(iv); 34 C.F.R. s. 200.42(b).

¹⁴ 20 U.S.C. s. 6316(b)(8)(A).

the school staff; contract with a private entity to operate the school; turn the school's operation over to the state, if allowed under state law and agreed to by the state; or other major restructuring of the school's governance or staffing.¹⁵

Under NCLB, these school improvement interventions must be implemented in a "one size fits all" fashion regardless of whether a SINI barely misses making AYP or is in need of dramatic intervention.¹⁶ Unlike NCLB's approach to school improvement, differentiated accountability enables states to vary the intensity of interventions based on need.¹⁷

How are schools categorized for the purpose of differentiated accountability?

Florida's differentiated accountability system applies to all public schools, not just Title I schools. Florida law establishes six categories for identifying SINIs. Each category is based upon the school's grade, progress towards AYP, and changes in student performance. A school's categorization determines the type and intensity of the intervention and whether the intervention is directed by the school, school district, or DOE.¹⁸ The categories are:

Schools Not Required to Participate in Differentiated Accountability Strategies. This category includes elementary or middle schools graded "A," "B," or "C"; ungraded schools; and high schools with FCAT performance points of 435 or higher¹⁹ that have not failed to make AYP for at least two consecutive years. Schools in this category are not considered SINIs.²⁰

Prevent 1. This category includes elementary or middle schools graded "A," "B," or "C"; ungraded schools; and high schools with FCAT performance points of 435 or higher with AYP counts between one and three²¹ that have met at least 80 percent of the AYP criteria.²² For

¹⁵ 20 U.S.C. s. 6316(b)(8)(B).

¹⁶ See 20 U.S.C. s. 6316(b).

¹⁷ U.S. DOE Differentiated Accountability Fact Sheet, *supra* note 3.

¹⁸ Section 1008.33(3)(b) and (4), F.S.; rule 6A-1.099811(3), F.A.C.

¹⁹ FCAT performance points are points awarded for the FCAT-based components of school grading. A school that earns 435 or more FCAT performance points to receive a school a grade of "C" or higher. FCAT performance points constitute 50 percent of a high school's grade. Rule 6A-1.09981(6) and (8), F.A.C. For purposes of differentiated accountability, a high school's category is determined based upon the school's FCAT performance points and AYP status. Rule 6A-1.099811(1)(bb), F.A.C.

²⁰ Rule 6A-1.099811(3)(a), F.A.C.

²¹ An AYP count is the value assigned to a school that does not make AYP for at least two consecutive years. A school is assigned a value of one AYP count if it fails to make AYP for two consecutive years. The count increases by one for each additional year the school fails to make AYP. The 2002-03 academic year is the starting point for the AYP count. Rule 6A-1.099811(1)(c), F.A.C.

²² Rule 6A-1.099811(3)(b), F.A.C. The calculation of AYP considers a total of 39 criteria – student participation rates in statewide reading and mathematics assessments, proficiency rates on those assessments for each of the eight Florida AYP subgroups, school-wide writing proficiency, and school grade for all schools and graduation rates for high schools. Florida Department of Education, 2010 Guide to Calculating Adequate Yearly Progress (AYP), Technical Assistance Paper 2009-10, at 2-3 (July 2010), available at <http://schoolgrades.fldoe.org/pdf/0910/AYPTAP2010.pdf>; see also Florida NCLB State Plan, *supra* note 7, at 104 and see No Child Left Behind Act Fact Sheet.

Prevent I schools, the school implements the interventions and the school district monitors progress and provides support to the school.²³

Correct I. This category includes elementary or middle schools graded “A,” “B,” or “C”; ungraded schools; and high schools with FCAT performance points of 435 or higher with AYP counts of four or greater that have met at least 80 percent of AYP criteria.²⁴ For Correct I schools, the school implements the interventions and the school district directs interventions, monitors progress, and provides support to the school. Intense support is provided by the district and DOE for the persistently lowest-achieving schools, i.e., those schools in the lowest five percent of Title I or Title I eligible schools.²⁵

Prevent II. This category includes:

- ❖ Elementary or middle schools graded “D” and high schools with FCAT performance points of 395 to 434 and AYP counts below four.
- ❖ Elementary or middle schools graded “A,” “B,” or “C”; ungraded schools; and high schools with FCAT performance points of 435 or higher with AYP counts between one and three that have met less than 80 percent of AYP criteria.²⁶

