Senator Montford moved the following:

**Senate Amendment (with title amendment)**

Between lines 859 and 860
insert:

Section 10. Subsection (5) of section 1008.345, Florida Statutes, is amended to read:

1008.345 Implementation of state system of school improvement and education accountability.—

(5) The commissioner shall report to the Legislature and recommend changes in state policy necessary to foster school improvement and education accountability. The report shall
include:

(a) For each school district:

1. The percentage of students, by school and grade level, demonstrating learning growth in English Language Arts and mathematics.

2. The percentage of students, by school and grade level, in both the highest and lowest quartiles demonstrating learning growth in English Language Arts and mathematics.

(b) Intervention and support strategies used by school boards whose students in both the highest and lowest quartiles exceed the statewide average learning growth for students in those quartiles.

(c) Intervention and support strategies used by school boards whose schools provide educational services to youth in Department of Juvenile Justice programs that demonstrate learning growth in English Language Arts and mathematics that exceeds the statewide average learning growth for students in those subjects. Included in the report shall be a list of the schools, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, for which district school boards have developed intervention and support strategies and an analysis of the various strategies used by the school boards.

School reports shall be distributed pursuant to this subsection and s. 1001.42(18)(b) and according to rules adopted by the State Board of Education.

Section 11. Paragraph (a) of subsection (2) of section 1011.64, Florida Statutes, is amended to read:
1011.64 School district minimum classroom expenditure requirements.—

(2) For the purpose of implementing the provisions of this section, the Legislature shall prescribe minimum academic performance standards and minimum classroom expenditure requirements for districts not meeting such minimum academic performance standards in the General Appropriations Act.

(a) Minimum academic performance standards may be based on, but are not limited to, district grades determined pursuant to s. 1008.34.

Section 12. Subsection (6) of section 1008.22, Florida Statutes, is amended to read:

1008.22 Student assessment program for public schools.—

(6) LOCAL ASSESSMENTS.—

(a) Measurement of student performance learning gains in all subjects and grade levels, except those subjects and grade levels measured under the statewide, standardized assessment program described in this section, is the responsibility of the school districts.

(b) Except for those subjects and grade levels measured under the statewide, standardized assessment program, beginning with the 2014-2015 school year, each school district shall administer for each course offered in the district a local student assessment that measures student mastery of course content, as described in the state adopted course description, at the necessary level of rigor for the course. As adopted pursuant to State Board of Education rule, course content is set forth in the state standards required by s. 1003.41 and in the course description. Local such assessments may include:
1. Statewide assessments.
2. Other standardized assessments, including nationally recognized standardized assessments.
3. Industry certification assessments.
4. District-developed or district-selected end-of-course assessments.
5. Teacher-selected or principal-selected assessments.

(c) Each district school board must adopt policies for selection, development, administration, and scoring of local assessments and for collection of assessment results. Local assessments implemented under subparagraphs (b)4. and 5. may include a variety of assessment formats, including, but not limited to, project-based assessments, adjudicated performances, and practical application assignments. For all English Language Arts, mathematics, science, and social studies courses offered in the district that are used to meet graduation requirements under s. 1002.3105, s. 1003.4281, or s. 1003.4282 and that are not otherwise assessed by statewide, standardized assessments, the district school board must select the assessments described in subparagraphs (b)1.-4.

(d) The Commissioner of Education shall identify methods to assist and support districts in the development and acquisition of assessments required under this subsection. Methods may include developing item banks, facilitating the sharing of developed tests among school districts, acquiring assessments from state and national curriculum-area organizations, and providing technical assistance in best professional practices of test development based upon state-adopted curriculum standards, administration, and security.
(e)(d) Each school district shall establish schedules for the administration of any district-mandated assessment and approve the schedules as an agenda item at a district school board meeting. The school district shall publish the testing schedules on its website, clearly specifying the district-mandated assessments, and report the schedules to the Department of Education by October 1 of each year.

Section 13. Subsections (1), (7), and (8) of section 1012.34, Florida Statutes, are amended, and subsections (9) and (10) are added to that section, to read:

1012.34 Personnel evaluation procedures and criteria.—

(1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

(a) For the purpose of increasing student academic performance learning growth by improving the quality of instructional, administrative, and supervisory services in the public schools of the state, the district school superintendent shall establish procedures for evaluating the performance of duties and responsibilities of all instructional, administrative, and supervisory personnel employed by the school district. The district school superintendent shall provide instructional personnel the opportunity to review their class rosters for accuracy and to correct any mistakes. The district school superintendent shall annually report accurate class rosters for the purpose of calculating district and statewide student performance and annually report the evaluation results of instructional personnel and school administrators to the Department of Education in addition to the information required under subsection (5).

