

HB 1241

2015

1                   A bill to be entitled  
2           An act relating to school personnel evaluations;  
3           amending s. 1012.34, F.S.; requiring a school  
4           district's instructional personnel and school  
5           administrator performance evaluations to include  
6           certain criteria; revising the percentage of an  
7           evaluation which is based on the performance of  
8           students; revising the method and data used and the  
9           approval process for a school district to measure  
10          student learning growth in performance evaluations;  
11          revising the rulemaking authority of the State Board  
12          of Education; amending s. 1012.3401, F.S.; revising  
13          the percentage of a classroom teacher's or school  
14          administrator's performance evaluation which is based  
15          on the performance of students; authorizing additional  
16          factors to consider when measuring student learning;  
17          amending ss. 1004.04, 1004.85, 1012.22, 1012.341, and  
18          1012.56, F.S.; conforming a cross-reference and  
19          provisions to changes made by the act; providing an  
20          effective date.

21  
22   Be It Enacted by the Legislature of the State of Florida:

23  
24          Section 1. Paragraph (b) of subsection (1) and subsections  
25          (3), (6), (7), and (8) of section 1012.34, Florida Statutes, are  
26          amended to read:

27 | 1012.34 Personnel evaluation procedures and criteria.—

28 | (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

29 | (b) The department must approve each school district's  
 30 | instructional personnel and school administrator evaluation  
 31 | systems. The department shall monitor each district's  
 32 | implementation of its instructional personnel and school  
 33 | administrator evaluation systems for compliance with ~~the~~  
 34 | ~~requirements of~~ this section and s. 1012.3401.

35 | (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional  
 36 | personnel and school administrator performance evaluations must  
 37 | be based upon the performance of students assigned to their  
 38 | classrooms or schools, as provided in this section. Pursuant to  
 39 | this section, a school district's performance evaluation is not  
 40 | limited to basing unsatisfactory performance of instructional  
 41 | personnel and school administrators solely upon student  
 42 | performance. The performance evaluation must also, ~~but may~~  
 43 | include other criteria approved to evaluate instructional  
 44 | personnel and school administrators' performance, or any  
 45 | combination of student performance and other approved criteria.  
 46 | Evaluation procedures and criteria must comply with, but are not  
 47 | limited to, the following:

48 | (a) A performance evaluation must be conducted for each  
 49 | employee at least once a year, except that a classroom teacher,  
 50 | as defined in s. 1012.01(2)(a), excluding substitute teachers,  
 51 | who is newly hired by the district school board must be observed  
 52 | and evaluated at least twice in the first year of teaching in

53 the school district. The performance evaluation must be based  
54 upon sound educational principles and contemporary research in  
55 effective educational practices. The evaluation criteria must  
56 include:

57 1. Performance of students.—Thirty ~~At least 50~~ percent of  
58 a performance evaluation must be based upon data and indicators  
59 of student learning growth assessed annually by statewide  
60 assessments or, for subjects and grade levels not measured by  
61 statewide assessments, by school district assessments as  
62 provided in s. 1008.22 (6). ~~Each school district must use the~~  
63 ~~formula adopted pursuant to paragraph (7) (a) for measuring~~  
64 ~~student learning growth in all courses associated with statewide~~  
65 ~~assessments and must select an equally appropriate formula for~~  
66 ~~measuring student learning growth for all other grades and~~  
67 ~~subjects, except as otherwise provided in subsection (7).~~

68 a. ~~For classroom teachers, as defined in s. 1012.01(2) (a),~~  
69 ~~excluding substitute teachers, the student learning growth~~  
70 ~~portion of the evaluation must include growth data for students~~  
71 ~~assigned to the teacher over the course of at least 3 years. If~~  
72 ~~less than 3 years of data are available, the years for which~~  
73 ~~data are available must be used and the percentage of the~~  
74 ~~evaluation based upon student learning growth may be reduced to~~  
75 ~~not less than 40 percent.~~

76 b. ~~For instructional personnel who are not classroom~~  
77 ~~teachers, the student learning growth portion of the evaluation~~  
78 ~~must include growth data on statewide assessments for students~~

