

By Senator Bullard

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1                                   A bill to be entitled  
2           An act relating to education personnel evaluation;  
3           amending s. 1012.34, F.S.; revising the criteria upon  
4           which the performance evaluation of instructional  
5           personnel and school administrators is measured;  
6           providing an effective date.

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8   Be It Enacted by the Legislature of the State of Florida:

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10           Section 1. Paragraph (a) of subsection (3) and paragraph  
11           (e) of subsection (7) of section 1012.34, Florida Statutes, are  
12           amended to read:

13           1012.34 Personnel evaluation procedures and criteria.—

14           (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional  
15           personnel and school administrator performance evaluations must  
16           be based upon the performance of students assigned to their  
17           classrooms or schools, as provided in this section. Pursuant to  
18           this section, a school district's performance evaluation is not  
19           limited to basing unsatisfactory performance of instructional  
20           personnel and school administrators solely upon student  
21           performance, but may include other criteria approved to evaluate  
22           instructional personnel and school administrators' performance,  
23           or any combination of student performance and other approved  
24           criteria. Evaluation procedures and criteria must comply with,  
25           but are not limited to, the following:

26           (a) A performance evaluation must be conducted for each  
27           employee at least once a year, except that a classroom teacher,  
28           as defined in s. 1012.01(2)(a), excluding substitute teachers,  
29           who is newly hired by the district school board must be observed

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30 and evaluated at least twice in the first year of teaching in  
31 the school district. The performance evaluation must be based  
32 upon sound educational principles and contemporary research in  
33 effective educational practices. The evaluation criteria must  
34 include:

35 1. Performance of students.—At least 50 percent of a  
36 performance evaluation must be based upon data and indicators of  
37 student learning growth assessed annually by statewide  
38 assessments or, for subjects and grade levels not measured by  
39 statewide assessments, by school district end-of-course  
40 assessments that are preceded by pretests administered during  
41 the first week of class ~~as provided in s. 1008.22(8). Each~~  
42 ~~school district must use the formula adopted pursuant to~~  
43 ~~paragraph (7)(a) for measuring student learning growth in all~~  
44 ~~courses associated with statewide assessments and must select an~~  
45 ~~equally appropriate formula for measuring student learning~~  
46 ~~growth for all other grades and subjects, except as otherwise~~  
47 ~~provided in subsection (7).~~

48 a. For classroom teachers, as defined in s. 1012.01(2)(a),  
49 excluding substitute teachers, the student learning growth  
50 portion of the evaluation must include growth data for students  
51 assigned to the teacher, specific to the content and common core  
52 state standards, where applicable, for the course or grade level  
53 taught by the teacher. The data may be derived from comparisons  
54 to "like" students statewide or nationally using 3 years of data  
55 or the use of school district end-of-course assessments that are  
56 preceded by pretests administered during the first week of class  
57 ~~over the course of at least 3 years. If less than 3 years of~~  
58 ~~data are available, the years for which data are available must~~

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59 ~~be used and the percentage of the evaluation based upon student~~  
60 ~~learning growth may be reduced to not less than 40 percent.~~

61 b. For instructional personnel who are not classroom  
62 teachers, the student learning growth portion of the evaluation  
63 must include growth data on statewide assessments for students  
64 assigned to the instructional personnel over the course of at  
65 least 3 years, or may include a combination of student learning  
66 growth data and other measurable student outcomes that are  
67 specific to the assigned position, provided that the student  
68 learning growth data accounts for at least ~~not less than~~ 30  
69 percent of the evaluation. If less than 3 years of student  
70 growth data are available, the years for which data are  
71 available must be used and the percentage of the evaluation  
72 based upon student learning growth may be reduced to not less  
73 than 20 percent.

74 c. For school administrators, the student learning growth  
75 portion of the evaluation must include growth data for students  
76 assigned to the school over the course of at least 3 years. If  
77 less than 3 years of data are available, the years for which  
78 data are available must be used and the percentage of the  
79 evaluation based upon student learning growth may be reduced to  
80 not less than 40 percent.

81 2. Instructional practice.—Evaluation criteria used when  
82 annually observing classroom teachers, as defined in s.  
83 1012.01(2)(a), excluding substitute teachers, must include  
84 indicators based upon each of the Florida Educator Accomplished  
85 Practices adopted by the State Board of Education. For  
86 instructional personnel who are not classroom teachers,  
87 evaluation criteria must be based upon indicators of the Florida

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88 Educator Accomplished Practices and may include specific job  
89 expectations related to student support.

90 3. Instructional leadership.—For school administrators,  
91 evaluation criteria must include indicators based upon each of  
92 the leadership standards adopted by the State Board of Education  
93 under s. 1012.986, including performance measures related to the  
94 effectiveness of classroom teachers in the school, the  
95 administrator's appropriate use of evaluation criteria and  
96 procedures, recruitment and retention of effective and highly  
97 effective classroom teachers, improvement in the percentage of  
98 instructional personnel evaluated at the highly effective or  
99 effective level, and other leadership practices that result in  
100 student learning growth. The system may include a means to give  
101 parents and instructional personnel an opportunity to provide  
102 input into the administrator's performance evaluation.

103 4. Professional and job responsibilities.—For instructional  
104 personnel and school administrators, other professional and job  
105 responsibilities must be included as adopted by the State Board  
106 of Education. The district school board may identify additional  
107 professional and job responsibilities.

108 (7) MEASUREMENT OF STUDENT LEARNING GROWTH.—

109 (e) For classroom teachers of courses ~~for which the~~  
110 ~~district has not implemented appropriate assessments under s.~~  
111 ~~1008.22(8) or~~ for which the school district has not adopted an  
112 equally appropriate measure of student learning growth under  
113 paragraphs (b)-(d), student learning growth must be measured by  
114 the growth in learning of the classroom teacher's students on  
115 statewide assessments, or, for courses in which enrolled  
116 students do not take the statewide assessments, school district

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117 end-of-course assessments that are preceded by pretests  
118 administered during the first week of class ~~measurable learning~~  
119 ~~targets must be established based upon the goals of the school~~  
120 ~~improvement plan and approved by the school principal. A~~  
121 ~~district school superintendent may assign to instructional~~  
122 ~~personnel in an instructional team the student learning growth~~  
123 ~~of the instructional team's students on statewide assessments.~~  
124 This paragraph expires July 1, 2015.

125 Section 2. This act shall take effect July 1, 2013.