

1 A bill to be entitled

2 An act relating to education performance  
3 accountability; creating s. 1008.311, F.S.; providing  
4 legislative findings and intent; establishing the  
5 Transition Education Accountability Task Force within  
6 the Executive Office of the Governor; providing  
7 membership, duties, and meeting times for the task  
8 force; providing for per diem and reimbursement for  
9 travel expenses; requiring the Commissioner of  
10 Education to provide certain services to the task  
11 force; requiring the task force to report regularly to  
12 the State Board of Education; requiring the task force  
13 to submit an annual report to the Governor, the  
14 Legislature, and the State Board of Education by a  
15 specified date; requiring the task force to comply  
16 with certain statutory requirements; providing for the  
17 expiration of the task force; amending s. 1003.41,  
18 F.S.; requiring the implementation of the Next  
19 Generation Sunshine State Standards adopted by rule of  
20 the State Board of Education in a specified year be  
21 extended through a specified school year; amending s.  
22 1008.22, F.S.; prohibiting the use of a student's  
23 performance on the Florida Comprehensive Assessment  
24 Test (FCAT) as a requirement for graduation,  
25 promotion, retention, or assignment of grades during  
26 the transition period from the FCAT to a new

27 | assessment; requiring the Commissioner of Education to  
28 | select a new statewide assessment; requiring the new  
29 | assessment to undergo rigorous content review;  
30 | providing procedural requirements for establishing the  
31 | new assessment; providing requirements for school  
32 | district assessments for certain courses; requiring  
33 | the Department of Education to fund or reimburse  
34 | school districts for assessment costs; requiring the  
35 | commissioner to collaborate with a consortium of  
36 | school district representatives to develop the local  
37 | assessments; providing a purpose for the consortium;  
38 | amending s. 1008.31, F.S.; revising the legislative  
39 | intent regarding the state's K-20 education  
40 | performance accountability system with regard to the  
41 | transition to a new education performance  
42 | accountability system; amending s. 1008.34, F.S.;  
43 | providing that the school grading system is suspended  
44 | during specified school years; requiring a new  
45 | education performance accountability system to be  
46 | implemented in a specified school year; requiring the  
47 | school districts to report on certain performance and  
48 | growth measures during the transition period for  
49 | implementing the new education performance  
50 | accountability system; amending s. 1008.345, F.S.;  
51 | requiring the commissioner to implement and maintain a  
52 | system of intensive school improvement and stringent

53 education accountability during the transition period  
54 for implementing the new education performance  
55 accountability system; requiring the commissioner to  
56 assign a community assessment team to each school  
57 district that is deemed to be low performing during  
58 the transition period for implementing the new  
59 performance accountability system for certain  
60 purposes; amending s. 1008.385, F.S.; revising the  
61 responsibilities of the Commissioner of Education and  
62 the school districts with regard to the integrated  
63 information system for educational management;  
64 amending s. 1012.22, F.S.; revising the date of hire  
65 for school employees with regard to the salary  
66 schedules used as a basis for paying such employees;  
67 revising the date in which a district school board  
68 must adopt a certain performance salary schedule for  
69 instructional personnel and school administrators;  
70 authorizing, rather than requiring, certain classroom  
71 teachers to remain under the grandfathered salary  
72 schedule under certain circumstances; providing a  
73 basis for payment of a salary for certain classroom  
74 teachers during the transition period for implementing  
75 the new performance accountability system; revising  
76 the effective date for application of the performance  
77 salary schedule for certain instructional personnel or  
78 school administrators; amending s. 1012.34, F.S.;

79 | revising the evaluation criteria used to prepare  
 80 | performance evaluations for certain instructional  
 81 | personnel and school administrators; revising  
 82 | provisions regarding the measurement of student  
 83 | learning growth; amending s. 1012.3401, F.S.; reducing  
 84 | the percentage of a classroom teacher's performance  
 85 | evaluation and a school administrator's performance  
 86 | evaluation which is based on student learning growth  
 87 | or achievement; providing an effective date.

88 |  
 89 | Be It Enacted by the Legislature of the State of Florida:

90 |  
 91 | Section 1. Section 1008.311, Florida Statutes, is created  
 92 | to read:

93 | 1008.311 Transition education accountability system.-

94 | (1) LEGISLATIVE FINDINGS AND INTENT.-

95 | (a) The Legislature finds that several elements must be in  
 96 | place in order to attain a valid and reliable system to measure  
 97 | student achievement and the performance of schools. New state  
 98 | standards must be adopted. Instructional materials directly  
 99 | related to the new state standards must also be adopted,  
 100 | procured, and made available to students and teachers. Teachers  
 101 | must receive and master the content and instructional delivery  
 102 | of the new state standards. Technological tools necessary to  
 103 | deliver instruction and the newly adopted assessments must be  
 104 | acquired and made available for use. Assessment instruments must

105 be created or acquired and must be field-tested to ensure that  
106 the instruments meet the new state standards and the adopted  
107 district curricula.

108 (b) It is the intent of the Legislature to:

109 1. Create a new performance accountability system, matched  
110 to the new state performance standards, which is valid and  
111 reliable and accurately measures student achievement and the  
112 performance of teachers and schools. The Legislature finds that  
113 this new system is necessary to ensure transparency in public  
114 education so that parents have accurate information concerning  
115 the achievement and academic growth of their students. Such  
116 transparency enables the Legislature to make sound public policy  
117 decisions and the most effective investments of resources  
118 provided by taxpayers. The Legislature further finds that a  
119 valid, reliable performance accountability system to measure the  
120 achievement of students served by this state's system of public  
121 education is necessary to help develop the state's economy and  
122 to convince businesses to locate and expand in this state.