For Prevent II schools, the school implements the interventions, the school district directs interventions, and DOE monitors the district’s support to the school.²⁷

Correct II. This category includes:

- ❖ Elementary or middle schools graded “F” or high schools with FCAT performance points less than 395, regardless of AYP status.
- ❖ Elementary or middle schools graded “D” or high schools with FCAT performance points from 395 to 434 with AYP counts of four or greater.
- ❖ Elementary or middle schools graded “A,” “B,” or “C”; ungraded schools; and high schools with FCAT performance points of 435 or higher; that:
 - ◆ Have an AYP count of four or greater; and
 - ◆ Have met less than 80 percent of AYP criteria.²⁸

For Correct II schools, the school implements the interventions and the school district and DOE monitor progress and provide support to the school. On-site support is provided by the district

²³ Rule 6A-1.099811(5)(a), F.A.C.

²⁴ Rule 6A-1.099811(3)(c), F.A.C.

²⁵ Section 1008.33(4), F.S.; rule 6A-1.099811(5)(b), F.A.C.; see generally Florida Department of Education, *Differentiated Accountability Strategies and Support*, Form DA-3 (June 2010), available at [http://www.flbsi.org/pdf/Final%202010-2011%20Strategies%20and%20Support%20Document%20for%20Regular%20Schools June 18.pdf](http://www.flbsi.org/pdf/Final%202010-2011%20Strategies%20and%20Support%20Document%20for%20Regular%20Schools%20June%2018.pdf) [hereinafter *Strategies and Support*]. The lowest five percent of Title I and Title I eligible schools, hereinafter referred to as the “the persistently lowest-achieving schools,” are listed in DOE’s memorandum of understanding for Race to the Top phase two. See Florida Department of Education, Memorandum to District School Superintendents, *Florida’s Race to the Top Memorandum of Understanding for Phase 2*, at appendices B and C (May 3, 2010), available at <http://www.fldoe.org/ARRA/pdf/phase2mou.pdf>.

²⁶ Rule 6A-1.099811(3)(d), F.A.C.

²⁷ Rule 6A-1.099811(5)(c), F.A.C.

²⁸ Rule 6A-1.099811(3)(e), F.A.C.

and DOE for elementary or middle schools graded “F,” high schools with FCAT performance points below 395, and the persistently lowest-achieving schools.²⁹

Intervene. This category includes any school that:

- ❖ Is an elementary or middle school graded “F” with a least four “F” grades in the last six school years; or
- ❖ Is a high school with FCAT performance points below 395 and at least four “F” grades in the last six school years.
- ❖ Is an elementary or middle school graded “D” or “F” or high school with FCAT performance points below 435, meets the criteria for a Correct II school, and also meets at least three of the four following conditions:
 - ◆ The percentage of students who are not proficient in reading has increased from the percentage attained five years earlier.
 - ◆ The percentage of students who are not proficient in mathematics has increased from the percentage attained five years earlier.
 - ◆ Sixty-five percent or more of the school’s students are not proficient in reading.
 - ◆ Sixty-five percent or more of the school’s students are not proficient in mathematics.³⁰

For Intervene schools, the school implements the interventions and the school district and DOE conduct intensive onsite support and monitoring of intervention implementation.³¹

Schools Required to Participate in Differentiated Accountability³²								
School Category	2009				2010			
	<i>Elementary</i>	<i>Middle</i>	<i>High</i>	<i>Combination</i>	<i>Elementary</i>	<i>Middle</i>	<i>High</i>	<i>Combination</i>
Prevent I	378	75	31	58	366	82	37	62
Correct I	596	205	134	124	444	170	166	114
Prevent II	24	16	32	21	82	19	30	25
Correct II	131	201	213	122	370	247	193	151
Intervene	4	2	7	2	5	3	9	5

What interventions are required under differentiated accountability?

Florida law specifies seven general types of interventions for SINIs. These interventions include school improvement planning, leadership quality improvement, educator quality improvement,

²⁹ Section 1008.33(4), F.S.; rule 6A-1.099811(5)(d), F.A.C.