79 ~~assigned to the instructional personnel over the course of at~~  
80 ~~least 3 years, or may include a combination of student learning~~  
81 ~~growth data and other measurable student outcomes that are~~  
82 ~~specific to the assigned position, provided that the student~~  
83 ~~learning growth data accounts for not less than 30 percent of~~  
84 ~~the evaluation. If less than 3 years of student growth data are~~  
85 ~~available, the years for which data are available must be used~~  
86 ~~and the percentage of the evaluation based upon student learning~~  
87 ~~growth may be reduced to not less than 20 percent.~~

88 ~~e. For school administrators, the student learning growth~~  
89 ~~portion of the evaluation must include growth data for students~~  
90 ~~assigned to the school over the course of at least 3 years. If~~  
91 ~~less than 3 years of data are available, the years for which~~  
92 ~~data are available must be used and the percentage of the~~  
93 ~~evaluation based upon student learning growth may be reduced to~~  
94 ~~not less than 40 percent.~~

95 2. Instructional practice.—Evaluation criteria used when  
96 annually observing classroom teachers, as defined in s.  
97 1012.01(2)(a), excluding substitute teachers, must include  
98 indicators based upon each of the Florida Educator Accomplished  
99 Practices adopted by the State Board of Education. For  
100 instructional personnel who are not classroom teachers,  
101 evaluation criteria must be based upon indicators of the Florida  
102 Educator Accomplished Practices and may include specific job  
103 expectations related to student support.

104 3. Instructional leadership.—For school administrators,

105 | evaluation criteria must include indicators based upon each of  
106 | the leadership standards adopted by the State Board of Education  
107 | under s. 1012.986, including performance measures related to the  
108 | effectiveness of classroom teachers in the school, the  
109 | administrator's appropriate use of evaluation criteria and  
110 | procedures, recruitment and retention of effective and highly  
111 | effective classroom teachers, improvement in the percentage of  
112 | instructional personnel evaluated at the highly effective or  
113 | effective level, and other leadership practices that result in  
114 | student learning growth. The system may include a means to give  
115 | parents and instructional personnel an opportunity to provide  
116 | input into the administrator's performance evaluation.

117 |       4. Professional and job responsibilities.—For  
118 | instructional personnel and school administrators, other  
119 | professional and job responsibilities must be included as  
120 | adopted by the State Board of Education. The district school  
121 | board may identify additional professional and job  
122 | responsibilities.

123 |       (b) All personnel must be fully informed of the criteria  
124 | and procedures associated with the evaluation process before the  
125 | evaluation takes place.

126 |       (c) The individual responsible for supervising the  
127 | employee must evaluate the employee's performance. The  
128 | evaluation system may provide for the evaluator to consider  
129 | input from other personnel trained under paragraph (2)(f). The  
130 | evaluator must submit a written report of the evaluation to the

131 district school superintendent for the purpose of reviewing the  
 132 employee's contract. The evaluator must submit the written  
 133 report to the employee no later than 10 days after the  
 134 evaluation takes place. The evaluator must discuss the written  
 135 evaluation report with the employee. The employee shall have the  
 136 right to initiate a written response to the evaluation, and the  
 137 response shall become a permanent attachment to his or her  
 138 personnel file.

139 (d) The evaluator may amend an evaluation based upon  
 140 assessment data from the current school year if the data becomes  
 141 available within 90 days after the close of the school year. The  
 142 evaluator must then comply with the procedures set forth in  
 143 paragraph (c).

144 (6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT  
 145 EVALUATION SYSTEMS.—The district school board shall establish a  
 146 procedure for annually reviewing instructional personnel and  
 147 school administrator evaluation systems to determine compliance  
 148 with this section and s. 1012.3401. All substantial revisions to  
 149 an approved evaluation system must be reviewed and approved by  
 150 the district school board before being used to evaluate  
 151 instructional personnel or school administrators. Upon request  
 152 by a school district, the department shall provide assistance in  
 153 developing, improving, or reviewing an evaluation system.