123 2. Implement a new performance accountability system  
124 during a 3-year transition period in order to ensure that the  
125 new standards are thoroughly incorporated in all grades and  
126 subject areas; that instructional materials are available and  
127 aligned to the new standards; that technology is available for  
128 instruction in, and assessment on, the new standards; that  
129 teachers and administrators receive sufficient professional  
130 development in the new standards; and that the new assessment is

131 aligned to the new standards. Student performance on the new  
132 assessment shall be reported and used to make decisions on  
133 graduation, promotion, and retention. However, performance on  
134 the new assessment may not be the sole determiner for  
135 graduation, promotion, or retention. A new performance  
136 accountability system shall be in place for the 2017-2018 school  
137 year.

138 3. Suspend the school grading system during the 3-year  
139 transition period. However, student performance on the new  
140 assessment and other statewide assessments shall be reported to  
141 the public in a format that indicates a school's performance.  
142 Low-performing schools must continue to receive additional focus  
143 and resources.

144 4. Modify the teacher evaluation system to reflect the  
145 implementation of the new performance accountability system. The  
146 percentage of the evaluation based on student performance shall  
147 be modified in acknowledgment of the transition period. Pay-for-  
148 performance requirements shall be extended, but school districts  
149 may continue or implement pay-for-performance systems that have  
150 been adopted.

151 5. Establish a Transition Education Accountability Task  
152 Force to advise the Governor, the President of the Senate, the  
153 Speaker of the House of Representatives, and the State Board of  
154 Education during the 3-year transition period. The task force  
155 shall consist of leaders in education, parents, and members of  
156 the business community.

157        (2) TRANSITION EDUCATION ACCOUNTABILITY TASK FORCE.—The  
158 Transition Education Accountability Task Force is established to  
159 monitor the education performance accountability system while in  
160 transition and provide recommendations for the new performance  
161 accountability system to be implemented in the 2017-2018 school  
162 year. The task force shall be administratively housed in the  
163 Executive Office of the Governor.

164        (a) The task force consists of the following 15 members:

165        1. Five members, appointed by the Governor, to include:

166        a. A former district school superintendent of a school  
167 district in this state, who shall serve as chair.

168        b. A high school principal who is employed at a public  
169 school in this state.

170        c. A teacher who is employed by a school district in this  
171 state and who is a member of the Florida Education Association.

172        d. A parent of a student in a public school in this state.

173        e. A member of the business community who has at least one  
174 child who is currently enrolled in or who has graduated from a  
175 public school in this state.

176        2. Five members, appointed by the President of the Senate,  
177 to include:

178        a. A current superintendent of a large school district in  
179 this state.

180        b. A district school board member from a small or medium  
181 school district in this state.

182        c. A middle school principal employed by a school district

183 in this state.

184 d. A teacher who is employed by a school district in this  
185 state.

186 e. A member of the business community who has at least one  
187 child who is currently enrolled in or who has graduated from a  
188 public school in this state.

189 3. Five members, appointed by the Speaker of the House of  
190 Representatives, to include:

191 a. A current superintendent of a small or medium school  
192 district in this state.

193 b. A current district school board member from a large  
194 school district in this state.

195 c. An elementary school principal employed by a school  
196 district in this state.

197 d. A member of the Florida PTA.

198 e. A member of the business community who has at least one  
199 child who is currently enrolled in or who has graduated from a  
200 public school in this state.

201 (b) The duties and responsibilities of the task force are  
202 to:

203 1. Review and make recommendations to the Commissioner of  
204 Education on all proposals relating to the performance  
205 accountability system.

206 2. Recommend accountability measures for consideration by  
207 the State Board of Education during the 3-year transition period  
208 for implementing the new performance accountability system.



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209       3. Develop recommendations for the performance  
210 accountability system to be implemented in the 2017-2018 school  
211 year.

212       4. Provide a forum for the public to discuss concerns and  
213 to make recommendations relating to school accountability.

214       (c) The task force members shall have an organizational  
215 meeting no later than August 1, 2014, and shall meet quarterly  
216 thereafter or at the call of the chair. Task force members may  
217 not be paid but are entitled to receive per diem and  
218 reimbursement for travel expenses and as provided in s. 112.061.

219 The Commissioner of Education shall provide professional and  
220 administrative services to the task force. The task force shall  
221 regularly report to the State Board of Education regarding the  
222 progress of the new performance accountability system. The task  
223 force shall submit a report to the Governor, the President of  
224 the Senate, the Speaker of the House of Representatives, and the  
225 State Board of Education no later than January 15 of each year.

226       (d) The task force shall comply with the requirements for  
227 commissions in s. 20.052.

228       (e) The task force shall expire after submission of a  
229 final report on December 1, 2018.

230       Section 2. Subsection (1) of section 1003.41, Florida  
231 Statutes, is amended to read:

232       1003.41 Next Generation Sunshine State Standards.—

233       (1) Next Generation Sunshine State Standards establish the  
234 core content of the curricula to be taught in the state and

235 specify the core content knowledge and skills that K-12 public  
236 school students are expected to acquire. Standards must be  
237 rigorous and relevant and provide for the logical, sequential  
238 progression of core curricular content that incrementally  
239 increases a student's core content knowledge and skills over  
240 time. Curricular content for all subjects must integrate  
241 critical-thinking, problem-solving, and workforce-literacy  
242 skills; communication, reading, and writing skills; mathematics  
243 skills; collaboration skills; contextual and applied-learning  
244 skills; technology-literacy skills; information and media-  
245 literacy skills; and civic-engagement skills. The standards must  
246 include distinct grade-level expectations for the core content  
247 knowledge and skills that a student is expected to have acquired  
248 by each individual grade level from kindergarten through grade  
249 8. The standards for grades 9 through 12 may be organized by  
250 grade clusters of more than one grade level except as otherwise  
251 provided for visual and performing arts, physical education,  
252 health, and foreign language standards. The implementation of  
253 the standards as adopted by rule of the State Board of Education  
254 in 2010 shall be extended through the 2016-2017 school year.

