



Academically High Performing School Districts

What are academically high-performing school districts?

In 2007, the Legislature created a designation for a school district known as an academically high-performing school district. If a school district received that designation it would be provided flexibility in meeting specific requirements in state law and rules of the State Board of Education.¹ To be designated as an academically high-performing school district, a school district must meet the following requirements:

- ❖ Earn a grade of “A” for two consecutive years,² beginning with the 2004-05 academic year and have no district-operated school that earned a grade of “F.”
- ❖ Comply with the class size requirements.³
- ❖ Have no material weaknesses or instances of material noncompliance noted in the school district’s annual financial audit.⁴

Upon designation as an academically high-performing school district, a school district is exempt from certain provisions in the Florida K-20 Education Code (Education Code) and the state board rules that implement the Education Code.⁵ For the 2009-10 academic year, the state board

¹ Section 1, ch. 2007-194, L.O.F., codified as s. 1003.621, F.S. Prior to 2007, a school district could be designated as an academic performance-based charter school district if the district entered into certain performance contracts with the State Board of Education. The contracts exempted the school district from rules and laws specified by the state board in exchange for the district’s agreement to comply with stated performance goals. Section 1003.62, F.S. Such performance contracts were first authorized by legislation establishing the Charter School District Pilot Program in 1999. Under this pilot program, the state board was authorized to select up to six school districts for participation with priority given to Hillsborough and Volusia counties. Section 5, ch. 99-374, L.O.F., codified as s. 228.058, F.S. (1999), *subsequently renumbered as* s. 1003.62, F.S. Four school districts (Hillsborough, Orange, Palm Beach, and Volusia counties) were selected by the state board. Staff of Senate Committee on Education Pre-K-12, Bill Analysis for CS/SB 2092 (2007). In 2003, the Legislature changed the name of the program to academic performance-based charter school districts; included a “grandfather provision” to extend the authority for the four pilot program charter school districts until July 1, 2007; and prohibited the designation of additional pilot program charter school districts. Section 25, ch. 2003-391, L.O.F., amending s. 1003.62, F.S. Subsequent legislation in 2007 extended the authority for the four academic pilot program charter school districts until July 1, 2010. Section 8, ch. 2007-234, L.O.F. In 2010, the Legislature repealed the law relating to academic performance-based charter school districts and pilot program charter school districts. Section 26, ch. 2010-70, L.O.F. After July 1, 2010, the four pilot program charter school districts must conform to the standards of other districts or, upon meeting the eligibility criteria, seek designation as an academically high-performing school district by the state board. For the 2010-11 academic year, three of the four (Hillsborough, Palm Beach, and Volusia counties) former academic performance-based charter school districts have been designated as academically high-performing school districts. Email, Florida Department of Education, 2010-11 Academically high-performing school districts (Sept. 9, 2010).

² All public schools are assigned a school grade. Section 1008.34(2), F.S. Student achievement data from statewide assessments are used to establish both proficiency levels and annual progress for individual students, schools, districts, and the state. *See* s. 1008.34, F.S., *as amended by* s. 11, ch. 2010-22, L.O.F; rule 6A-1.09981, F.A.C.; *see also* the School Grades and Statewide Assessment Fact Sheets.

³ Section 1, Article IX of the State Constitution.

⁴ Section 1003.621(1)(a), F.S.

⁵ Section 1003.621(1)(b), F.S. Chapters 1000 through 1013, F.S., are known as the “Florida K-20 Education Code.” Section 1000.01(1), F.S.

designated 21 school districts as academically high-performing school districts.⁶ Designations have carried forward into fall semester of the 2010-11 academic year.⁷

From what provisions in the Education Code is an academically high-performing school district not exempt?

Each academically high-performing school district must comply with the provisions in the Education Code, including the rules adopted by the state board, pertaining to:⁸

- ❖ Services to students with disabilities.
- ❖ Civil rights and discrimination.⁹
- ❖ Student health, safety and welfare.
- ❖ The election or compensation of district school board members.
- ❖ The student assessment program and the school grading system.
- ❖ Financial matters.¹⁰
- ❖ Planning and budgeting.¹¹
- ❖ Differentiated pay and performance-pay policies for school administrators and instructional personnel.¹²
- ❖ Educational facilities.¹³
- ❖ Instructional materials.¹⁴ How long can a school district retain a designation as an “academically high-performing school district?”

A school district retains the designation as an academically high-performing school district for three years. At the end of this period, the school district may renew the designation if it meets the requirements. A school district that fails to meet the requirements must notify the state board that the school district is no longer eligible to be designated an academically high-performing school district.¹⁵

To maintain the designation, an academically high-performing school district must meet the following requirements:

⁶ Email, Florida Department of Education, 2009-10 Academically high-performing school districts (Sept. 9, 2010). The school districts designated as academic high-performing school districts for the 2009-10 academic year are Bay, Brevard, Calhoun, Charlotte, Citrus, Clay, Flagler, Gilchrist, Gulf, Hillsborough, Indian River, Martin, Nassau, Okaloosa, Palm Beach, Pasco, Seminole, Sumter, Volusia, Wakulla, and Walton. *Id.*

⁷ Email, Florida Department of Education, 2010 Academically High-Performing School Districts Fact Sheet (Sept. 15, 2010).

⁸ Section 1003.621(2)(a)-(j), F.S.

⁹ See s. 1000.05, F.S., cited as the “Florida Educational Equity Act.”

¹⁰ Provisions related to program expenditure levels are eligible for exemption. Section 1003.621(2)(f), F.S.; see s. 1010.20(3)(a), 1.-3., F.S.