154 (7) MEASUREMENT OF STUDENT LEARNING GROWTH.—

155 ~~(a) The Commissioner of Education shall approve a formula~~  
 156 ~~to measure individual student learning growth on the statewide,~~

157 ~~standardized assessments in English Language Arts and~~  
158 ~~mathematics administered under s. 1008.22. The formula must take~~  
159 ~~into consideration each student's prior academic performance.~~  
160 ~~The formula must not set different expectations for student~~  
161 ~~learning growth based upon a student's gender, race, ethnicity,~~  
162 ~~or socioeconomic status. In the development of the formula, the~~  
163 ~~commissioner shall consider other factors such as a student's~~  
164 ~~attendance record, disability status, or status as an English~~  
165 ~~language learner. The commissioner shall select additional~~  
166 ~~formulas as appropriate for the remainder of the statewide~~  
167 ~~assessments included under s. 1008.22 and continue to select~~  
168 ~~formulas as new assessments are implemented in the state system.~~  
169 ~~After the commissioner approves the formula to measure~~  
170 ~~individual student learning growth, the State Board of Education~~  
171 ~~shall adopt these formulas in rule.~~

172 ~~(b) Each school district shall measure student learning~~  
173 ~~growth using the formulas approved by the commissioner under~~  
174 ~~paragraph (a) for courses associated with the statewide,~~  
175 ~~standardized assessments administered under s. 1008.22 no later~~  
176 ~~than the school year immediately following the year the formula~~  
177 ~~is approved by the commissioner. For grades and subjects not~~  
178 ~~assessed by statewide, standardized assessments but otherwise~~  
179 ~~assessed as required under s. 1008.22(6),~~ Each school district  
180 shall measure performance of students using a methodology  
181 determined by the district, including multiple data points that  
182 must include state assessment data when available and when

183 considered appropriate by the school district. The department  
 184 shall provide models for measuring performance of students which  
 185 school districts may adopt.

186 (a)(e) For a course that is not measured by a statewide,  
 187 standardized assessment, a school district may ~~request, through~~  
 188 ~~the evaluation system approval process,~~ to use a student's  
 189 achievement level rather than student learning growth if  
 190 achievement is demonstrated to be a more appropriate measure of  
 191 classroom teacher performance. A school district may also  
 192 ~~request to~~ use a combination of student learning growth and  
 193 achievement, if appropriate.

194 ~~(d) For a course that is not measured by a statewide,~~  
 195 ~~standardized assessment, a school district may request, through~~  
 196 ~~the evaluation system approval process, that the performance~~  
 197 ~~evaluation for the classroom teacher assigned to that course~~  
 198 ~~include the learning growth of his or her students on one or~~  
 199 ~~more statewide, standardized assessments. The request must~~  
 200 ~~clearly explain the rationale supporting the request.~~

201 (b)(e) ~~For purposes of this section and only for the 2014-~~  
 202 ~~2015 school year,~~ A school district may use measurable learning  
 203 targets on local assessments administered under s. 1008.22(6) to  
 204 evaluate the performance of students portion of a classroom  
 205 teacher's evaluation for courses that are not assessed by  
 206 statewide, standardized assessments. ~~Learning targets must be~~  
 207 ~~approved by the school principal. A district school~~  
 208 ~~superintendent may assign to instructional personnel in an~~

209 ~~instructional team the student learning growth of the~~  
210 ~~instructional team's students on statewide assessments. This~~  
211 ~~paragraph expires July 1, 2015.~~

212 (8) RULEMAKING.—The State Board of Education shall adopt  
213 rules pursuant to ss. 120.536(1) and 120.54 which establish  
214 uniform procedures for the submission, review, and approval of  
215 district evaluation systems and reporting requirements for the  
216 annual evaluation of instructional personnel and school  
217 administrators; specific, discrete standards for each  
218 performance level required under subsection (2) to ensure clear  
219 and sufficient differentiation in the performance levels and to  
220 provide consistency in meaning across school districts; ~~the~~  
221 ~~measurement of student learning growth and associated~~  
222 ~~implementation procedures required under subsection (7); and a~~  
223 ~~process for monitoring school district implementation of~~  
224 ~~evaluation systems in accordance with this section.~~  
225 ~~Specifically, the rules shall establish student performance~~  
226 ~~levels that if not met will result in the employee receiving an~~  
227 ~~unsatisfactory performance evaluation rating. In like manner,~~  
228 ~~the rules shall establish a student performance level that must~~  
229 ~~be met in order for an employee to receive a highly effective~~  
230 ~~rating and a student learning growth standard that must be met~~  
231 ~~in order for an employee to receive an effective rating.~~

