



245182

LEGISLATIVE ACTION

| Senate      | . | House |
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| Comm: UNFAV | . |       |
| 03/23/2015  | . |       |
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Appropriations Subcommittee on Education (Bullard) recommended the following:

**Senate Amendment to Amendment (587488) (with title amendment)**

Delete lines 398 - 534  
and insert:

school improvement ratings pursuant to s. 1008.341 for the 2014-2015 and 2015-2016 ~~2013-2014~~ school years ~~year shall be~~ calculated based on ~~statutes and rules in effect on June 30, 2014. To assist in the transition to 2014-2015 school grades,~~ calculated based on new statewide, standardized assessments



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11 ~~administered pursuant to s. 1008.22, the 2014-2015 school grades~~  
12 shall serve as an informational baseline for schools to work  
13 toward improved performance in future years. Accordingly,  
14 notwithstanding any other provision of law:

15 (a) A school may not be required to select and implement a  
16 turnaround option pursuant to s. 1008.33 in the 2015-2016 or  
17 2016-2017 school year if based on the school receives a school  
18 grade that is two or more grades lower or a lower school's 2014-  
19 2015 grade or school improvement rating for the 2014-2015 school  
20 year compared to the 2013-2014 school year or for the 2015-2016  
21 school year compared to the 2014-2015 school year under s.  
22 1008.341, as applicable.

23 (b)1. A school or approved provider under s. 1002.45 that  
24 receives ~~the same or a lower~~ school grade that is two or more  
25 grades lower or a lower school improvement rating for the 2014-  
26 2015 school year compared to the 2013-2014 school year or for  
27 the 2015-2016 school year compared to the 2014-2015 school year  
28 is not subject to sanctions or penalties that would otherwise  
29 occur as a result of the 2014-2015 or 2015-2016 school grade or  
30 rating. A charter school system or a school district designated  
31 as high performing may not lose the designation based on the  
32 2014-2015 or 2015-2016 school grades of any of the schools  
33 within the charter school system or school district, as  
34 applicable.

35 2. The Florida School Recognition Program established under  
36 s. 1008.36 shall continue to be implemented as otherwise  
37 provided in the General Appropriations Act.

38 (c) For purposes of determining grade 3 retention pursuant  
39 to s. 1008.25(5) and high school graduation pursuant to s.



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40 1003.4282, student performance on the 2014-2015 statewide,  
41 standardized assessments shall be linked to 2013-2014 student  
42 performance expectations.

43

44 This subsection is repealed July 1, 2017.

45 Section 7. Paragraphs (b) and (c) of subsection (1),  
46 paragraphs (a), (b), and (c) of subsection (3), and subsections  
47 (6), (7), (8), and (10) of section 1012.34, Florida Statutes,  
48 are amended to read:

49 1012.34 Personnel evaluation procedures and criteria.—

50 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

51 (b) The department must approve each school district's  
52 instructional personnel and school administrator evaluation  
53 systems. The department shall monitor each district's  
54 implementation of its instructional personnel and school  
55 administrator evaluation systems for compliance with the  
56 requirements of this section ~~and s. 1012.3401.~~

57 (c) Annually, by December 1, the Commissioner of Education  
58 shall report to the Governor, the President of the Senate, and  
59 the Speaker of the House of Representatives the approval and  
60 implementation status of each school district's instructional  
61 personnel and school administrator evaluation systems. The  
62 report shall include:

63 1. Performance evaluation results for the prior school year  
64 for instructional personnel and school administrators using the  
65 four levels of performance specified in paragraph (2)(e). The  
66 performance evaluation results for instructional personnel shall  
67 be disaggregated by classroom teachers, as defined in s.  
68 1012.01(2)(a), excluding substitute teachers, and all other



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69 instructional personnel, as defined in s. 1012.01(2)(b)-(d).

70 2. An analysis that compares performance evaluation results  
71 calculated by each school district to indicators of performance  
72 calculated by the department using the standards for performance  
73 levels adopted by the state board under subsection (8).

74 ~~3. The commissioner shall include in the report Each~~  
75 ~~district's performance-level standards established under~~  
76 ~~subsection (7)., a comparative analysis of the district's~~  
77 ~~student academic performance results and evaluation results,~~

78 4. Data reported under s. 1012.341, and the status of any  
79 evaluation system revisions requested by a school district  
80 pursuant to subsection (6).

