



Center for
Educator Compensation
Reform

Case Summary

*The Evolution of Performance Pay
in Florida*





The Evolution of Performance Pay in Florida

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As a growing number of states experiment with compensation reform plans that link teacher pay to student performance, there is increased interest in learning from current and past efforts to establish performance pay systems. Florida has pursued performance pay since the late 1990s when it required that districts evaluate teachers primarily based on student learning gains and use these evaluations to award high-performing teachers. The state mandated that all districts design and implement a performance pay plan that met this requirement by 2003 and provided broad flexibility in how districts structured their plans. A lack of state funding for performance pay, however, reduced district buy-in and led to pay plans with cumbersome application requirements and complicated award criteria. Many districts designed performance pay plans that awarded few teachers.

Beginning in 2006, the state board of education and Florida Legislature initiated an effort to create a framework for how districts should implement the state's performance pay requirement. This led to three successive attempts to establish a statewide performance plan over the next two years, with pay plans known as Effectiveness Compensation (E-Comp), Special Teachers Are Rewarded (STAR), and the Merit Award Program (MAP). The state's efforts met with strong resistance from both teachers and district leaders who opposed their lack of involvement in the design process, the pay plans' reliance on student test scores, and the use of performance rankings to award teachers. The multiple attempts to redesign the state's approach to performance pay reflects the challenge of evaluating teachers primarily based on student learning gains and tying these evaluations to teacher bonuses. In addition, the implementation of performance pay in Florida raised several logistical issues, such as the measurement of student learning gains for teachers in untested grades and subjects, the timeline for designing pay plans, and the allocation of funding for awards.

The evolution of performance pay in Florida offers valuable lessons for states and districts considering compensation reform plans that award bonuses based on performance. This case summary describes the design and implementation of performance pay in Florida from the state's initial performance pay requirement to the recent creation of MAP. The case summary is organized chronologically and ends with a discussion of the lessons learned from Florida's experience. Table 1 summarizes the key components of each performance pay program in Florida.

Table I. Characteristics of Florida’s Performance Pay Programs

	State Statute	E-Comp	STAR	MAP
Program basis	State statute	State board of education administrative rule	Proviso language in appropriations bill	State statute
Beginning and end dates	1999–2007	March 2006–April 2006	April 2006–March 2007	March 2007–current
Award size	5% of individual salary	5% of individual salary	5% of individual salary	5% to 10% of district’s average teacher salary
Proportion of teachers awarded	Not specified	At least 10%	At least 25%	District discretion
Award criteria	Identify staff demonstrating “outstanding performance” based primarily on improved student performance	Student learning gains on state assessment or districtwide assessment	At least 50% based on student learning gains, up to 50% based on principal evaluations	At least 60% based on student proficiency or learning gains, up to 40% based on principal evaluations
Award level	Individual teacher	Individual teacher	Individual teacher	Individual teacher or teacher team
Measures of student learning	FCAT and districtwide assessments	FCAT and districtwide assessments	FCAT, standardized tests, and districtwide assessments	FCAT, standardized tests, and districtwide assessments
Funding	Districts fund with existing funding	State department of education requested \$55 million in funding	\$147.5 million in state funding	\$147.5 million in state funding

Statewide Performance Pay Requirement

The Florida Legislature established the foundation for performance pay in 1998 and 1999 when it passed state statutes requiring that districts evaluate instructional staff each year based primarily on student learning gains and use these evaluations to identify outstanding teachers and award them bonuses. The legislature mandated that districts annually evaluate the performance of instructional staff based on classroom management, subject-matter knowledge, instructional strategies, student assessment, parent involvement, and professional competency (Florida State Statute, Title XVI, §231.29, 1997). The state added language in 1998 requiring that districts primarily base these annual performance evaluations on student learning gains (Florida State Statute, Title XVI, §231.29, 1998). A separate statute passed in the same year mandated that districts base a portion of teacher pay on the annual performance evaluations (Florida State Statute, Title XVI, §230.23 [5][c], 1998).

In 1999, the Legislature passed Governor Jeb Bush’s A-Plus Education Plan, which created state assessments for Grades 3 through 10, a new system for grading schools based on test results, and vouchers to students in consistently failing schools. The law also required that districts develop a plan by 2002 to identify teachers and administrators who demonstrate “outstanding performance,” as measured by the annual performance evaluations, and award them a bonus (Florida State Statute, Title XVI, §230.23 [5][c], 1999). The legislature provided districts substantial flexibility to design their own plans but required bonuses worth 5 percent of a teacher’s individual salary. In addition, the state required that districts set aside a portion of their existing personnel funds to pay for the bonuses.

