

By Senator Flores

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1 A bill to be entitled
2 An act relating to educational personnel evaluations;
3 amending s. 1012.34, F.S.; authorizing a school
4 district to reduce the percentage of the performance
5 evaluation of instructional personnel which is based
6 on student performance if the school district uses
7 specified, multiple measures of instructional
8 practice; providing an effective date.

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

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12 Section 1. Paragraph (a) of subsection (3) of section
13 1012.34, Florida Statutes, is amended to read:

14 1012.34 Personnel evaluation procedures and criteria.—

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

27 (a) A performance evaluation must be conducted for each
28 employee at least once a year, except that a classroom teacher,
29 as defined in s. 1012.01(2)(a), excluding substitute teachers,

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

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

47 a. For classroom teachers, as defined in s. 1012.01(2)(a),
48 excluding substitute teachers, the student learning growth
49 portion of the evaluation must include growth data for students
50 assigned to the teacher over the course of at least 3 years. If
51 less than 3 years of data are available, the years for which
52 data are available must be used and the percentage of the
53 evaluation based upon student learning growth may be reduced to
54 not less than 40 percent.

55 b. For instructional personnel who are not classroom
56 teachers, the student learning growth portion of the evaluation
57 must include growth data on statewide assessments for students
58 assigned to the instructional personnel over the course of at

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59 least 3 years, or may include a combination of student learning
60 growth data and other measurable student outcomes that are
61 specific to the assigned position, provided that the student
62 learning growth data accounts for not less than 30 percent of
63 the evaluation. If less than 3 years of student growth data are
64 available, the years for which data are available must be used
65 and the percentage of the evaluation based upon student learning
66 growth may be reduced to not less than 20 percent.

67 c. For school administrators, the student learning growth
68 portion of the evaluation must include growth data for students
69 assigned to the school over the course of at least 3 years. If
70 less than 3 years of data are available, the years for which
71 data are available must be used and the percentage of the
72 evaluation based upon student learning growth may be reduced to
73 not less than 40 percent.

74 2. Instructional practice.—Evaluation criteria used when
75 annually observing classroom teachers, as defined in s.
76 1012.01(2)(a), excluding substitute teachers, must include
77 indicators based upon each of the Florida Educator Accomplished
78 Practices adopted by the State Board of Education. For
79 instructional personnel who are not classroom teachers,
80 evaluation criteria must be based upon indicators of the Florida
81 Educator Accomplished Practices and may include specific job
82 expectations related to student support.

83 3. Instructional leadership.—For school administrators,
84 evaluation criteria must include indicators based upon each of
85 the leadership standards adopted by the State Board of Education
86 under s. 1012.986, including performance measures related to the
87 effectiveness of classroom teachers in the school, the

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88 administrator's appropriate use of evaluation criteria and
89 procedures, recruitment and retention of effective and highly
90 effective classroom teachers, improvement in the percentage of
91 instructional personnel evaluated at the highly effective or
92 effective level, and other leadership practices that result in
93 student learning growth. The system may include a means to give
94 parents and instructional personnel an opportunity to provide
95 input into the administrator's performance evaluation.

96 4. Professional and job responsibilities.—For instructional
97 personnel and school administrators, other professional and job
98 responsibilities must be included as adopted by the State Board
99 of Education. The district school board may identify additional
100 professional and job responsibilities.

101
102 A school district may reduce the percentage of the performance
103 evaluation of instructional personnel described in sub-
104 subparagraphs a. and b. which is based on student performance to
105 not less than 40 percent if the school district uses multiple
106 measures of instructional practice, including principal
107 observation, peer review, student surveys of instructional
108 personnel performance, or other valid and reliable indicators of
109 instructional practice.

110 Section 2. This act shall take effect upon becoming a law.