81 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional  
82 personnel and school administrator performance evaluations must  
83 be based upon the performance of students assigned to their  
84 classrooms or schools, as provided in this section. Pursuant to  
85 this section, a school district's performance evaluation is not  
86 limited to basing unsatisfactory performance of instructional  
87 personnel and school administrators solely upon student  
88 performance, but may include other criteria approved to evaluate  
89 instructional personnel and school administrators' performance,  
90 or any combination of student performance and other approved  
91 criteria. Evaluation procedures and criteria must comply with,  
92 but are not limited to, the following:

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



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98 the school district. The performance evaluation must be based  
99 upon sound educational principles and contemporary research in  
100 effective educational practices. The evaluation criteria must  
101 include:

102 1. Performance of students.—At least 33 ~~50~~ percent of a  
103 performance evaluation must be based upon data and indicators of  
104 student learning growth assessed annually by statewide  
105 assessments or, for subjects and grade levels not measured by  
106 statewide assessments, by school district assessments pursuant  
107 to subsection (7) as provided in s. 1008.22(6). Each school  
108 district must use the formula adopted pursuant to paragraph  
109 (7) (a) for measuring student learning growth in all courses  
110 associated with statewide assessments and must select an equally  
111 appropriate formula for measuring student learning growth for  
112 all other grades and subjects, except as otherwise provided in  
113 subsection (7).

114 a. For classroom teachers, as defined in s. 1012.01(2) (a),  
115 excluding substitute teachers, the student learning growth  
116 portion of the evaluation must include growth data for students  
117 assigned to the teacher over the course of at least 3 years. If  
118 less than 3 years of data are available, the years for which  
119 data are available must be used and the percentage of the  
120 evaluation based upon student learning growth may be reduced to  
121 not less than 30 ~~40~~ percent.

122 b. For instructional personnel who are not classroom  
123 teachers, the student learning growth portion of the evaluation  
124 must include growth data on statewide assessments for students  
125 assigned to the instructional personnel over the course of at  
126 least 3 years, or may include a combination of student learning



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127 growth data and other measurable student outcomes that are  
128 specific to the assigned position, provided that the student  
129 learning growth data accounts for not less than 30 percent of  
130 the evaluation. If less than 3 years of student growth data are  
131 available, the years for which data are available must be used  
132 and the percentage of the evaluation based upon student learning  
133 growth may be reduced to not less than 20 percent.

134 c. For school administrators, the student learning growth  
135 portion of the evaluation must include growth data for students  
136 assigned to the school over the course of at least 3 years. If  
137 less than 3 years of data are available, the years for which  
138 data are available must be used and the percentage of the  
139 evaluation based upon student learning growth may be reduced to  
140 not less than 30 ~~40~~ percent.

141 d. Notwithstanding any other provision of law, performance  
142 evaluations based upon data and indicators for the 2014-2015 and  
143 2015-2016 school years may not use student learning growth as  
144 required under this subparagraph if such use would result in a  
145 lower level of performance as specified in paragraph (2)(e) than  
146 the level of performance which would result without the use of  
147 student learning growth.

148  
149 ===== T I T L E A M E N D M E N T =====

150 And the title is amended as follows:

151 Delete lines 1076 - 1085

152 and insert:

153 readiness evaluations; amending s. 1008.34, F.S.;

154 revising the criteria that serve as an informational

155 baseline for schools to work toward improved



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156 performance; providing that school grades and school  
157 improvement ratings for specified school years shall  
158 serve as an informational baseline; revising the  
159 circumstances under which a school may not be required  
160 to implement a school turnaround option in specified  
161 school years; revising the circumstances under which a  
162 virtual instruction program will not be subject to  
163 sanctions or penalties based on certain school grades  
164 or improvement ratings; extending the period during  
165 which a charter school system or school district will  
166 not lose a designation as high performing based on  
167 certain school grades or improvement ratings; amending  
168 s. 1012.34, F.S.; revising requirements for the  
169 Commissioner of Education's annual report to the  
170 Governor and the Legislature regarding personnel  
171 evaluation systems; revising the percentage thresholds  
172 for performance evaluation criteria for instructional  
173 personnel and school administrators; prohibiting the  
174 use of student learning growth in performance  
175 evaluations under certain circumstances; revising