These statutes defined the state’s initial performance pay requirement and provided the basis for the future design of E-Comp, STAR, and MAP. Four principles define the state’s early approach to performance pay:

- **Broad Eligibility.** The legislation defined eligibility for performance awards broadly, allowing districts to include all instructional staff and school administrators in their pay plans.
- **Teacher-Level Awards.** Florida’s approach to performance pay focused on rewards for individual teachers and instructional staff, rather than on school-level awards. The initial legislation required districts to identify and reward individuals who demonstrated outstanding performance.
- **Student Learning Gains.** The state required districts to measure teacher performance based on student learning gains, using state or local assessments. Student learning gains represent the change in a student’s performance from one year to the next. Districts could use other measures of teacher performance, such as principal evaluations, but had to include measures of “improvement in student performance (§230.23 [5][c]).” The A-Plus legislation also established state testing in Grades 3 through 10, which provided an opportunity for districts to measure student learning gains using state assessments.
- **State oversight.** Although the performance pay requirement offered districts broad discretion in designing a pay plan, the state maintained a role in monitoring compliance. The state education commissioner had the authority to determine whether district plans complied with the state requirement and could withhold state education funding from districts that did not comply.

District implementation of the state’s performance pay requirement did not meet the expectations of state officials (Florida Department of Education, 2006a). Many districts developed “cumbersome” pay plans with restrictive application requirements or

complicated award criteria (Council for Education Policy Research and Improvement, 2003). About two-thirds of districts required that teachers submit an application to receive an award, and the same proportion required that teachers submit a portfolio (Office of Program Policy Analysis and Government Accountability, 2007). For example, Citrus County restricted eligibility to tenured teachers and awarded those who participated in training, submitted a portfolio, and demonstrated student learning gains (Ramirez, 2006). As a result, districts often had few teachers who applied and received awards. More than half of the state’s districts awarded fewer than 10 teachers in the 2005–06 school year (Office of Program Policy Analysis and Government Accountability, 2007).

Two factors may account for the development of district plans that awarded few teachers. First, the state expected districts to pay for teacher bonuses with existing personnel funds and did not provide additional funding for bonuses. As a result, some districts created restrictive eligibility criteria to reduce the cost of meeting the state’s performance pay requirement. For example, Polk County limited bonus eligibility to teachers who earned master’s degrees or National Board for Professional Teaching Standards certification. This reduced the pool of teachers eligible for a bonus and decreased the potential cost of performance pay (Hegarty, 2003). Fourteen districts across the state limited bonus eligibility to teachers certified by the National Board for Professional Teaching Standards, and four districts restricted bonuses to the district’s teacher of the year (Office of Program Policy Analysis and Government Accountability, 2007). Second, local teachers unions that opposed performance pay negotiated plans that awarded few teachers. For example, a union leader who helped design the performance pay plan in Pinellas County noted that “our goal was to make it nearly impossible” to earn a bonus (Hegarty, 2003, p. 1B).

Effectiveness Compensation (E-Comp)

In 2006, the state education commissioner argued that districts had ignored the state's performance pay requirement and resisted its implementation—with 25 percent of the state's districts not awarding any bonuses to teachers in the 2005–06 school year (Winn, 2006a). In that year, just less than 5 percent of all instructional staff in the state received a bonus (Office of Program Policy Analysis and Government Accountability, 2007). The Florida Department of Education initiated E-Comp to reduce variation in how districts implemented performance pay and to bring district pay plans in line with the state's performance pay requirement (Florida Department of Education, 2006a).

E-Comp provided a “minimum framework” for meeting the state's performance pay requirement (Florida Department of Education, 2006a). Although the original state statute required that districts award bonuses to “outstanding teachers” based primarily on student learning gains, E-Comp specified how districts would evaluate teachers using student learning gains and the proportion of teachers awarded. E-Comp maintained the link between teacher pay and annual evaluations but defined how districts would measure student learning gains. The state education commissioner led the design of E-Comp, and the board unanimously passed the program as an administrative rule in February 2006. As an administrative rule, E-Comp provided the board's interpretation of how districts should implement the state's existing performance pay requirement. The education commissioner planned to request about \$55 million in state funding from the legislature to support E-Comp.

Program Design

E-Comp reduced district discretion over the design of performance pay plans. Although the state initially allowed districts to design their own plans, E-Comp defined a statewide approach to performance pay. The program provided a method for comparing teacher performance based on student learning gains and defined the proportion of teachers receiving a bonus. The key aspects of E-Comp are defined below.

Teacher Eligibility. E-Comp addressed the state's concern about the limited number of teachers eligible for bonuses under district-designed pay plans. The state defined all instructional staff as eligible for E-Comp and prohibited districts from establishing additional eligibility criteria or requiring that teachers apply for a bonus.

Measures of Teacher Performance. Under the state's existing performance pay requirement, districts had to assess teachers each year primarily based on the learning gains of their students. E-Comp mandated that districts identify outstanding teachers based solely on student learning gains. Districts had to measure learning gains using Florida's state assessment, the Florida Comprehensive Assessment Test (FCAT), when possible. The FCAT includes reading and mathematics assessments for Grades 3 through 10, so districts would use it to compare reading and mathematics teachers in these grades. Learning gains would be based on the one-year change in FCAT achievement from one school year to the next. For example, in E-Comp's first year, the program would measure teacher performance based on the change in student achievement on the FCAT from the 2005–06 school year to the 2006–07 school year.