255 Section 3. Present paragraphs (e) through (h) of  
256 subsection (3) of section 1008.22, Florida Statutes, are  
257 redesignated as paragraphs (f) through (i), respectively, a new  
258 paragraph (e) is added to that subsection, and paragraph (a) of  
259 subsection (3) and paragraphs (a) and (c) of subsection (6) of  
260 that section are amended, to read:

261 1008.22 Student assessment program for public schools.—  
262 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The  
263 Commissioner of Education shall design and implement a  
264 statewide, standardized assessment program aligned to the core  
265 curricular content established in the Next Generation Sunshine  
266 State Standards. The commissioner also must develop or select  
267 and implement a common battery of assessment tools that will be  
268 used in all juvenile justice education programs in the state.  
269 These tools must accurately measure the core curricular content  
270 established in the Next Generation Sunshine State Standards.  
271 Participation in the assessment program is mandatory for all  
272 school districts and all students attending public schools,  
273 including students seeking an adult high school diploma and  
274 students in Department of Juvenile Justice education programs,  
275 except as otherwise prescribed by the commissioner. If a student  
276 does not participate in the assessment program, the school  
277 district must notify the student's parent and provide the parent  
278 with information regarding the implications of such  
279 nonparticipation. The statewide, standardized assessment program  
280 shall be designed and implemented as follows:  
281 (a) Florida Comprehensive Assessment Test (FCAT) until  
282 replaced by other ~~common-core~~ assessments.—FCAT Reading shall be  
283 administered annually in grades 3 through 10; FCAT Mathematics  
284 shall be administered annually in grades 3 through 8; FCAT  
285 Writing shall be administered annually at least once at the  
286 elementary, middle, and high school levels; and FCAT Science

287 shall be administered annually at least once at the elementary  
288 and middle grades levels. A student who has not earned a passing  
289 score on grade 10 FCAT Reading must participate in each retake  
290 of the assessment until the student earns a passing score. The  
291 commissioner shall recommend and the State Board of Education  
292 must adopt a score on both the SAT and ACT that is concordant to  
293 a passing score on grade 10 FCAT Reading that, if achieved by a  
294 student, meets the must-pass requirement for grade 10 FCAT  
295 Reading. However, if the FCAT is not replaced by a new  
296 assessment described in paragraph (e), the student's performance  
297 on the FCAT may not be used as a requirement for graduation,  
298 promotion, or retention during the transition period from the  
299 FCAT to the new assessment. In addition, student performance may  
300 not be used in the assignment of school grades during the 3-year  
301 transition period.

302 (e) New statewide assessment.—The Commissioner of  
303 Education shall select a new statewide assessment that  
304 accurately and appropriately measures the new standards. The new  
305 assessment is critical to the continued success of this state's  
306 performance accountability system. Performance on the assessment  
307 impacts graduation, promotion, and retention decisions of  
308 students and ultimately impacts the employment, retention, and  
309 pay for teachers and school administrators. The new assessment  
310 must undergo a rigorous content review measured against this  
311 state's standards. The reliability and validity of the new  
312 assessment must be determined before its use in measuring

313 student performance and evaluating teachers and school  
314 administrators. In addition, the new assessment must compare the  
315 performance of students in this state with the performance of  
316 students in other states. The 3-year transition period for  
317 administering the new assessment shall proceed as follows:

318 1. The 2014-2015 school year shall be the first year for  
319 administering the new assessment. The assessment must be a  
320 comprehensive field test that replaces the FCAT. After the field  
321 test, a thorough impact data review must be conducted.

322 2. For the 2015-2016 school year, the new assessment must  
323 be administered and incorporate any modifications made during or  
324 following the prior school year, including adjustments in  
325 technology requirements.

326 3. After calculating the results of the 2016-2017  
327 administration of the new assessment, the standards and cut  
328 scores for graduation, promotion, and retention shall be  
329 established before the beginning of the 2017-2018 school year.

330 (6) LOCAL ASSESSMENTS.—

331 (a) Measurement of student learning gains in all subjects  
332 and grade levels, except those subjects and grade levels  
333 measured under the statewide, standardized assessment program  
334 described in this section, is the responsibility of the school  
335 districts. Hard-to-measure courses, including, but not limited  
336 to, dance, music, physical education, speech, theatre, and  
337 visual arts, must include performance assessment items as a  
338 major component of the assessment. It is the responsibility of

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339 the Department of Education to fund or reimburse school  
340 districts for the cost of developing and administering district  
341 assessments for prekindergarten through grade 2 and  
342 nonstatewide-assessed subjects in grades 3 through 12.

343 (c) In implementing the requirements in paragraph (a), the  
344 Commissioner of Education shall fund or reimburse ~~identify~~  
345 ~~methods to assist and support~~ districts for ~~in~~ the development  
346 and acquisition of assessments required under this subsection.  
347 Methods may include developing item banks, facilitating the  
348 sharing of developed tests among school districts, acquiring  
349 assessments from state and national curriculum-area  
350 organizations, and providing technical assistance in best  
351 professional practices of test development based upon state-  
352 adopted curriculum standards, administration, and security. The  
353 commissioner shall collaborate with a consortium of school  
354 district representatives in developing the assessments required  
355 under this subsection. The purpose of the consortium is to avoid  
356 unnecessary duplication of assessments, to more efficiently use  
357 limited resources, and to ensure alignment with the standards  
358 among the districts.