(b) The department must approve each school district’s
instructional personnel and school administrator evaluation systems. The department shall monitor each district’s implementation of its instructional personnel and school administrator evaluation systems for compliance with the requirements of this section.

(c) Annually, by December 1, 2012, the Commissioner of Education shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the approval and implementation status of each school district’s instructional personnel and school administrator evaluation systems. The report shall include performance evaluation results for the prior school year for instructional personnel and school administrators using the four levels of performance specified in paragraph (2)(e). The performance evaluation results for instructional personnel shall be disaggregated by classroom teachers, as defined in s. 1012.01(2)(a), excluding substitute teachers, and all other instructional personnel, as defined in s. 1012.01(2)(b)–(d). The commissioner shall include in the report each district’s performance-level standards established under subsection (7), a comparative analysis of the district’s student academic performance results and evaluation results, data reported under s. 1012.341, continue to report, by December 1 each year thereafter, each school district’s performance evaluation results and the status of any evaluation system revisions requested by a school district pursuant to subsection (6).

(7) MEASUREMENT OF STUDENT LEARNING GROWTH.—

(a) By June 1, 2011, The Commissioner of Education shall approve a formula to measure individual student learning growth.
on the statewide, standardized assessments in English Language Arts and mathematics on the Florida Comprehensive Assessment Test (FCAT) administered under s. 1008.22. The formula must take into consideration each student’s prior academic performance. The formula must not set different expectations for student learning growth based upon a student’s gender, race, ethnicity, or socioeconomic status. In the development of the formula, the commissioner shall consider other factors such as a student’s attendance record, disability status, or status as an English language learner. The commissioner shall select additional formulas as appropriate for the remainder of the statewide assessments included under s. 1008.22 and continue to select formulas as new assessments are implemented in the state system. After the commissioner approves the formula to measure individual student learning growth on the FCAT and as additional formulas are selected by the commissioner for new assessments implemented in the state system, the State Board of Education shall adopt these formulas by rule.

(b) Beginning in the 2011-2012 school year, each school district shall measure student learning growth using the formulas approved by the commissioner under paragraph (a) for courses associated with the statewide, standardized assessments administered FCAT. Each school district shall implement the additional student learning growth measures selected by the commissioner under paragraph (a) for the remainder of the statewide assessments included under s. 1008.22 no later than the school year immediately following the year the formula is approved by the commissioner as they become available. Beginning in the 2014-2015 school year, for grades
and subjects not assessed by statewide, standardized assessments but otherwise assessed as required under s. 1008.22(6), 1008.22(8), each school district shall measure performance of student learning growth using a methodology determined by the district or an equally appropriate formula. The department shall provide models for measuring performance of students student learning growth which school districts may adopt.

(c) For a course that is not measured by a statewide, standardized assessment, a school district may request, through the evaluation system approval process, to use a student’s student achievement level measure rather than a student learning growth measure if achievement is demonstrated to be a more appropriate measure of classroom teacher performance. A school district may also request to use a combination of student learning growth and achievement, if appropriate.

(d) For the student learning growth in a course that is not measured by a statewide, standardized assessment but is measured by a school district assessment, a school district may request, through the evaluation system approval process, that the performance evaluation for the classroom teacher assigned to that course include the learning growth of his or her students on one or more statewide, standardized assessments FCAT Reading or FCAT Mathematics. The request must clearly explain the rationale supporting the request. However, the classroom teacher’s performance evaluation must give greater weight to student learning growth on the district assessment.

(e) For purposes of this section and only for the 2014-2015 school year, a school district may use measurable learning targets on local assessments administered under s. 1008.22(6) to...
evaluate the performance of students portion of a classroom teacher’s evaluation for courses that are not assessed by statewide, standardized assessments. classroom teachers of courses for which the district has not implemented appropriate assessments under s. 1008.22(8) or for which the school district has not adopted an equally appropriate measure of student learning growth under paragraphs (b)-(d), student learning growth must be measured by the growth in learning of the classroom teacher’s students on statewide assessments, or, for courses in which enrolled students do not take the statewide assessments, measurable Learning targets must be established based upon the goals of the school improvement plan and approved by the school principal. A district school superintendent may assign to instructional personnel in an instructional team the student learning growth of the instructional team’s students on statewide assessments. This paragraph expires July 1, 2015.