232 Section 2. Subsections (1) and (3) of section 1012.3401,  
233 Florida Statutes, are amended to read:

234 1012.3401 Requirements for measuring student performance

235 in instructional personnel and school administrator performance  
236 evaluations; performance evaluation of personnel for purposes of  
237 performance salary schedule.—Notwithstanding any provision to  
238 the contrary in ss. 1012.22 and 1012.34 regarding the  
239 performance salary schedule and personnel evaluation procedures  
240 and criteria:

241 (1) Thirty ~~At least 50~~ percent of a classroom teacher's or  
242 school administrator's performance evaluation, ~~or 40 percent if~~  
243 ~~less than 3 years of student performance data are available,~~  
244 shall be based upon learning growth or achievement of the  
245 teacher's students or, for a school administrator, the students  
246 attending that school; the remaining portion shall be based upon  
247 factors identified in district-determined, state-approved  
248 evaluation system plans. Student achievement measures for  
249 courses associated with statewide assessments may be used in  
250 addition to other measurements of student learning most  
251 appropriate to the subject taught and the specific duties of the  
252 individual classroom teacher. At least two data sources must be  
253 used to determine student performance for evaluation purposes  
254 ~~only if a statewide growth formula has not been approved for~~  
255 ~~that assessment or, for courses associated with school district~~  
256 ~~assessments, if achievement is demonstrated to be a more~~  
257 ~~appropriate measure of teacher performance.~~

258 (3) For purposes of the performance salary schedule in s.  
259 1012.22, the student assessment data in the performance  
260 evaluation must be from ~~statewide assessments or district~~

261 ~~determined assessments as required in s. 1008.22(6) in the~~  
262 subject areas taught.

263 Section 3. Paragraph (a) of subsection (4) of section  
264 1004.04, Florida Statutes, is amended to read:

265 1004.04 Public accountability and state approval for  
266 teacher preparation programs.—

267 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a  
268 teacher preparation program shall be based upon evidence that  
269 the program continues to implement the requirements for initial  
270 approval and upon significant, objective, and quantifiable  
271 measures of the program and the performance of the program  
272 completers.

273 (a) The criteria for continued approval must include each  
274 of the following:

275 1. Documentation from the program that each program  
276 candidate met the admission requirements provided in subsection  
277 (3).

278 2. Documentation from the program that the program and  
279 each program completer have met the requirements provided in  
280 subsection (2).

281 3. Evidence of performance in each of the following areas:

282 a. Placement rate of program completers into instructional  
283 positions in Florida public schools and private schools, if  
284 available.

285 b. Rate of retention for employed program completers in  
286 instructional positions in Florida public schools.

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287 c. Performance of students in prekindergarten through  
288 grade 12 who are assigned to in-field program completers on  
289 statewide assessments using the results of the student learning  
290 growth methodology ~~formula~~ adopted under s. 1012.34.

291 d. Performance of students in prekindergarten through  
292 grade 12 who are assigned to in-field program completers  
293 aggregated by student subgroup, as defined in the federal  
294 Elementary and Secondary Education Act (ESEA), 20 U.S.C. s.  
295 6311(b)(2)(C)(v)(II), as a measure of how well the program  
296 prepares teachers to work with a diverse population of students  
297 in a variety of settings in Florida public schools.

298 e. Results of program completers' annual evaluations in  
299 accordance with the timeline as set forth in s. 1012.34.

300 f. Production of program completers in statewide critical  
301 teacher shortage areas as identified in s. 1012.07.

302 Section 4. Paragraph (b) of subsection (4) of section  
303 1004.85, Florida Statutes, is amended to read:

304 1004.85 Postsecondary educator preparation institutes.—

305 (4) Continued approval of each program approved pursuant  
306 to this section shall be determined by the Commissioner of  
307 Education based upon a periodic review of the following areas:

308 (b) Evidence of performance in each of the following  
309 areas:

310 1. Placement rate of program completers into instructional  
311 positions in Florida public schools and private schools, if  
312 available.

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313           2. Rate of retention for employed program completers in  
314 instructional positions in Florida public schools.

315           3. Performance of students in prekindergarten through  
316 grade 12 who are assigned to in-field program completers on  
317 statewide assessments using the results of the student learning  
318 growth methodology ~~formula~~ adopted under s. 1012.34.

319           4. Performance of students in prekindergarten through  
320 grade 12 who are assigned to in-field program completers  
321 aggregated by student subgroups, as defined in the federal  
322 Elementary and Secondary Education Act (ESEA), 20 U.S.C. s.  
323 6311(b)(2)(C)(v)(II), as a measure of how well the program  
324 prepares teachers to work with a diverse population of students  
325 in a variety of settings in Florida public schools.