359 Section 4. Paragraph (c) of subsection (1) of section  
360 1008.31, Florida Statutes, is amended, and paragraph (f) is  
361 added to that subsection, to read:

362 1008.31 Florida's K-20 education performance  
363 accountability system; legislative intent; mission, goals, and  
364 systemwide measures; data quality improvements.-

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365 (1) LEGISLATIVE INTENT.—It is the intent of the  
366 Legislature that:

367 (c) The K-20 education performance accountability system  
368 comply with the requirements of the "No Child Left Behind Act of  
369 2001," Pub. L. No. 107-110, and the Individuals with  
370 Disabilities Education Act (IDEA). The Commissioner of Education  
371 shall notify the United States Department of Education regarding  
372 the 3-year transition period to implement the new performance  
373 accountability system under paragraph (f) in order to maintain  
374 compliance with the requirements of the "No Child Left Behind  
375 Act of 2001."

376 (f) Notwithstanding any other provision of law, the K-12  
377 education performance accountability system shall be in  
378 transition for 3 years, and a new performance accountability  
379 system shall be fully implemented during the 2017-2018 school  
380 year. After receiving recommendations from the Transition  
381 Education Accountability Task Force, the Commissioner of  
382 Education shall recommend to the State Board of Education annual  
383 accountability measures that must be quantified and reported  
384 during the 3-year transition period to keep the public informed  
385 of the performance of students and schools.

386 Section 5. Present subsection (8) of section 1008.34,  
387 Florida Statutes, is redesignated as subsection (9), and a new  
388 subsection (8) is added to that section, to read:

389 1008.34 School grading system; school report cards;  
390 district grade.—

391 (8) Notwithstanding any other provision of law, the school  
392 grading system shall be suspended during the 2014-2015, 2015-  
393 2016, and 2016-2017 school years. A new education performance  
394 accountability system under s. 1008.31(1), including school  
395 grades, shall be implemented in the 2017-2018 school year.  
396 During the 3-year transition period to implement the new  
397 performance accountability system, each school district shall  
398 report on student performance and school performance, including  
399 performance indicators based on proficiency and learning gains;  
400 performance by content area and grade level to be used to target  
401 assistance and interventions at the district level or state  
402 level; and growth measures for all subgroups in accordance with  
403 the federal Elementary and Secondary Education Act (ESEA), 20  
404 U.S.C. ss. 6301 et seq., to be compared to each subgroup's  
405 median growth measure to determine if progress is being made.

406 Section 6. Subsection (1) and paragraph (d) of subsection  
407 (6) of section 1008.345, Florida Statutes, are amended to read:  
408 1008.345 Implementation of state system of school  
409 improvement and education accountability.-

410 (1) The Commissioner of Education shall implement and  
411 maintain ~~is responsible for implementing and maintaining~~ a  
412 system of intensive school improvement and stringent education  
413 accountability and continue to do so during the 3-year  
414 transition period for implementing the new performance  
415 accountability system under s. 1008.31(1). The system of  
416 intensive school improvement and stringent education



417 accountability must, ~~which shall~~ include policies and programs  
418 to implement the following:

419 (a) A system of data collection and analysis that will  
420 improve information about the educational success of individual  
421 students and schools, including schools operating for the  
422 purpose of providing educational services to youth in Department  
423 of Juvenile Justice programs. The information and analyses must  
424 be capable of identifying educational programs or activities in  
425 need of improvement, and reports prepared pursuant to this  
426 paragraph shall be distributed to the appropriate district  
427 school boards prior to distribution to the general public. This  
428 provision shall not preclude access to public records as  
429 provided in chapter 119.

430 (b) A program of school improvement that will analyze  
431 information to identify schools, including schools operating for  
432 the purpose of providing educational services to youth in  
433 Department of Juvenile Justice programs, educational programs,  
434 or educational activities in need of improvement.

435 (c) A method of delivering services to assist school  
436 districts and schools to improve, including schools operating  
437 for the purpose of providing educational services to youth in  
438 Department of Juvenile Justice programs.

439 (d) A method of coordinating with the state educational  
440 goals and school improvement plans any other state program that  
441 creates incentives for school improvement.

442 (6)

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443 (d) The commissioner shall assign a community assessment  
444 team to each school district or governing board with a school  
445 that earned a grade of "F" or three consecutive grades of "D"  
446 pursuant to s. 1008.34 or that is deemed to be low performing  
447 during the 3-year transition period for implementing the new  
448 performance accountability system under s. 1008.31(1) to review  
449 the school performance data and determine causes for the low  
450 performance, including the role of school, area, and district  
451 administrative personnel. The community assessment team shall  
452 review a high school's graduation rate calculated without GED  
453 tests for the past 3 years, disaggregated by student ethnicity.  
454 The team shall make recommendations to the school board or the  
455 governing board and to the State Board of Education which  
456 address the causes of the school's low performance and may be  
457 incorporated into the school improvement plan. The assessment  
458 team shall include, but not be limited to, a department  
459 representative, parents, business representatives, educators,  
460 representatives of local governments, and community activists,  
461 and shall represent the demographics of the community from which  
462 they are appointed.