E-Comp also defined how districts should measure student learning gains in grades and subjects not covered by the FCAT. The state expected districts to develop districtwide assessments to measure student

performance for non-FCAT grades and subjects at the beginning and end of the school year. The state board recognized the challenge districts would face in developing new assessments and allowed districts to measure the performance of non-FCAT teachers using principal evaluations for E-Comp's first year.

Award Criteria and Amount. E-Comp required districts to award bonuses to at least 10 percent of teachers. The state required that districts offer bonuses worth 5 percent of a teacher's salary, which meant that more experienced teachers could earn larger bonuses than novice teachers due to their higher base salary. E-Comp required that districts identify outstanding teachers using the following criteria:

- The state identified the top 10 percent of FCAT teachers across the state based on one year of student learning gains on the FCAT. The state would separately rank reading and mathematics teachers and teachers at the elementary, middle, and senior high school levels. All teachers in the top 10 percent of the state received a bonus.
- The top 10 percent of teachers in the state may not equate to 10 percent of teachers in a particular district. The state estimated that about five districts would have no teachers in the top 10 percent of FCAT teachers statewide (Kaczor, 2006). Therefore, districts would identify the top 10 percent of FCAT teachers within their district based on FCAT student learning gains, to ensure that at least 10 percent of FCAT teachers received a bonus. The districts would award any FCAT teachers ranked in the top 10 percent of the district but not in the top 10 percent of the state.
- Districts also would identify and award the top 10 percent of non-FCAT teachers within each district based on principal evaluations the first year and local assessments for subsequent years.

Funding. The state education department had to request funding for the program from the state legislature because the state board of education had passed E-Comp as an administrative rule.

The state education commissioner planned to request \$55 million from the legislature to fund the program but noted that districts would have to fund the program themselves in the absence of state funding (Mitchell & Rushing, 2006; Winn, 2006b). Since the legislature eventually replaced E-Comp with a new approach, it is not clear whether legislators would have funded the program.

State Oversight. E-Comp clarified the role of the state education commissioner in overseeing implementation of the program. Districts had to submit their plans for implementing E-Comp to the commissioner for approval within four months (by June 2006). The commissioner would review the pay plans for all 67 school districts and determine whether they complied with E-Comp requirements. The state also formed an E-Comp advisory committee that consisted of teachers, superintendents, and principals appointed by the state education commissioner to address implementation issues.

Implementation

The state education department did not have an opportunity to implement E-Comp. Immediately after the board approved the program, districts and teachers across the state expressed strong opposition. In February 2006, the state teachers union filed a complaint arguing that the school board lacked the authority to pass an administrative rule affecting teacher pay without the approval of the legislature (Pinzur, 2006). A coalition of five counties in north-east Florida requested that the state repeal or revise the program in early March 2006 (Miller, 2006b). Two other school districts approved resolutions asking the state to reconsider the plan (Blair, 2006;

Crouse, 2007). The teachers union coordinated rallies across the state to protest E-Comp, and teachers in Broward County sent more than 11,000 e-mails to the state education commissioner protesting the program (Crouse, 2006; Shores, 2006).

Several aspects of E-Comp raised concern among teachers, district leaders, and their unions:

- **Lack of stakeholder involvement.** The state teachers union argued that the state education department did not sufficiently involve teachers or other stakeholders in the design process (Scott, 2006). Although the state developed an E-Comp advisory committee after the program had been approved, stakeholders had minimal involvement in designing the program. In some cases, district leaders refused to support the program because teachers did not support the plan. For example, a school board member in Pasco County explained that “teachers are our family” and we need to “speak out and protect them” (Blair, 2006, p. 1).
- **Reliance on the FCAT.** The state teachers union opposed E-Comp’s reliance on the FCAT to measure teacher performance (Florida Education Association, 2006). The union argued that the state should not determine teacher bonuses based on a single measure of student performance. The union viewed the FCAT as a “diagnostic tool” and questioned its validity and reliability as a measure of teacher performance (Florida Education Association, 2006). Teachers also thought that multiple teachers contributed to student learning and had logistical concerns about how the state could attribute student learning gains to one teacher.
- **Proportion of teachers rewarded.** The state teachers union described the state’s decision to reward 10 percent of teachers as “arbitrary and unfair” (Florida Education Association, 2006). The union questioned how the state could limit the proportion of outstanding teachers to 10 percent (Blair, 2006).
- **Timeline to develop E-Comp plans.** Districts had about four months to develop a plan for implementing E-Comp, negotiate it with the teachers union, and submit it for approval to the state. The Broward County superintendent warned that offering such a short timeline to negotiate a plan could create tension between the district and the local teachers union (Pinzur, 2006). A representative of the state superintendent association raised a similar concern that rushing the development of a pay plan could “create more concerns and errors than it’s going to resolve” (Winchester, 2006, p. 1A).