326           5. Results of program completers' annual evaluations in  
327 accordance with the timeline as set forth in s. 1012.34.

328           6. Production of program completers in statewide critical  
329 teacher shortage areas as identified in s. 1012.07.

330           Section 5. Paragraph (c) of subsection (1) of section  
331 1012.22, Florida Statutes, is amended to read:

332           1012.22 Public school personnel; powers and duties of the  
333 district school board.—The district school board shall:

334           (1) Designate positions to be filled, prescribe  
335 qualifications for those positions, and provide for the  
336 appointment, compensation, promotion, suspension, and dismissal  
337 of employees as follows, subject to the requirements of this  
338 chapter:

339 (c) *Compensation and salary schedules.*—

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

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

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

348 c. "Instructional personnel" means instructional personnel  
349 as defined in s. 1012.01(2)(a)-(d), excluding substitute  
350 teachers.

351 d. "Performance salary schedule" means the salary schedule  
352 or schedules adopted by a district school board pursuant to  
353 subparagraph 5.

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

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

358 g. "Supplement" means an annual addition to the base  
359 salary for the term of the negotiated supplement as long as the  
360 employee continues his or her employment for the purpose of the  
361 supplement. A supplement does not become part of the employee's  
362 continuing base salary but shall be considered compensation  
363 under s. 121.021(22).

364 2. Cost-of-living adjustment.—A district school board may

365 provide a cost-of-living salary adjustment if the adjustment:

366 a. Does not discriminate among comparable classes of  
367 employees based upon the salary schedule under which they are  
368 compensated.

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

371 3. Advanced degrees.—A district school board may not use  
372 advanced degrees in setting a salary schedule for instructional  
373 personnel or school administrators hired on or after July 1,  
374 2011, unless the advanced degree is held in the individual's  
375 area of certification and is only a salary supplement.

376 4. Grandfathered salary schedule.—

377 a. The district school board shall adopt a salary schedule  
378 or salary schedules to be used as the basis for paying all  
379 school employees hired before July 1, 2014. Instructional  
380 personnel on annual contract as of July 1, 2014, shall be placed  
381 on the performance salary schedule adopted under subparagraph 5.  
382 Instructional personnel on continuing contract or professional  
383 service contract may opt into the performance salary schedule if  
384 the employee relinquishes such contract and agrees to be  
385 employed on an annual contract under s. 1012.335. Such an  
386 employee shall be placed on the performance salary schedule and  
387 may not return to continuing contract or professional service  
388 contract status. Any employee who opts into the performance  
389 salary schedule may not return to the grandfathered salary  
390 schedule.

391 b. In determining the grandfathered salary schedule for  
392 instructional personnel, a district school board must base a  
393 portion of each employee's compensation upon performance  
394 demonstrated under s. 1012.34 and shall provide differentiated  
395 pay for both instructional personnel and school administrators  
396 based upon district-determined factors, including, but not  
397 limited to, additional responsibilities, school demographics,  
398 critical shortage areas, and level of job performance  
399 difficulties.

400 5. Performance salary schedule.—By July 1, 2014, the  
401 district school board shall adopt a performance salary schedule  
402 that provides annual salary adjustments for instructional  
403 personnel and school administrators based upon performance  
404 determined under s. 1012.34. Employees hired on or after July 1,  
405 2014, or employees who choose to move from the grandfathered  
406 salary schedule to the performance salary schedule shall be  
407 compensated pursuant to the performance salary schedule once  
408 they have received the appropriate performance evaluation for  
409 this purpose. However, a classroom teacher whose performance  
410 evaluation utilizes student learning growth measures established  
411 under s. 1012.34(7)(b) ~~s. 1012.34(7)(e)~~ shall remain under the  
412 grandfathered salary schedule until his or her teaching  
413 assignment changes to a subject for which there is an assessment  
414 or the school district establishes equally appropriate measures  
415 of student learning growth as defined under s. 1012.34 and rules  
416 of the State Board of Education.

417 a. Base salary.—The base salary shall be established as  
418 follows:

419 (I) The base salary for instructional personnel or school  
420 administrators who opt into the performance salary schedule  
421 shall be the salary paid in the prior year, including  
422 adjustments only.

