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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/23/2015	.	
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Appropriations Subcommittee on Education (Bullard) recommended the following:

Senate Amendment (with title amendment)

Delete lines 392 - 487

and insert:

school improvement ratings pursuant to s. 1008.341 for the 2014-2015 and 2015-2016 ~~2013-2014~~ school years ~~year shall be~~ calculated based on ~~statutes and rules in effect on June 30, 2014. To assist in the transition to 2014-2015 school grades,~~ calculated based on new statewide, standardized assessments administered pursuant to s. 1008.22, the ~~2014-2015~~ school grades



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11 shall serve as an informational baseline for schools to work
12 toward improved performance in future years. Accordingly,
13 notwithstanding any other provision of law:

14 (a) A school may not be required to select and implement a
15 turnaround option pursuant to s. 1008.33 in the 2015-2016 or
16 2016-2017 school year if based on the school receives a school
17 grade that is two or more grades lower or a lower school's 2014-
18 2015 grade or school improvement rating for the 2014-2015 school
19 year compared to the 2013-2014 school year or for the 2015-2016
20 school year compared to the 2014-2015 school year under s.
21 1008.341, as applicable.

22 (b)1. A school or approved provider under s. 1002.45 that
23 receives ~~the same or a lower~~ school grade that is two or more
24 grades lower or a lower school improvement rating for the 2014-
25 2015 school year compared to the 2013-2014 school year or for
26 the 2015-2016 school year compared to the 2014-2015 school year
27 is not subject to sanctions or penalties that would otherwise
28 occur as a result of the 2014-2015 or 2015-2016 school grade or
29 rating. A charter school system or a school district designated
30 as high performing may not lose the designation based on the
31 2014-2015 or 2015-2016 school grades of any of the schools
32 within the charter school system or school district, as
33 applicable.

34 2. The Florida School Recognition Program established under
35 s. 1008.36 shall continue to be implemented as otherwise
36 provided in the General Appropriations Act.

37 (c) For purposes of determining grade 3 retention pursuant
38 to s. 1008.25(5) and high school graduation pursuant to s.
39 1003.4282, student performance on the 2014-2015 statewide,



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40 standardized assessments shall be linked to 2013-2014 student
41 performance expectations.

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43 This subsection is repealed July 1, 2017.

44 Section 6. Paragraph (a) of subsection (3) and subsections
45 (7) and (8) of section 1012.34, Florida Statutes, are amended to
46 read:

47 1012.34 Personnel evaluation procedures and criteria.—

48 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
49 personnel and school administrator performance evaluations must
50 be based upon the performance of students assigned to their
51 classrooms or schools, as provided in this section. Pursuant to
52 this section, a school district's performance evaluation is not
53 limited to basing unsatisfactory performance of instructional
54 personnel and school administrators solely upon student
55 performance, but may include other criteria approved to evaluate
56 instructional personnel and school administrators' performance,
57 or any combination of student performance and other approved
58 criteria. Evaluation procedures and criteria must comply with,
59 but are not limited to, the following:

60 (a) A performance evaluation must be conducted for each
61 employee at least once a year, except that a classroom teacher,
62 as defined in s. 1012.01(2)(a), excluding substitute teachers,
63 who is newly hired by the district school board must be observed
64 and evaluated at least twice in the first year of teaching in
65 the school district. The performance evaluation must be based
66 upon sound educational principles and contemporary research in
67 effective educational practices. The evaluation criteria must
68 include:



69 1. Performance of students.—At least 33 ~~50~~ percent of a
70 performance evaluation must be based upon data and indicators of
71 student learning growth assessed annually by statewide
72 assessments or, for subjects and grade levels not measured by
73 statewide assessments, by school district assessments pursuant
74 to subsection (7) ~~as provided in s. 1008.22(6)~~. Each school
75 district must use the formula adopted pursuant to paragraph
76 (7) (a) for measuring student learning growth in all courses
77 associated with statewide assessments and must select an equally
78 appropriate formula for measuring student learning growth for
79 all other grades and subjects, except as otherwise provided in
80 subsection (7).

81 a. For classroom teachers, as defined in s. 1012.01(2) (a),
82 excluding substitute teachers, the student learning growth
83 portion of the evaluation must include growth data for students
84 assigned to the teacher over the course of at least 3 years. If
85 less than 3 years of data are available, the years for which
86 data are available must be used and the percentage of the
87 evaluation based upon student learning growth may be reduced to
88 not less than 30 ~~40~~ percent.

89 b. For instructional personnel who are not classroom
90 teachers, the student learning growth portion of the evaluation
91 must include growth data on statewide assessments for students
92 assigned to the instructional personnel over the course of at
93 least 3 years, or may include a combination of student learning
94 growth data and other measurable student outcomes that are
95 specific to the assigned position, provided that the student
96 learning growth data accounts for not less than 30 percent of
97 the evaluation. If less than 3 years of student growth data are



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98 available, the years for which data are available must be used
99 and the percentage of the evaluation based upon student learning
100 growth may be reduced to not less than 20 percent.

101 c. For school administrators, the student learning growth
102 portion of the evaluation must include growth data for students
103 assigned to the school over the course of at least 3 years. If
104 less than 3 years of data are available, the years for which
105 data are available must be used and the percentage of the
106 evaluation based upon student learning growth may be reduced to
107 not less than 30 ~~40~~ percent.

108 d. Notwithstanding any other provision of law, performance
109 evaluations based upon data and indicators for the 2014-2015 and
110 2015-2016 school years may not use student learning growth as
111 required under this subparagraph if such use would result in a
112 lower level of performance as specified in paragraph (2)(e) than
113 the level of performance which would result without the use of
114 student learning growth.

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117 ===== T I T L E A M E N D M E N T =====

118 And the title is amended as follows:

119 Delete lines 40 - 44

120 and insert:

121 amending s. 1008.34, F.S.; revising the criteria that
122 serve as an informational baseline for schools to work
123 toward improved performance providing that school
124 grades and school improvement ratings for specified
125 school years shall serve as an informational baseline;
126 revising the circumstances under which a school may



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127 not be required to implement a school turnaround
128 option in specified school years; revising the
129 circumstances under which a virtual instruction
130 program will not be subject to sanctions or penalties
131 based on certain school grades or improvement ratings;
132 extending the period during which a charter school
133 system or school district will not lose a designation
134 as high performing based on certain school grades or
135 improvement ratings; amending s. 1012.34, F.S.;;
136 revising the percentage thresholds for performance
137 evaluation criteria for instructional personnel and
138 school administrators; prohibiting the use of student
139 learning growth in performance evaluations under
140 certain circumstances; authorizing use of peer reviews