(8) RULEMAKING.—The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 which establish uniform procedures for the submission, review, and approval of district evaluation systems and reporting requirements for the annual evaluation of instructional personnel and school administrators; specific, discrete standards for each performance level required under subsection (2) to ensure clear and sufficient differentiation in the performance levels and to provide consistency in meaning across school districts; the measurement of student learning growth and associated implementation procedures required under subsection (7); a process to permit instructional personnel to review the class roster for accuracy and to correct any mistakes relating to the
identity of students for whom the individual is responsible; and
a process for monitoring school district implementation of
evaluation systems in accordance with this section.
Specifically, the rules shall establish a student performance
levels learning growth standard that if not met will result in
the employee receiving an unsatisfactory performance evaluation
rating. In like manner, the rules shall establish a student
performance level learning growth standard that must be met in
order for an employee to receive a highly effective rating and a
student learning growth standard that must be met in order for
an employee to receive an effective rating.

(9) TRANSITION TO NEW STATEWIDE, STANDARDIZED ASSESSMENTS.—
Standards for each performance level required under subsection
(2) shall be established by the State Board of Education
beginning with the 2015-2016 school year.

(10) DISTRICT BONUS REWARDS FOR PERFORMANCE PAY BASED ON
EVALUATION PROGRESS.—School districts are eligible for bonus
rewards as provided for in the 2014 General Appropriations Act
for making outstanding progress toward educator effectiveness,
including implementation of instructional personnel salaries
based on performance results under s. 1012.34 and the use of
local assessment results in personnel evaluations when
statewide, standardized assessments are not administered.

Section 14. Section 1012.341, Florida Statutes, is amended
to read:

1012.341 Exemption from performance evaluation system and
compensation and salary schedule requirements.—

(1) Hillsborough County Notwithstanding any other provision
of this act, a School District that
Florida’s Race to the Top Memorandum of Understanding for Phase 2, as provided in s. (D)(2)(ii) of the memorandum. Accordingly, notwithstanding any other provision of law, Hillsborough County School District is allowed to base 40 percent, instead of 50 percent, of instructional personnel and school administrator performance evaluations upon student performance learning growth under s. 1012.34, as amended by this act. The school district is also exempt from the amendments to s. 1012.22(1)(c) made by chapter 2011-1, Laws of Florida this act. The exemptions described in this subsection are effective beginning with for the 2011-2012 school year and until the expiration of this section are effective for each school year thereafter if the school district receives annual approval by the State Board of Education.

(2) By October 1, 2014, and by October 1 annually thereafter, the superintendent of Hillsborough County School District shall attest, in writing, to the Commissioner of Education that the State Board of Education shall base its approval upon demonstration by the school district of the following:

(a) The instructional personnel and school administrator evaluation systems base at least 40 percent of an employee’s performance evaluation upon student performance and that student performance is the single greatest component of an employee’s evaluation.

(b) The instructional personnel and school administrator evaluation systems adopt the Commissioner of Education’s student learning growth formula for statewide assessments as provided under s. 1012.34(7).
(c) The school district’s instructional personnel and school administrator compensation system awards salary increases based upon sustained student performance.

(d) The school district’s contract system awards instructional personnel and school administrators based upon student performance and removes ineffective employees.

(e) Beginning with the 2014-2015 school year and each school year thereafter, student learning growth based upon performance on statewide assessments under s. 1008.22 must have significantly improved compared to student learning growth in the district in 2011-2012 and significantly improved compared to other school districts.

(3) Failure to comply with subsection (2) is grounds for the State Board of Education, at a public hearing, to revoke the exemption. The State Board of Education shall annually renew a school district’s exemptions if the school district demonstrates that it meets the requirements of subsection (2). If the exemptions are not renewed, the school district must comply with the requirements and laws described in subsection (1) by the beginning of the next school year immediately following the loss of the exemptions.

(4) The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to establish the procedures for applying for the exemptions and the criteria for renewing the exemptions.

This section shall be repealed August 1, 2017, unless reviewed and reenacted by the Legislature.
And the title is amended as follows:

Delete line 31

and insert:

State Board of Education to adopt rules; amending s. 1008.345, F.S.; revising the contents of the Commissioner of Education's report on school improvement and education accountability to include student learning growth information and intervention and support strategies; amending s. 1011.64, F.S.; correcting a cross-reference; amending s. 1008.22, F.S.; authorizing use of teacher-selected or principal selected assessments as a form of local assessment; requiring a district school board to adopt policies relating to selection, development, administration, and scoring of local assessments; amending s. 1012.34, F.S.; providing information to be included in annual reports on the approval and implementation status of school district personnel evaluation systems; revising provisions relating to the measurement of student learning growth for purposes of personnel evaluation; conforming State Board of Education rulemaking relating to performance evaluations; providing for transition to new statewide, standardized assessments; authorizing bonus rewards to school districts for progress toward educator effectiveness; amending s. 1012.341, F.S.; removing rulemaking authority and establishing a compliance verification process for the exemption from performance evaluation system,
compensation, and salary schedule requirements;
providing an