Throughout the debates over E-Comp and subsequent performance pay plans, the state teachers union argued that the state should raise teachers’ base salary before funding incentives (Florida Education Association, 2006; Solochek, 2006a). The union cited the disparities in teacher pay between Florida and other states and requested that the state focus on raising teacher salaries before implementing performance pay. Florida’s average teacher salary of \$43,302 fell below the national average in 2005 and was lower than the average teacher salary in Georgia, North Carolina, and South Carolina (Gaines, 2007).

Special Teachers Are Rewarded (STAR)

The Florida Legislature responded to district and teacher concerns about E-Comp by holding a series of hearings to discuss the program with superintendents, principals, and teachers (Scott, 2006). The hearings were held within one month after the state board of education passed E-Comp and provided an

opportunity for stakeholders to express their concerns about the program.

The Florida House of Representatives approved a new performance pay program in April 2006, although the bill failed to make it out of the Senate before the end of the legislative session. The legislature inserted a new performance pay program, called Special Teachers Are Rewarded (STAR), as proviso language in a budget bill to save it before the legislative session ended in May 2006 (*General Appropriations Act, 2006*). STAR replaced E-Comp as the framework for districts to follow in implementing the state's performance pay requirement. The legislature allocated \$147.5 million in funding for the first year of the program.

Program Design

The legislature attempted to address the concerns of teachers and school districts in the design of STAR. In comparison to E-Comp, STAR reduced the focus on the FCAT by defining the role of principal evaluations in measuring teacher performance. STAR also extended the timeline for districts to develop and negotiate a plan with their local teachers union.

Teacher Eligibility. STAR maintained the broad eligibility criteria of E-Comp by defining all instructional staff as eligible for an award. Similar to E-Comp, STAR prohibited districts from requiring that teachers submit an application to earn an award. Districts had the option of providing STAR awards to school administrators.

Measures of Teacher Performance. The original performance pay requirement mandated that districts evaluate teachers primarily based on student learning gains but allowed districts to use other methods to assess teacher performance in areas such as classroom management and instructional practices. To bring the state's approach more in line with this requirement, STAR required that districts base at least

50 percent of teacher performance evaluations on student learning gains and specified that principal evaluations could make up the remaining portion of the criteria. In other words, the legislature interpreted "primarily based" on student achievement gains to mean at least 50 percent. Districts had discretion in how they combined learning gains and principal evaluations but had to base at least 50 percent of the award criteria on student learning gains.

STAR offered districts more flexibility compared to E-Comp in how they measured student learning gains. The allowable measures of teacher performance differed based on the type of teacher:

- **Reading and mathematics teachers.** The state required the use of a standardized test to measure learning gains for reading and mathematics teachers but did not mandate the use of the FCAT specifically. Districts could use other assessments such as advanced placement tests, end-of-course tests, International Baccalaureate, or the Advanced International Certificate of Education. In practice, however, most districts relied on the FCAT for reading and mathematics.
- **Secondary science and social studies teachers.** Districts had the option of measuring student learning gains in secondary science and social studies using a standardized test in the subject area or a districtwide assessment that measured the state standards for the subject area. Alternatively, districts could also reward secondary science and social studies teachers based on student learning gains in reading or mathematics (Florida Department of Education, 2006b). Many districts did not have existing districtwide pretests and posttests for secondary science or social studies, so the state provided this additional flexibility.

- **Teachers of other subject areas and grades.**

STAR required that districts use a districtwide assessment, consisting of a pretest and posttest, to measure student learning gains for teachers assigned to other grades or subjects. Districts had to assess students in the content area taught by the teacher using a districtwide assessment based on the state standards. Many school districts did not have this type of assessment for grades and subjects not covered by the FCAT, so the state also allowed districts to incorporate student learning gains on the FCAT reading assessment. Up to 25 percent of the award criteria for these teachers could be based on learning gains from the FCAT reading assessment and 25 percent from a districtwide assessment in the specific content area. The principal evaluation would make up the remaining portion of the criteria.

- **Other instructional staff.** Districts could measure student learning gains based on school-wide student performance for instructional staff who worked with all or a large majority of students in a school. These criteria applied to such staff as guidance counselors and media specialists.

The state recommended that districts measure learning gains by comparing a student's FCAT achievement level from year to year. FCAT scores, which range from 100 to 500, are converted to an achievement level on a scale of one to five. Students performing at levels three through five are at or above grade level, whereas levels one and two indicate students not meeting state standards for their grade. The state proposed awarding teachers points for students whose achievement level remained constant or increased. Each teacher would have a score that represented the average points earned across all of their students.