463 Section 7. Subsection (2) of section 1008.385, Florida  
464 Statutes, is amended to read:

465 1008.385 Educational planning and information systems.—

466 (2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.—The  
467 Commissioner of Education shall develop and implement an  
468 integrated information system for educational management. The

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469 system must be designed to collect, via electronic transfer, all  
470 student and school performance data required to ascertain the  
471 degree to which schools and school districts are meeting state  
472 performance standards, and must be capable of producing data for  
473 a comprehensive annual report on school and district  
474 performance. In addition, the system shall support, as feasible,  
475 the management decisions to be made in each division of the  
476 department and at the individual school and district levels.  
477 Similar data elements among divisions and levels shall be  
478 compatible. The system shall be based on an overall conceptual  
479 design; the information needed for such decisions, including  
480 fiscal, student, program, personnel, facility, community,  
481 evaluation, and other relevant data; and the relationship  
482 between cost and effectiveness. The system shall be managed and  
483 administered by the commissioner and shall include a district  
484 subsystem component to be administered at the district level,  
485 with input from the reports-and-forms control management  
486 committees. Each district school system that has ~~with~~ a unique  
487 management information system must ~~shall~~ assure that  
488 compatibility exists between its unique system and the district  
489 component of the state system so that all data required as input  
490 to the state system is made available via electronic transfer  
491 and in the appropriate input format.

492 (a) The specific responsibilities of the commissioner  
493 ~~shall~~ include:

494 1. Consulting with school district representatives in the

495 development of the system design model and implementation plans  
496 for the management information system for public school  
497 education management;

498 2. Providing operational definitions for the proposed  
499 system, including criteria for issuing and revoking master  
500 school identification numbers to support the maintenance of  
501 education records, to enforce and support education  
502 accountability, to support the distribution of funds to school  
503 districts, to support the preparation and analysis of school  
504 district financial reports, and to assist the commissioner in  
505 carrying out the duties specified in ss. 1001.10 and 1001.11;

506 3. Determining the information and specific data elements  
507 required for the management decisions made at each educational  
508 level, recognizing that the primary unit for information input  
509 is the individual school and recognizing that time and effort of  
510 instructional personnel expended in collection and compilation  
511 of data should be minimized;

512 4. Developing standardized terminology and procedures to  
513 be followed at all levels of the system;

514 5. Developing a standard transmittal format to be used for  
515 collection of data from the various levels of the system;

516 6. Developing appropriate computer programs to assure  
517 integration of the various information components dealing with  
518 students, personnel, facilities, fiscal, program, community, and  
519 evaluation data;

520 7. Developing the necessary programs to provide

521 statistical analysis of the integrated data provided in  
522 subparagraph 6. in such a way that required reports may be  
523 disseminated, comparisons may be made, and relationships may be  
524 determined in order to provide the necessary information for  
525 making management decisions at all levels;

526 8. Developing output report formats which will provide  
527 district school systems with information for making management  
528 decisions at the various educational levels;

529 9. Developing a phased plan for distributing computer  
530 services equitably among all public schools and school districts  
531 in the state as rapidly as possible. The plan must ~~shall~~  
532 describe alternatives available to the state in providing such  
533 computing services and shall contain estimates of the cost of  
534 each alternative, together with a recommendation for action. In  
535 developing the plan, the feasibility of shared use of computing  
536 hardware and software by school districts, Florida College  
537 System institutions, and universities shall be examined. Laws or  
538 administrative rules regulating procurement of data processing  
539 equipment, communication services, or data processing services  
540 by state agencies do ~~shall~~ not be ~~construed to~~ apply to local  
541 agencies that ~~which~~ share computing facilities with state  
542 agencies;

543 10. Assisting the district school systems in establishing  
544 their subsystem components and assuring compatibility with  
545 current district systems;

546 11. Establishing procedures for continuous evaluation of

547 system efficiency and effectiveness;

548 12. Initiating a reports-management and forms-management  
549 system to ascertain that duplication in collection of data does  
550 not exist and that forms and reports for reporting under state  
551 and federal requirements and other forms and reports are  
552 prepared in a logical and uncomplicated format, resulting in a  
553 reduction in the number and complexity of required reports,  
554 particularly at the school level; and

555 13. Publishing minimum, recommended technology  
556 requirements that include specifications for hardware, software,  
557 networking, security, and broadband capacity to facilitate all  
558 school districts' compliance with the requirement that  
559 assessments be administered online. Full implementation of  
560 online assessments for Next Generation Sunshine State Standards  
561 in English Language Arts and mathematics adopted under s.  
562 1003.41 for all K-12 public school students shall occur only  
563 after the technology infrastructure, connectivity, and capacity  
564 of all public schools and school districts are load tested and  
565 independently verified as ready for successful deployment and  
566 implementation. The Commissioner of Education shall submit a  
567 report on the implementation of the technology requirements by  
568 school districts, including any implementation and funding  
569 issues reported by each school district, to the Governor, the  
570 President of the Senate, and the Speaker of the House of  
571 Representatives by January 15 of each year; and

572 ~~14.13.~~ Initiating such other actions as are necessary to

573 carry out the intent of the Legislature that a management  
574 information system for public school management needs be  
575 implemented. Such other actions shall be based on criteria  
576 including, but not limited to:

- 577 a. The purpose of the reporting requirement;
- 578 b. The origination of the reporting requirement;
- 579 c. The date of origin of the reporting requirement; and
- 580 d. The date of repeal of the reporting requirement.

581 (b) The specific responsibilities of each district school  
582 system ~~shall~~ include:

583 1. Establishing, at the district level, a reports-control  
584 and forms-control management system committee composed of school  
585 administrators and classroom teachers. The district school board  
586 shall appoint school administrator members and classroom teacher  
587 members or, in school districts where appropriate, the classroom  
588 teacher members shall be appointed by the bargaining agent.

589 Teachers shall constitute a majority of the committee  
590 membership. The committee shall periodically recommend  
591 procedures to the district school board for eliminating,  
592 reducing, revising, and consolidating paperwork and data  
593 collection requirements and shall submit to the district school  
594 board an annual report of its findings.

595 2. With assistance from the commissioner, developing  
596 systems compatibility between the state management information  
597 system and unique local systems.

598 3. Providing, with the assistance of the department,

599 inservice training dealing with management information system  
600 purposes and scope, a method of transmitting input data, and the  
601 use of output report information.