³⁰ Section 1008.33(4)(b), F.S.; rule 6A-1.099811(3)(f), F.A.C. Alternative schools are exempt from inclusion in the Intervene category. Rule 6A-1.099811(3)(f), F.A.C.

³¹ Rule 6A-1.099811(5)(e), F.A.C.

³² Email, Florida Department of Education, Legislative Affairs Director (Sept. 7, 2010).

professional development, curriculum alignment and pacing, continuous improvement, and monitoring plans and processes.³³ A school's categorization determines which interventions a school must implement. The specific actions that a school must take to implement a particular intervention vary depending on the school's categorization.³⁴ The most intensive interventions are applied to the lowest performing schools.³⁵

School Improvement Planning. All differentiated accountability schools must complete a school improvement plan.³⁶ The plan is developed by a district-based leadership team³⁷ in conjunction with the school's advisory council (SAC). The SAC reviews the school's performance data and determines the causes for its poor performance. The plan must be approved by the district through peer review, and the district-based leadership team must monitor implementation of the plan. For Correct II elementary or middle schools graded "F" or high schools with FCAT performance points below 395, Correct I and II persistently lowest-achieving schools, and all Intervene schools, the DOE reviews, approves, and monitors the plan; reviews budget allocations proposed by the plan; and makes recommendations regarding resource allocation.³⁸

Leadership Quality Improvement. This intervention applies primarily to Intervene schools, Prevent II elementary or middle schools graded "D" or high schools with FCAT performance points from 395 to 434, Correct II elementary or middle schools graded "D" or "F" or high schools with FCAT performance points below 435, and Correct I and II persistently lowest-achieving schools. Depending on the school's categorization, more intensive intervention strategies include evaluating school-based administrators based upon student performance, rewarding administrators who improve student achievement with performance pay, and replacing ineffective administrators.³⁹

Educator Quality Improvement. All differentiated accountability schools must ensure that performance appraisals for instructional personnel and school-based administrators are primarily based upon student performance. Teachers assigned to students in subgroups not making AYP

³³ Section 1008.33(3)(c) and (5), F.S.; rule 6A-1.099811(4), F.A.C.

³⁴ See generally *Strategies and Support*, supra note 25. Form DA-3 prescribes the interventions for traditional public schools. Alternative schools and charter schools are required to follow the interventions set forth in forms DA-4 and DA-5, respectively. The intervention schedule for alternative and charter schools differs slightly from that of traditional public schools, mainly to account for the unique governance structures of such schools. Rule 6A-1.099811(5), F.A.C.; Florida Department of Education, Memorandum from Office of Independent Education and Parental Choice director to District Charter School Contacts and Charter Schools Subject to Differentiated Accountability, (Aug. 14, 2009), available at http://www.floridaschoolchoice.org/information/Charter_Schools/files/DA_Charter_Memorandum.pdf; see Florida Department of Education, *Differentiated Accountability Strategies for Charter Schools*, Form DA-5 (June 2010), [http://www.flbsi.org/pdf/Final%202010-2011%20Strategies%20and%20Support%20Document%20for%20Charter%20Schools June 18.pdf](http://www.flbsi.org/pdf/Final%202010-2011%20Strategies%20and%20Support%20Document%20for%20Charter%20Schools%20June%2018.pdf).

³⁵ Section 1008.33(4)(a), F.S.

³⁶ Rule 6A-1.099811(5) and (6), F.A.C.

³⁷ The district-based leadership team is comprised of the superintendent, curriculum area administrators and specialists, student services personnel, and other appropriate personnel. *Strategies and Support*, supra note 25, at 2.

³⁸ *Strategies and Support*, supra note 25, at 2.