The state hoped to create a level playing field when comparing teachers based on student learning gains (Florida Department of Education, 2006b). State officials wanted teachers of low-performing students and high-performing students to have an equal chance of earning a bonus. If achieving a one-level achievement gain from four to five was more difficult than a similar one-level gain from two to three, then teachers with higher performing students might be at a disadvantage. To address this issue, the state conducted a data analysis to determine the likelihood of each FCAT achievement-level gain or loss. Then, the state assigned different points to each gain and loss based on the likelihood of achieving the gain or realizing the loss. For example, the state found that an FCAT achievement-level gain from four to five was less common than a gain from two to three. So, teachers received more points for increasing a student's achievement level from four to five than for increasing the level from two to three. The state formalized this approach in "value tables" that defined a point value for each possible change in a student's FCAT achievement level.

STAR included detailed requirements for the use of principal evaluations to measure teacher performance (Florida Department of Education, 2006b). Although districts could select their own evaluation tool, the evaluation had to score teachers based on five categories: unsatisfactory, needs improvement, satisfactory, high performing, and outstanding. The state defined criteria for assessing teacher performance, such as the ability to plan and deliver instruction. To earn a STAR award, teachers could not receive a rating below high-performing for more than one factor.

Award Criteria and Amount. Similar to E-Comp, STAR was based on the original state performance pay requirement that mandated bonuses worth 5 percent of an individual teacher's salary; although, STAR increased the proportion of teachers rewarded

from 10 percent to 25 percent of teachers in each district. One legislator noted that there “needed to be a broader group [of teachers] recognized” (Follick, 2006). STAR allowed districts to determine their own formula for measuring teacher performance. Districts awarded the top 25 percent of teachers at each school level (i.e., elementary, middle, and high school) based on district-defined criteria and could award a higher proportion of teachers with their own funding. For non-FCAT teachers, districts could compare performance across different types of teachers (e.g., music, art), or within each subject type to identify the top 25 percent.

Funding. The legislature appropriated \$147.5 million for the first year of STAR and allocated funding based on each district’s state education funding allocation; however, the state made district funding for STAR contingent on having an approved STAR plan. Districts without an approved plan would forfeit their STAR funding allocation, and the funding would be reallocated to districts with an approved plan. The state performance pay requirement remained in effect, and districts that did not implement STAR had to develop a plan that met the state requirement for paying teachers based on performance. The state performance pay requirement had not changed; districts had to annually evaluate teachers using an assessment primarily based on student performance and award 5 percent bonuses to those deemed outstanding. The districts without a STAR plan would fund performance pay with existing funds.

State Oversight. The legislature shifted responsibility for approving district plans from the state education commissioner to the state board of education, which reviewed district plans and sent them back to the districts for revisions or recommended them to the state board for approval. The legislature set out a detailed timeline for approving district plans: Districts submitted their plans by the end of December 2006;

received comments within 45 days; submitted their revised plan, if needed, by March 2007; and received final approval by April 2007.

Implementation

As the final deadline for approving STAR plans approached in March 2007, one-third of local school boards had rejected STAR, whereas others had imposed the plan on their district over the objection of teachers (Scott, 2007b). Districts had struggled during the past year to develop their STAR plans and negotiate them with the local teachers unions. The STAR program faced two major implementation challenges: districts had difficulty creating new assessments that would measure the performance of teachers in grades and subjects not covered by the FCAT, and teachers and district officials in many districts opposed STAR.

Assessments for Non-FCAT Grades and Subjects

The state required that student learning gains make up at least half of the STAR award criteria. As a result, districts had to measure student learning gains using pretests and posttests for all instructional staff in their district. Although the FCAT covered reading and mathematics in Grades 3 through 10, most districts had no way of measuring learning gains for a substantial portion of teachers (Sampson, 2006b). This included Grades K–2 teachers and Grades 11–12 teachers, as well as art teachers, music teachers, guidance counselors, and media specialists. The state allowed districts to use the FCAT reading test as a pretest because districts developed their STAR plans during the first year of its implementation (Florida Department of Education, 2006c). This focused district efforts on creating districtwide assessments to measure student performance at the end of the year.

Districts raised several concerns about creating assessments for grades and subjects not covered by the FCAT. Districts argued they would need more time to develop such a large number of assessments (Tobin, 2007). At least one district reportedly had to develop more than 300 new assessments for a range of subject areas (Hobbs, 2007). Smaller districts raised concerns about the level of burden this would impose on their staff and resources. District officials also expressed concerns about the validity and reliability of the new assessments because they would have minimal time to review or evaluate them (Mitchell, 2006). Teachers had concerns about increasing the focus on testing and the burden on students by creating a whole new set of assessments in addition to the FCAT (Trimble, 2007). Teachers in one county questioned the fairness of basing teacher bonuses on a test that had little to no meaning for students (Solochek, 2007). These teachers expressed concern that students would have no motivation to do well on the assessments because the assessments had no bearing on student grades (Solochek, 2007).