602 4. Establishing a plan for continuous review and  
603 evaluation of local management information system needs and  
604 procedures.

605 5. Advising the commissioner of all district management  
606 information needs.

607 6. Transmitting required data input elements to the  
608 appropriate processing locations in accordance with guidelines  
609 established by the commissioner.

610 7. Determining required reports, comparisons, and  
611 relationships to be provided to district school systems by the  
612 system output reports, continuously reviewing these reports for  
613 usefulness and meaningfulness, and submitting recommended  
614 additions, deletions, and change requirements in accordance with  
615 the guidelines established by the commissioner.

616 8. Being responsible for the accuracy of all data elements  
617 transmitted to the department.

618 9. Implementing the technology requirements for  
619 administering assessments online. Each district school  
620 superintendent shall submit a report to the Commissioner of  
621 Education which specifies whether the school district is in  
622 compliance with the technology requirements, outstanding  
623 implementation issues, and funding requirements to implement and  
624 maintain the technology requirements.



625 (c) It is the intent of the Legislature that the expertise  
626 in the state system of public education, as well as contracted  
627 services, be used ~~utilized~~ to hasten the plan for full  
628 implementation of a comprehensive management information system.

629 Section 8. Paragraph (c) of subsection (1) of section  
630 1012.22, Florida Statutes, is amended to read:

631 1012.22 Public school personnel; powers and duties of the  
632 district school board.—The district school board shall:

633 (1) Designate positions to be filled, prescribe  
634 qualifications for those positions, and provide for the  
635 appointment, compensation, promotion, suspension, and dismissal  
636 of employees as follows, subject to the requirements of this  
637 chapter:

638 (c) Compensation and salary schedules.—

639 1. Definitions.—As used in this paragraph:

640 a. "Adjustment" means an addition to the base salary  
641 schedule that is not a bonus and becomes part of the employee's  
642 permanent base salary and shall be considered compensation under  
643 s. 121.021(22).

644 b. "Grandfathered salary schedule" means the salary  
645 schedule or schedules adopted by a district school board before  
646 July 1, 2014, pursuant to subparagraph 4.

647 c. "Instructional personnel" means instructional personnel  
648 as defined in s. 1012.01(2)(a)-(d), excluding substitute  
649 teachers.

650 d. "Performance salary schedule" means the salary schedule

651 or schedules adopted by a district school board pursuant to  
652 subparagraph 5.

653 e. "Salary schedule" means the schedule or schedules used  
654 to provide the base salary for district school board personnel.

655 f. "School administrator" means a school administrator as  
656 defined in s. 1012.01(3)(c).

657 g. "Supplement" means an annual addition to the base  
658 salary for the term of the negotiated supplement as long as the  
659 employee continues his or her employment for the purpose of the  
660 supplement. A supplement does not become part of the employee's  
661 continuing base salary but shall be considered compensation  
662 under s. 121.021(22).

663 2. Cost-of-living adjustment.—A district school board may  
664 provide a cost-of-living salary adjustment if the adjustment:

665 a. Does not discriminate among comparable classes of  
666 employees based upon the salary schedule under which they are  
667 compensated.

668 b. Does not exceed 50 percent of the annual adjustment  
669 provided to instructional personnel rated as effective.

670 3. Advanced degrees.—A district school board may not use  
671 advanced degrees in setting a salary schedule for instructional  
672 personnel or school administrators hired on or after July 1,  
673 2011, unless the advanced degree is held in the individual's  
674 area of certification and is only a salary supplement.

675 4. Grandfathered salary schedule.—

676 a. The district school board shall adopt a salary schedule

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677 or salary schedules to be used as the basis for paying all  
678 school employees hired before July 1, 2017 ~~2014~~. Instructional  
679 personnel on annual contract as of July 1, 2017 ~~2014~~, shall be  
680 placed on the performance salary schedule adopted under  
681 subparagraph 5. Instructional personnel on continuing contract  
682 or professional service contract may opt into the performance  
683 salary schedule if the employee relinquishes such contract and  
684 agrees to be employed on an annual contract under s. 1012.335.  
685 Such an employee shall be placed on the performance salary  
686 schedule and may not return to continuing contract or  
687 professional service contract status. Any employee who opts into  
688 the performance salary schedule may not return to the  
689 grandfathered salary schedule.

690 b. In determining the grandfathered salary schedule for  
691 instructional personnel, a district school board must base a  
692 portion of each employee's compensation upon performance  
693 demonstrated under s. 1012.34 and shall provide differentiated  
694 pay for both instructional personnel and school administrators  
695 based upon district-determined factors, including, but not  
696 limited to, additional responsibilities, school demographics,  
697 critical shortage areas, and level of job performance  
698 difficulties.

699 5. Performance salary schedule.—By July 1, 2017 ~~2014~~, the  
700 district school board shall adopt a performance salary schedule  
701 that provides annual salary adjustments for instructional  
702 personnel and school administrators based upon performance

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703 determined under s. 1012.34. Employees hired on or after July 1,  
704 2017 ~~2014~~, or employees who choose to move from the  
705 grandfathered salary schedule to the performance salary schedule  
706 shall be compensated pursuant to the performance salary schedule  
707 once they have received the appropriate performance evaluation  
708 for this purpose. However, a classroom teacher whose performance  
709 evaluation uses ~~utilizes~~ student learning growth measures  
710 established under s. 1012.34(7)(e) may, but is not required to,  
711 ~~shall~~ remain under the grandfathered salary schedule until his  
712 or her teaching assignment changes to a subject for which there  
713 is an assessment or the school district establishes equally  
714 appropriate measures of student learning growth as defined under  
715 s. 1012.34 and rules of the State Board of Education. During the  
716 3-year transition period for implementing the new performance  
717 accountability system under s. 1008.31(1), pay may be based on  
718 the performance on the instructional practice portion of the  
719 assessment and district-determined outcome measures.