423 (II) Beginning July 1, 2014, instructional personnel or  
424 school administrators new to the district, returning to the  
425 district after a break in service without an authorized leave of  
426 absence, or appointed for the first time to a position in the  
427 district in the capacity of instructional personnel or school  
428 administrator shall be placed on the performance salary  
429 schedule.

430 b. Salary adjustments.—Salary adjustments for highly  
431 effective or effective performance shall be established as  
432 follows:

433 (I) The annual salary adjustment under the performance  
434 salary schedule for an employee rated as highly effective must  
435 be greater than the highest annual salary adjustment available  
436 to an employee of the same classification through any other  
437 salary schedule adopted by the district.

438 (II) The annual salary adjustment under the performance  
439 salary schedule for an employee rated as effective must be equal  
440 to at least 50 percent and no more than 75 percent of the annual  
441 adjustment provided for a highly effective employee of the same  
442 classification.

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

446 c. Salary supplements.—In addition to the salary  
447 adjustments, each district school board shall provide for salary  
448 supplements for activities that must include, but are not  
449 limited to:

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

451 (II) Assignment to a school that earned a grade of "F" or  
452 three consecutive grades of "D" pursuant to s. 1008.34 such that  
453 the supplement remains in force for at least 1 year following  
454 improved performance in that school.

455 (III) Certification and teaching in critical teacher  
456 shortage areas. Statewide critical teacher shortage areas shall  
457 be identified by the State Board of Education under s. 1012.07.  
458 However, the district school board may identify other areas of  
459 critical shortage within the school district for purposes of  
460 this sub-sub-subparagraph and may remove areas identified by the  
461 state board which do not apply within the school district.

462 (IV) Assignment of additional academic responsibilities.

463

464 If budget constraints in any given year limit a district school  
465 board's ability to fully fund all adopted salary schedules, the  
466 performance salary schedule shall not be reduced on the basis of  
467 total cost or the value of individual awards in a manner that is  
468 proportionally greater than reductions to any other salary

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469 schedules adopted by the district.

470 Section 6. Paragraph (b) of subsection (2) of section  
471 1012.341, Florida Statutes, is amended to read:

472 1012.341 Exemption from performance evaluation system and  
473 compensation and salary schedule requirements.—

474 (2) By October 1, 2014, and by October 1 annually  
475 thereafter, the superintendent of Hillsborough County School  
476 District shall attest, in writing, to the Commissioner of  
477 Education that:

478 (b) The instructional personnel and school administrator  
479 evaluation systems adopt the Commissioner of Education's student  
480 learning growth methodology ~~formula~~ for statewide assessments as  
481 provided under s. 1012.34(7).

482

483 This section is repealed August 1, 2017, unless reviewed  
484 and reenacted by the Legislature.

485 Section 7. Paragraph (c) of subsection (8) of section  
486 1012.56, Florida Statutes, is amended to read:

487 1012.56 Educator certification requirements.—

488 (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION  
489 COMPETENCY PROGRAM.—

490 (c) The Commissioner of Education shall determine the  
491 continued approval of programs implemented under paragraph (a)  
492 based upon the department's periodic review of the following:

493 1. Evidence that the requirements in paragraph (a) are  
494 consistently met; and

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495 | 2. Evidence of performance in each of the following areas:

496 | a. Rate of retention for employed program completers in  
497 | instructional positions in Florida public schools.

498 | b. Performance of students in prekindergarten through  
499 | grade 12 who are assigned to in-field program completers on  
500 | statewide assessments using the results of the student learning  
501 | growth methodology ~~formula~~ adopted under s. 1012.34.

502 | c. Performance of students in prekindergarten through  
503 | grade 12 who are assigned to in-field program completers  
504 | aggregated by student subgroups, as defined in the federal  
505 | Elementary and Secondary Education Act (ESEA), 20 U.S.C. s.  
506 | 6311(b)(2)(C)(v)(II), as a measure of how well the program  
507 | prepares teachers to work with a variety of students in Florida  
508 | public schools.

509 | d. Results of program completers' annual evaluations in  
510 | accordance with the timeline as set forth in s. 1012.34.

511 | e. Production of program completers in statewide critical  
512 | teacher shortage areas as defined in s. 1012.07.

513 | Section 8. This act shall take effect July 1, 2015.