The state acknowledged district concerns about the assessments and initiated an effort to create a clearinghouse of end-of-course assessments in November 2006 (Florida Department of Education, 2006d). The clearinghouse initially focused on assessments of Grades 11–12 because districts had the greatest concerns about these grades (Florida Department of Education, 2007). Hillsborough County and the Florida Virtual School, which had already developed more than 400 end-of-course assessments, agreed to share their tests with other districts. The state requested that other districts contribute their assessments to the clearinghouse as well. Districts had to assign one staff person to access the assessments, and the state developed procedures for ensuring test security. The clearinghouse provided districts access to the tests free of charge.

The creation of the clearinghouse did not entirely resolve this issue for districts. The state did not have a process for evaluating the quality of assessments; any district willing to share its assessment could do so. In addition, the state expected districts to verify that the tests aligned with their curriculum and check the tests for accuracy (Florida Department of Education, 2007).

At least one district expressed frustration with delays in accessing assessments from the clearinghouse (Hobbs, 2007). Teachers in Sarasota County thought the district had not invested sufficient time in developing the assessments used to measure the performance of non-FCAT teachers (Babiarz, 2007).

Opposition to STAR

Despite efforts to involve stakeholders in the development of STAR, the program struggled to obtain broad support from teachers unions, school boards, and superintendents across the state. While the state teachers union had an opportunity to voice its concerns during legislative hearings, the union thought it “didn’t see a whole lot of change” and described the program as “E-Comp light” (Miller, 2006a). The union filed a legal challenge to STAR, questioning whether legislators violated state law by creating the program as part of a spending bill (Solochek, 2006b). Superintendents and school board members had mixed opinions about STAR, with some district staff voicing opposition and others support (Babiarz, 2006; Marshall, 2006; Sampson, 2006a; Solochek, 2006a, 2007).

Teachers raised the concern that STAR would create a competitive environment within schools (Fitzpatrick, 2007b; Renaud, 2007; Scott, 2007a). The program awarded the top 25 percent of teachers in a district, and teachers would compete against one another to earn a bonus. Teachers thought this would discourage collaboration and lead to a

negative school culture. A school board member in Broward County described the program as “divisive” (Renaud, 2007).

Although STAR provided districts more flexibility than E-Comp, some districts thought they should have broader discretion to design their own plans (Dunn & Crouse, 2007). Teachers and districts also maintained their concerns about using test scores to determine teacher pay, and some questioned the use of subjective principal evaluations as a basis for awarding teachers. One superintendent questioned whether test scores were an effective measure of teacher performance (Fitzpatrick, 2007a).

School boards found themselves in a difficult position as they negotiated STAR plans with local teachers unions. They could approve a STAR plan despite the objection of teachers and impose the program on the district, or they could reject the program and lose their share of state funding for STAR. Districts that rejected STAR could lose a substantial amount of funding for performance pay. The seven largest districts in the state would lose more than \$6 million each in STAR funding, and more than half of the districts in the state would give up more than \$1 million. In addition, a district that rejected STAR would have to implement a performance pay plan that met the state requirement using its own funds. As a member of the Manatee County school board noted, “it’s either we pay or the state pays, and we’d rather have them pay” (Babiarz, 2006, p. BS1).

School boards tried to negotiate an agreement with their teachers unions, but at least 12 districts reached an impasse by February 2007 (Taylor, 2007). Although school boards could approve a plan rejected by teachers, most districts preferred to reach an agreement with teachers. Teachers unions in many districts recognized the dilemma facing school boards but refused to support the program. A teachers union in Citrus County noted that its rejection of the district’s plan “was a vote against

the legislature, the DOE, and the STAR plan” (Behrendt, 2007, p. 7). By March 2007, one-third of districts rejected STAR, and about 15 to 20 districts approved plans that had been rejected by teachers.

Merit Award Program (MAP)

A loss of political support led to the replacement of STAR with the Merit Award Program (MAP). In March 2007, just days before the state allocated STAR funding to districts with approved plans, the legislature approved and the governor signed legislation replacing STAR with MAP (Senate Bill 1226). The new governor, Charlie Crist, had signaled his interest in revising STAR in January 2007, as the state board reviewed district STAR plans (Crist, 2007).

Crist proposed doubling the bonus amount under STAR and engaged school boards and superintendents in discussions about the program (Crist, 2007). The legislature had also indicated a willingness to reconsider STAR. A committee chairman in the House described the “deeply flawed STAR plan” and suggested “a complete revamp [is] a possibility” (ColavecchioVan Sickler, 2007). Legislative committees listened to testimony from teachers, administrators, and union officials regarding their concerns with STAR.

MAP replaced the state’s performance pay requirement stipulating that districts award bonuses worth 5 percent of a teacher’s salary to “outstanding teachers” based primarily on student learning gains. Although E-Comp and STAR had provided a framework for meeting this statute, MAP replaced the statute entirely. The legislature included language allowing districts to choose whether to participate in MAP. MAP did not remove the state statute requiring that districts base a portion of teacher pay on teacher performance, so districts not implementing MAP still had to implement a plan that met this requirement.