720 a. Base salary.—The base salary shall be established as  
721 follows:

722 (I) The base salary for instructional personnel or school  
723 administrators who opt into the performance salary schedule  
724 shall be the salary paid in the prior year, including  
725 adjustments only.

726 (II) Beginning July 1, 2017 ~~2014~~, instructional personnel  
727 or school administrators new to the district, returning to the  
728 district after a break in service without an authorized leave of

729 absence, or appointed for the first time to a position in the  
730 district in the capacity of instructional personnel or school  
731 administrator shall be placed on the performance salary  
732 schedule.

733 b. Salary adjustments.—Salary adjustments for highly  
734 effective or effective performance shall be established as  
735 follows:

736 (I) The annual salary adjustment under the performance  
737 salary schedule for an employee rated as highly effective must  
738 be greater than the highest annual salary adjustment available  
739 to an employee of the same classification through any other  
740 salary schedule adopted by the district.

741 (II) The annual salary adjustment under the performance  
742 salary schedule for an employee rated as effective must be equal  
743 to at least 50 percent and no more than 75 percent of the annual  
744 adjustment provided for a highly effective employee of the same  
745 classification.

746 (III) The performance salary schedule shall not provide an  
747 annual salary adjustment for an employee who receives a rating  
748 other than highly effective or effective for the year.

749 c. Salary supplements.—In addition to the salary  
750 adjustments, each district school board shall provide for salary  
751 supplements for activities that must include, but are not  
752 limited to:

753 (I) Assignment to a Title I eligible school.

754 (II) Assignment to a school that earned a grade of "F" or

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755 three consecutive grades of "D" pursuant to s. 1008.34 such that  
756 the supplement remains in force for at least 1 year following  
757 improved performance in that school.

758 (III) Certification and teaching in critical teacher  
759 shortage areas. Statewide critical teacher shortage areas shall  
760 be identified by the State Board of Education under s. 1012.07.  
761 However, the district school board may identify other areas of  
762 critical shortage within the school district for purposes of  
763 this sub-sub-subparagraph and may remove areas identified by the  
764 state board which do not apply within the school district.

765 (IV) Assignment of additional academic responsibilities.

766

767 If budget constraints in any given year limit a district school  
768 board's ability to fully fund all adopted salary schedules, the  
769 performance salary schedule shall not be reduced on the basis of  
770 total cost or the value of individual awards in a manner that is  
771 proportionally greater than reductions to any other salary  
772 schedules adopted by the district.

773 Section 9. Paragraph (a) of subsection (3) and paragraphs  
774 (b) through (e) of subsection (7) of section 1012.34, Florida  
775 Statutes, are amended to read:

776 1012.34 Personnel evaluation procedures and criteria.—

777 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional  
778 personnel and school administrator performance evaluations must  
779 be based upon the performance of students assigned to their  
780 classrooms or schools, as provided in this section. Pursuant to

781 | this section, a school district's performance evaluation is not  
782 | limited to basing unsatisfactory performance of instructional  
783 | personnel and school administrators solely upon student  
784 | performance, but may include other criteria approved to evaluate  
785 | instructional personnel and school administrators' performance,  
786 | or any combination of student performance and other approved  
787 | criteria. Evaluation procedures and criteria must comply with,  
788 | but are not limited to, the following:

789 |       (a) A performance evaluation must be conducted for each  
790 | employee at least once a year, except that a classroom teacher,  
791 | as defined in s. 1012.01(2)(a), excluding substitute teachers,  
792 | who is newly hired by the district school board must be observed  
793 | and evaluated at least twice in the first year of teaching in  
794 | the school district. The performance evaluation must be based  
795 | upon sound educational principles and contemporary research in  
796 | effective educational practices. The evaluation criteria must  
797 | include:

798 |       1. Performance of students.—At least 30 ~~50~~ percent of a  
799 | performance evaluation must be based upon data and indicators of  
800 | student learning growth assessed annually by statewide  
801 | assessments or, for subjects and grade levels not measured by  
802 | statewide assessments, by school district assessments as  
803 | provided in s. 1008.22(8), and 20 percent must be based on  
804 | district-determined outcome measures including, but not limited  
805 | to, school improvement goals, professional growth plans, and  
806 | student or parent surveys. For those grades and subjects for

807 which no assessment is developed, a school district may develop  
808 student learning growth measures for such grades and subjects  
809 until the assessments are available. Each school district must  
810 use the formula adopted pursuant to paragraph (7)(a) for  
811 measuring student learning growth in all courses associated with  
812 statewide assessments and must select an equally appropriate  
813 formula for measuring student learning growth for all other  
814 grades and subjects, except as otherwise provided in subsection  
815 (7).

816 a. For classroom teachers, as defined in s. 1012.01(2)(a),  
817 excluding substitute teachers, the student learning growth  
818 portion of the evaluation must include growth data for students  
819 assigned to the teacher over the course of at least 3 years. If  
820 less than 3 years of data are available, the years for which  
821 data are available must be used and the percentage of the  
822 evaluation based upon student learning growth may be reduced to  
823 not less than 20 ~~40~~ percent.

