

1 A bill to be entitled

2 An act relating to teacher evaluations; amending s.
3 1012.34, F.S.; prohibiting a student's learning growth
4 data from being used in calculating the student
5 learning growth portion of a teacher's evaluation
6 under certain circumstances; providing an effective
7 date.

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

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11 Section 1. Paragraph (a) of subsection (3) of section
12 1012.34, Florida Statutes, is 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
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 assessments as
40 provided in s. 1008.22(8). Each school district must use the
41 formula adopted pursuant to paragraph (7)(a) for measuring
42 student learning growth in all courses associated with statewide
43 assessments and must select an equally appropriate formula for
44 measuring student learning growth for all other grades and
45 subjects, except as otherwise provided in subsection (7).

46 a. For classroom teachers, as defined in s. 1012.01(2)(a),
47 excluding substitute teachers, the student learning growth
48 portion of the evaluation must include growth data for students
49 assigned to the teacher over the course of at least 3 years. If
50 less than 3 years of data are available, the years for which
51 data are available must be used and the percentage of the
52 evaluation based upon student learning growth may be reduced to

53 not less than 40 percent. If a student's learning growth
54 declines and the student's parent fails on three or more
55 occasions to respond to a classroom teacher's request to meet
56 with the parent regarding the student's performance, that
57 student's learning growth data may not be used in calculating
58 the student learning growth portion of the evaluation.

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

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

78 2. Instructional practice.—Evaluation criteria used when

79 annually observing classroom teachers, as defined in s.
80 1012.01(2)(a), excluding substitute teachers, must include
81 indicators based upon each of the Florida Educator Accomplished
82 Practices adopted by the State Board of Education. For
83 instructional personnel who are not classroom teachers,
84 evaluation criteria must be based upon indicators of the Florida
85 Educator Accomplished Practices and may include specific job
86 expectations related to student support.

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

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

HB 893

2014

105 | responsibilities.

106 | Section 2. This act shall take effect July 1, 2014.