Program Design

MAP offered districts additional flexibility in defining the award size and the proportion of teachers awarded. The program also allowed districts to award teacher teams in addition to individual teachers, and districts could measure teacher performance based on student learning gains and proficiency levels.

Eligibility. The state defined all instructional staff and school-based administrators as eligible for MAP. The program included a new retention requirement for eligibility: A teacher had to be employed in a Florida public school on September 1 of the following school year to receive a bonus based on performance from the previous year. The state continued to prohibit districts from requiring an application to receive an award.

Measures of Teacher Performance. MAP required districts to base at least 60 percent of the award criteria on student performance, an increase from the 50 percent required under STAR.

Districts could base the remaining 40 percent of the award criteria on principal evaluations. MAP allowed districts to use the state assessment or other standardized test for teachers in FCAT grades and subject areas and required a districtwide assessment for teachers in all other subject areas and grades. In a change from STAR, MAP required that districts use assessments in the content area for teachers in non-FCAT grades and subjects. This meant that secondary science and social studies teachers could not be evaluated based on learning gains on the FCAT reading or mathematics assessments; however, the state allowed districts to define teacher performance based on student learning gains or student proficiency levels. Student proficiency refers to a student's level of achievement at a point in time. The state also provided flexibility for districts to measure the performance of individual teachers or teacher teams.

Award Criteria and Amount. MAP allowed districts to offer bonuses worth 5 percent to 10 percent of the average teacher salary in each district, an increase from the 5 percent bonuses under STAR. The state changed its approach in earlier performance pay programs by basing awards on each district's average teacher salary rather than individual teacher salary. This effectively increased the award size for less experienced teachers who have lower salaries than more experienced teachers and decreased the award size for more experienced teachers. In addition, the award size for school administrators declined too because their awards are based on the average teacher salary in the district rather than each administrator's individual salary or the average administrator salary. Districts also had the flexibility to define the proportion of teachers who receive an award. In practice, both of these changes offered districts limited flexibility unless the state increased funding for the program. If the state maintained the same funding levels as STAR, districts would not have additional funding to increase the size of awards or the proportion of teachers awarded.

Funding. The state legislature appropriated \$147.5 million for MAP despite calls by the new governor to double the amount of funding available for the program. A budget shortfall prevented the state from expanding the amount available for MAP. District funding for MAP was contingent on having a plan approved by the state. In a change from STAR, the state would not reallocate funding from districts without an approved MAP plan. The timeline for funding MAP changed. Districts will make MAP awards with funding from the fiscal year that begins after the school year ends because it is unrealistic for districts to measure performance and award teachers by June 30 (the last day of the fiscal year). For example, awards based on teacher performance in the 2007-08 school year would use MAP funding from the fiscal year beginning on July 1, 2008. This shift in the timeline provided districts more time to analyze student achievement data, identify teachers for awards, and distribute awards.

State Oversight. The legislation eliminated the state requirement that districts offer performance pay bonuses worth 5 percent while maintaining the requirement that states base a portion of pay on student performance. The state made participation in MAP voluntary, although districts without an approved MAP plan would not receive state funding for performance pay. MAP shifted responsibility for approving district plans back to the education commissioner and required that districts submit an annual report describing their implementation of MAP. The legislature also revised the timeline for submitting plans so that districts complete revisions to their plans before the next school year begins.

The legislation formalized the process for settling disputes between local school boards and teachers unions in the design of MAP plans. When a school board and teachers union reach an impasse in negotiations, the two sides agree on a special magistrate who will listen to arguments and make a final decision.

Implementation

Immediately after its passage, MAP appeared to receive support from a range of stakeholders, including school boards, superintendents, and the state teachers union. Much of this support reflected relief that the state had eliminated the STAR program and stakeholders' appreciation at being involved in the revision process. The president of the state teachers union attended the bill signing to credit the governor for involving the teachers union in the plan's development.

Initial support for MAP has faded, however, as 14 school districts decided not to participate in the program for the 2007–08 school year. Teachers and district officials in some areas believed that MAP did not address their concerns with STAR. For example, MAP increased the focus on test scores by requiring that 60 percent of the award criteria be based on

student performance. Although MAP appeared to provide districts flexibility in the proportion of teachers rewarded and the award size, districts had limited flexibility because state funding for the program did not increase from STAR. As one House representative stated, “when stakeholders are involved, they feel a lot better about the product...even when the products aren't that different” (Matus, 2007).

When MAP replaced STAR, the state still had \$147.5 million available for districts to reward teachers in the 2006–07 school year. The legislature allowed districts to access the funds if they implemented (1) a state-approved STAR plan, (2) a STAR plan revised to meet MAP requirements, (3) a new MAP plan, or (4) a district-designed performance pay plan that was in place before STAR. The state funded district-designed performance pay plans based on the original cost of implementing the plan, rather than on the funding amount under MAP funding.