824 b. For instructional personnel who are not classroom  
825 teachers, the student learning growth portion of the evaluation  
826 must include growth data on statewide assessments for students  
827 assigned to the instructional personnel over the course of at  
828 least 3 years, or may include a combination of student learning  
829 growth data and other measurable student outcomes that are  
830 specific to the assigned position, provided that the student  
831 learning growth data accounts for not less than 30 percent of  
832 the evaluation. If less than 3 years of student growth data are



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

836 c. For school administrators, the student learning growth  
837 portion of the evaluation must include growth data for students  
838 assigned to the school over the course of at least 3 years. If  
839 less than 3 years of data are available, the years for which  
840 data are available must be used and the percentage of the  
841 evaluation based upon student learning growth may be reduced to  
842 not less than 20 ~~40~~ percent.

843 2. Instructional practice.—Evaluation criteria used when  
844 annually observing classroom teachers, as defined in s.  
845 1012.01(2)(a), excluding substitute teachers, must include  
846 indicators based upon each of the Florida Educator Accomplished  
847 Practices adopted by the State Board of Education. For  
848 instructional personnel who are not classroom teachers,  
849 evaluation criteria must be based upon indicators of the Florida  
850 Educator Accomplished Practices and may include specific job  
851 expectations related to student support.

852 3. Instructional leadership.—For school administrators,  
853 evaluation criteria must include indicators based upon each of  
854 the leadership standards adopted by the State Board of Education  
855 under s. 1012.986, including performance measures related to the  
856 effectiveness of classroom teachers in the school, the  
857 administrator's appropriate use of evaluation criteria and  
858 procedures, recruitment and retention of effective and highly

859 effective classroom teachers, improvement in the percentage of  
860 instructional personnel evaluated at the highly effective or  
861 effective level, and other leadership practices that result in  
862 student learning growth. The system may include a means to give  
863 parents and instructional personnel an opportunity to provide  
864 input into the administrator's performance evaluation.

865 4. Professional and job responsibilities.—For  
866 instructional personnel and school administrators, other  
867 professional and job responsibilities must be included as  
868 adopted by the State Board of Education. The district school  
869 board may identify additional professional and job  
870 responsibilities.

871 (7) MEASUREMENT OF STUDENT LEARNING GROWTH.—

872 (b) Beginning in the 2017-2018 ~~2011-2012~~ school year, each  
873 school district shall measure student learning growth using the  
874 formula approved by the commissioner under paragraph (a) for  
875 courses associated with the new statewide assessment that  
876 replaces the FCAT. Each school district shall implement the  
877 additional student learning growth measures selected by the  
878 commissioner under paragraph (a) for the remainder of the  
879 statewide assessments included under s. 1008.22 as they become  
880 available. Beginning in the 2017-2018 ~~2014-2015~~ school year, for  
881 grades and subjects not assessed by statewide assessments but  
882 otherwise assessed as required under s. 1008.22(8) or for which  
883 district-determined outcome measures are used, each school  
884 district shall measure student learning growth using an equally

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885 appropriate formula. The department shall provide models for  
886 measuring student learning growth which school districts may  
887 adopt.

888 (c) For a course that is not measured by a statewide  
889 assessment, a school district may ~~request, through the~~  
890 ~~evaluation system approval process,~~ to use a student achievement  
891 measure rather than a student learning growth measure if  
892 achievement is demonstrated to be a more appropriate measure of  
893 classroom teacher performance. A school district may also  
894 request to use a combination of student learning growth and  
895 achievement, if appropriate.

896 (d) If the student learning growth in a course is not  
897 measured by a statewide assessment but is measured by a school  
898 district assessment, a school district may include in request,  
899 ~~through the evaluation system approval process,~~ that the  
900 performance evaluation for the classroom teacher assigned to  
901 that course ~~include~~ the learning growth of his or her students  
902 on FCAT Reading, ~~or~~ FCAT Mathematics, or an applicable statewide  
903 assessment. ~~The request must clearly explain the rationale~~  
904 ~~supporting the request. However, the classroom teacher's~~  
905 ~~performance evaluation must give greater weight to student~~  
906 ~~learning growth on the district assessment.~~

907 (e) For classroom teachers of courses for which the  
908 district has not implemented appropriate assessments under s.  
909 1008.22(8) or for which the school district has not adopted an  
910 equally appropriate measure of student learning growth under

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911 paragraphs (b)-(d), student learning growth must be measured by  
912 the growth in learning of the classroom teacher's students on  
913 statewide assessments, or, for courses in which enrolled  
914 students do not take the statewide assessments, measurable  
915 learning targets must be established based upon the goals of the  
916 school improvement plan and approved by the school principal. A  
917 district school superintendent may assign to instructional  
918 personnel in an instructional team the student learning growth  
919 of the instructional team's students on statewide assessments.  
920 ~~This paragraph expires July 1, 2015.~~

921 Section 10. Subsection (1) of section 1012.3401, Florida  
922 Statutes, is amended to read:

923 1012.3401 Requirements for measuring student performance  
924 in instructional personnel and school administrator performance  
925 evaluations; performance evaluation of personnel for purposes of  
926 performance salary schedule.—Notwithstanding any provision to  
927 the contrary in ss. 1012.22 and 1012.34 regarding the  
928 performance salary schedule and personnel evaluation procedures  
929 and criteria:

930 (1) At least 30 ~~50~~ percent of a classroom teacher's or  
931 school administrator's performance evaluation, or 20 ~~40~~ percent  
932 if less than 3 years of student performance data are available,  
933 shall be based upon learning growth or achievement of the  
934 teacher's students or, for a school administrator, the students  
935 attending that school; the remaining portion shall be based upon  
936 factors identified in district-determined, state-approved

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937 | evaluation system plans. Student achievement measures for  
938 | courses associated with statewide assessments may be used only  
939 | if a statewide growth formula has not been approved for that  
940 | assessment or, for courses associated with school district  
941 | assessments, if achievement is demonstrated to be a more  
942 | appropriate measure of teacher performance.

943 |       Section 11. This act shall take effect July 1, 2014.