¹¹ Provisions related to the requirement for a comprehensive reading plan are eligible for exemption. A school district that is exempt from submitting the comprehensive reading plan is approved to receive the research-based reading instruction allocation. Section 1003.621(2)(g), F.S.; see s. 1011.62(9)(d), F.S.

¹² See ss. 1012.22(1)(c) and 1012.27(2), F.S. Professional service contracts are subject to the provisions in ss. 1012.33 and 1012.34, F.S. Section 1003.621(2)(h), F.S.

¹³ Provisions related to covered walkways for portables and the use of relocatable facilities that are more than 20 years old are eligible for exemption. Section 1003.621(2)(i), F.S.; see ss. 1013.20 and 1013.21, F.S.

¹⁴ Provisions related to the requisition of state-adopted instructional materials from the depository under contract with the publisher and the use of 50 percent of the instructional materials allocation, are eligible for exemption. Section 1003.621(2)(j), F.S.; see ss. 1006.37 and 1006.40(3)(a), F.S.

¹⁵ Section 1003.621(1)(c), F.S.

- ❖ Comply with the class size requirements.
- ❖ Have no material weaknesses or instances of material noncompliance noted in the school district's annual financial audit.
- ❖ Earn a grade of "A" for two years within a three-year period.¹⁶

A school district in which a district-operated school earns a grade of "F" during the three-year period may not continue to be designated an academically high-performing school district during the remainder of that three-year period. The school district must meet all of the requirements for the initial designation in order to be redesignated an academically high-performing school district.¹⁷

Is an academically high-performing school district required to submit an annual performance report to the State Board of Education and the Legislature?

Yes. An academically high-performing school district is required to submit an annual report to the state board and the Legislature on December 1 which describes the performance of the school district relative to the academic performance of students at each grade level in reading, writing, mathematics, science, and any other subject that is included as a part of the statewide assessment program.¹⁸ The report must include, but need not be limited to, the following:

- ❖ Evidence that the school meets the requirements to be designated an academically high-performing school district.¹⁹
- ❖ A description of each waiver and its status.²⁰
- ❖ The longitudinal performance of students in general, and by grade level and subgroup, in subjects that are part of the statewide assessment program.²¹
- ❖ The longitudinal performance regarding efforts to close the achievement gap.²²
- ❖ The number and percentage of students who take an Advanced Placement (AP)²³ examination and the longitudinal performance regarding any students taking the AP examination, by demographic group and by participation in the National School Lunch Program.²⁴

¹⁶ Section 1003.621(1)(d), F.S.

¹⁷ *Id.*

¹⁸ Section 1003.621(4), F.S.; *see s. 1008.22*, F.S.

¹⁹ Section 1003.621(4)(e), F.S.

²⁰ Section 1003.621(4)(f), F.S.

²¹ Section 1003.621(4)(a) and (b), F.S.

²² Section 1003.621(4)(c), F.S.

²³ The Advance Placement Program is a system of advanced academic courses administered by the College Board. Section 1007.27(6), F.S. The program consists of over 38 rigorous high school courses and nationally standardized examinations in 23 subject areas ranging from art to statistics. Florida Department of Education, *2009-2010 Florida Counseling for Future Education Handbook*, at 66 (2009), available at http://files.facts.usf.edu/pdfDocuments/manuals/Handbook_0910.pdf.

²⁴ Section 1003.621(4)(d), F.S. The National School Lunch Program is a federally funded program that assists schools and other agencies in providing nutritious meals to children at reasonable prices. The United States Department of Agriculture is responsible for overseeing the program nationally. In Florida, the Florida Department of Education, Food and Nutrition Management Division administers the program. Florida Department of Education, Food and Nutrition Management, *National School Lunch and Breakfast Program*, <http://www.fldoe.org/FNM/natschoollunch/descriptions.asp> (last visited Sept. 9, 2010). The Department of

Are academically high-performing school districts exempt from the school start date requirements in state law?

Yes. Academically high-performing school districts are exempt from the school start date requirement in state law. State law provides that beginning with the 2007-08 academic year, the opening date for schools governed by a district school board may not be earlier than 14 days before Labor Day each year.²⁵ The law governing the school start date is not included in the list of provisions that may not be waived by an academically high-performing school district.²⁶ For the 2010-11 academic year, 14 days before Labor Day was August 23rd. Below is a list of the academically high-performing school districts that began school earlier than August 23, 2010:²⁷

School District	2010-11 Academic Year Start Date
Bay	August 11
Brevard	August 9
Calhoun	August 16
Charlotte	August 9
Citrus	August 9
Clay	August 16
Gilchrist	August 18
Gulf	August 9
Okaloosa	August 5
Palm Beach	August 17
Pasco	August 16
Seminole	August 16
Sumter	August 9
Volusia	August 16
Wakulla	August 12
Walton	August 12

Where can I get additional information?

Florida Department of Education

Division of Public Schools
Bureau of Curriculum and Instruction
<http://www.fldoe.org/BII/>
(850) 245-0824

Agriculture and Consumer Services is responsible for providing USDA commodity foods to Florida schools participating in the National School Lunch Program. Florida Department of Agriculture and Consumer Services, *National School Lunch Program*, http://www.florida-agriculture.com/foodprograms/national_lunch_program.htm (last visited Sept, 13, 2010); see also s. 1006.06 (5) (a), F.S.

²⁵ Section 1001.42(4)(f), F.S.

²⁶ Section 1003.621(2), F.S.

²⁷ Florida Department of Education, Education Information and Accountability Services Data Report, Series 2010-27D, *2010-2011 School District Start and End Dates*, at 1 (June 2010), available at <https://www.fldoe.org/eias/eiaspubs/word/opncls.doc>. Five academically high-performing school districts did not exercise their option to waive the school start date requirement. *Id.*

Florida House of Representatives

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