At least two districts faced challenges in implementing performance pay for the 2006–07 school year. Orange County developed a large number of assessments for non-FCAT grades and subjects in about three weeks. A review of the district's assessments found that 200 of the 313 tests had errors, including spelling mistakes, grammatical errors, or questions not related to the content of the course (Hobbs, 2007). The district invalidated hundreds of questions, and observers raised concerns about the basis for distributing awards. In addition, the district incorrectly calculated teacher bonuses based on the district's average teacher salary (i.e., the MAP method) rather than on each individual's salary (i.e., the STAR method). Lake County, for example, underestimated the amount of funding needed to cover its teacher bonuses by about \$200,000 (Caldwell, 2007). In addition, district officials did not account for taxes that had to be paid on the bonuses and the possibility that teachers might appeal their bonus decision.

Lessons Learned

Florida's continuing efforts to establish a statewide performance pay program offer important lessons for states and districts considering a similar approach. Several lessons from Florida's experience are described here.

Provide Sufficient Time for Districts to Develop and Negotiate Pay Plans. Districts needed time to design their plans and negotiate them with local teachers unions. The state increased the amount of time districts had to develop a plan from three months under E-Comp to more than six months for STAR. In addition, the state shifted the timeline for MAP so that after the first year, districts will revise a plan in the school year before it is implemented. Providing sufficient time to develop and negotiate pay plans allows teachers an opportunity to understand revisions to a pay plan before its implementation.

Increase District Buy-In With State Funding. Florida's initial performance pay requirement had districts set aside existing personnel funds to cover the cost of bonuses. As a result, several districts developed plans that limited the cost of performance pay by awarding few teachers.

Districts may be reluctant to fully implement a statewide performance pay plan if they must use existing funds to cover the cost of bonuses.

Involve Stakeholders in the Design Process. Over time, state officials gradually expanded the involvement of teachers and districts in the design of the performance pay plans. Although the state board designed E-Comp with minimal involvement from stakeholders, the state legislature held committee hearings to gather feedback from school board members, superintendents, and teachers to create STAR. Governor Crist met with representatives from the state teachers union and local school districts

to inform the design of MAP, and state legislators invested time listening to stakeholders; however, seeking feedback from stakeholders is not the same as actively involving them in the design process. A pay plan may not address stakeholder concerns or develop buy-in if the role of stakeholders is limited to providing feedback. State policymakers should consider ways to incorporate stakeholders more closely in the design process.

Recognize the Challenge of Measuring Performance in Grades and Subjects Not Covered by State Assessments. Florida maintained a commitment to including all instructional staff in its performance pay system. Non-FCAT teachers were an important constituency for performance pay because they represented about half of all teachers in the state. As a result, districts had to develop local assessments to measure student learning gains for grades and subjects not covered by the FCAT. Many districts had limited capacity to design and validate new assessments, especially within a short timeframe. The need to create new assessments presented a burden for smaller districts. In addition, teachers questioned the usefulness of assessments that had no consequence for student grades.

Weigh the Costs and Benefits of Rewarding Teachers Based on a Performance Ranking Versus a Performance Threshold. Under E-Comp and STAR, Florida ranked teachers based on their performance and identified a certain proportion for a bonus. Estimating the cost of bonuses using this approach is a relatively straightforward calculation using the bonus amount and proportion of teachers awarded. This approach, however, raised concerns among teachers and districts that the program would generate competition among teachers and discourage collaboration. MAP attempted to address these concerns by allowing districts to choose the proportion of teachers awarded, but without additional funding, districts could not increase the number of teachers

awarded. An alternative approach of awarding teachers based on a performance threshold can reduce the concerns about competition. Estimating the cost of this type of program is difficult unless a district can accurately predict the proportion of teachers that will meet or exceed the performance threshold.

Consider Multiple Measures of Teacher

Performance. The state's initial performance pay requirement established the mandate that districts measure teacher performance primarily based on student learning gains. E-Comp defined an approach that focused heavily on the use of student learning gains as measured by the state assessment and districtwide assessments to define teacher performance. This approach faced strong opposition from districts and teachers because of its reliance on student test scores to measure teacher performance. The state tried to address this issue in the design of STAR and MAP by defining how districts could combine student learning gains and principal evaluations to assess teacher performance. Although there were also concerns about the subjectivity of principal evaluations, the use of multiple measures recognized the benefits and challenges in using each measure of teacher performance.

Conclusion

Florida's experience with performance pay demonstrates the issues involved in developing a statewide performance pay plan. A statewide plan presents several challenges: The plan must build support from a broad range of state and district stakeholders; the details of the plan are worked out through the legislative process; and the state must find the appropriate balance between state control and local discretion. At the same time, a statewide approach offers certain advantages: The state can provide the basic framework for performance pay; districts may be more likely to implement performance pay with state funding; and states can guide and support district efforts. The continued efforts to develop a performance pay plan in Florida offer a unique opportunity to understand statewide approaches to compensation reform.

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