³⁹ Rule 6A-1.099811(5), F.A.C.; *Strategies and Support*, supra note 25, at 3.

must be highly qualified and certified in-field.⁴⁰ More intensive interventions are required for schools in the lower performing categories including additional instructional supports,⁴¹ teacher assignment requirements,⁴² and pay enhancements.⁴³

Professional Development. All differentiated accountability schools must ensure that the Individual Professional Development Plan⁴⁴ for teachers of targeted AYP subgroups includes professional development targeting the needs of subgroups not meeting AYP.⁴⁵ The plan must provide professional development that addresses, among other things, the Common Core/Next Generation Sunshine State Standards, school grade and AYP calculations, and school improvement interventions such as Florida's Continuous Improvement Model (FCIM),⁴⁶ response to intervention,⁴⁷ and lesson study.⁴⁸ School-based administrators must receive professional development that addresses the needs of subgroups not making AYP and monitoring classroom instruction and supporting, guiding, and monitoring instructional coaches.⁴⁹ School districts must maintain a pool of highly qualified reading, mathematics, and science teachers and instructional coaches to serve in Correct I and II and Intervene schools. Summer professional

⁴⁰ Rule 6A-1.099811(5), F.A.C.; *Strategies and Support, supra* note 25, at 5-6.

⁴¹ For example, school districts must provide Intervene schools with reading, mathematics, and science coaches to develop and model effective lessons for classroom teachers at the school. *Strategies and Support, supra* note 25, at 5.

⁴² Districts must encourage instructional personnel known to produce student learning gains to transfer to Intervene schools and Correct I and II persistently lowest-achieving schools and may not assign teachers rated below satisfactory on annual performance appraisals to Correct I and II persistently lowest-achieving schools, Prevent II elementary or middle schools graded "D," high schools with FCAT performance points from 395 to 434, Correct II elementary or middle schools graded "D" and "F," high schools with FCAT performance points below 435, and all Intervene schools. Districts must replace teachers who fail to produce learning gains in reading and mathematics at Correct I and II persistently lowest-achieving schools, Correct II elementary or middle schools graded "F" or high schools with FCAT performance points below 395, and Intervene schools. *Strategies and Support, supra* note 25, at 5-6.

⁴³ Districts must provide performance and differentiated pay to teachers who raise student achievement in Correct I and II persistently lowest-achieving schools, Correct II elementary or middle schools graded "D" or "F" or high schools with FCAT performance points below 435, and Intervene schools. Differentiated pay must reward teachers based upon additional job responsibilities, school demographics, critical shortage areas, and level of job performance difficulties. *Strategies and Support, supra* note 25, at 6-7.

⁴⁴ Each school principal must establish and maintain an individual professional development plan for each instructional employee. The plan must relate to the performance data of students assigned to the teacher, define inservice activities, and include an evaluation of the plan's effectiveness. Section 1012.98(4)(b)5., F.S.; rule 6A-1.099811(1)(s), F.A.C.

⁴⁵ *Strategies and Support, supra* note 26, at 8. For Prevent I and Correct I schools, this intervention is overseen by the school. For Prevent II, Correct II, and Intervene schools the intervention is overseen by the school district. *Id.*; rule 6A-1.099811(5), F.A.C.

⁴⁶ See *infra text* note 54 and accompanying text.

⁴⁷ Response to intervention is the practice of providing services and interventions tailored to student needs based upon data analysis and observations. Rule 6A-1.099811(1)(z), F.A.C.

⁴⁸ Lesson study is component of Florida's Continuous Improvement Model in which teachers collaborate to plan and teach classroom lessons, observe how the lesson works, and report the results for the benefit of other teachers. Rule 6A-1.099811(1)(u), F.A.C. Lesson study enables teachers to develop best practices and improve the effectiveness of instruction at the school. Florida Department of Education, *A Guide for Implementing Lesson Study for District and School Leadership Teams in Differentiated Accountability Schools*, at 4-5 (2010), available at http://www.flbsi.org/pdf/Lesson%20Study%20TAG_Final.pdf; *Strategies and Support, supra* note 26, at 8.

⁴⁹ *Strategies and Support, supra* note 25, at 8.

development academies, designed in conjunction with the DOE, must also be offered to school-based administrators, teachers, and instructional coaches serving in these schools.⁵⁰ School districts must provide appropriate resources to Correct I and II and Intervene persistently lowest-achieving schools and Correct II elementary or middle schools graded “F” or high schools with FCAT performance points below 395 to redesign the school’s master schedule to allow for additional professional development activities.⁵¹

Curriculum Alignment and Pacing. For all differentiated accountability schools, the school district or school must develop instructional pacing guides that are aligned to the Common Core/Next Generation Sunshine State Standards in reading, writing, mathematics, and science. Such schools must implement the district’s K-12 reading plan and ensure that students are properly placed in rigorous coursework. The district must review student data and determine the effectiveness of the school’s instructional programs and class offerings. For Correct I and II and Intervene persistently lowest-achieving schools and Correct II elementary or middle schools graded “F” or high schools with FCAT performance points below 395, the DOE reviews student data to determine program effectiveness and must also review the school’s instructional pacing guide. The district must extend the learning day for Correct I and II and Intervene persistently lowest-achieving schools.⁵²

Continuous Improvement. FCIM is a school improvement intervention that utilizes data analysis, improvement timelines, quality instruction, and frequent student assessment to improve student performance. All differentiated accountability schools must implement FCIM. For Prevent I and Correct I schools, FCIM is only implemented for subgroups not making AYP. School-wide implementation is required for Prevent II, Correct II, and Intervene schools.⁵³

Monitoring Processes and Plans. All differentiated accountability schools must monitor implementation of the school improvement plan and provide quarterly updates on plan implementation to the SAC. The school district must develop a comprehensive instructional monitoring process⁵⁴ for use by the district’s differentiated accountability schools. Districts must ensure that high-need schools, i.e., Prevent II, Correct II, and Intervene schools, receive the greatest share of school improvement resources. DOE must report the progress of Correct I and II persistently lowest-achieving schools, Correct II elementary or middle schools graded “F” or high schools with FCAT performance points below 395, and Intervene schools bi-monthly to the State Board of Education.⁵⁵

⁵⁰ *Id.* at 8-9.

⁵¹ *Id.* at 8. Additional professional development activities must address data-based decision making, job-embedded professional development on the Common Core/Next Generation Sunshine State Standards, and lesson study. *Id.*

⁵² Rule 6A-1.099811(5), F.A.C. and *Strategies and Support*, *supra* note 25, at 10.

⁵³ Rule 6A-1.099811(1)(o), F.A.C. and *Strategies and Support*, *supra* note 25, at 11.

⁵⁴ A comprehensive instructional monitoring process is a process for monitoring and ensuring implementation of instructional programs and practices. Rule 6A-1.099811(1)(t), F.A.C.

⁵⁵ Rule 6A-1.099811(5), F.A.C.; *Strategies and Support*, *supra* note 25, at 13.

What must a school do to exit differentiated accountability or advance to a higher category?

Prevent I, Correct I, Prevent II, and Correct II schools may progress to “school not required to participate in differentiated accountability” status upon making AYP for two consecutive years.⁵⁶ An Intervene school must make significant progress, within one year of such classification, in order to progress to a higher performing school category. To do so, an elementary or middle school must achieve a school grade of “C” or better and a high school must increase FCAT performance points to 435 or better. For all Intervene schools, at least one subgroup each in reading and mathematics that previously failed to make AYP must make AYP.⁵⁷

What consequences are there for schools that fail to exit the Intervene category within one year?

The year after a school is classified in the Intervene category, the school district must submit a plan to the state board proposing to reconstitute the school as follows:

- ❖ Convert the school to a district-managed turnaround school by means that include implementation of a turnaround plan approved by the Commissioner of Education that becomes the school’s improvement plan;
- ❖ Reassign students to another school and monitor the progress of the reassigned students;
- ❖ Close the school and authorize a sponsor to reopen the school as a charter school or multiple charter schools; or
- ❖ Contract with an outside entity to operate the school.⁵⁸

Implementation of the option requires state board approval. If the school does not move from the Intervene category in the year it is reconstituted, the district must submit a plan to implement a different reconstitution option. Such option must be implemented unless the state board determines that the school is likely to move from the Intervene category if provided additional time to implement intervention and support strategies.⁵⁹

Where can I get additional information?

Florida Department of Education

Bureau of School Improvement
(850) 245-0426
<http://www.flbsi.org/index.htm>

Florida House of Representatives

Education Committee
(850) 488-7451
<http://www.myfloridahouse.gov>

⁵⁶ Rule 6A-1.099811(7), F.A.C.

⁵⁷ Rule 6A-1.099811(8)(a), F.A.C.

⁵⁸ Section 1008.33(5)(a), F.S.; rule 6A-1.099811(8)(b), F.A.C.

⁵⁹ Section 1008.33(5)(b), F.S.

