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LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
04/03/2017	.	
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The Committee on Education (Simmons) recommended the following:

Senate Amendment (with title amendment)

Between lines 167 and 168
insert:

Section 3. Paragraph (c) of subsection (1), paragraph (a) of subsection (3), and subsections (7), (8), and (9) of section 1012.34, Florida Statutes, are amended to read:

1012.34 Personnel evaluation procedures and criteria.—

(1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

(c) Annually, by February 1, the Commissioner of Education shall publish on the department's website ~~the status of each~~



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12 school district's instructional personnel and school
13 administrator evaluation systems. This information must include:

14 ~~1.~~ performance evaluation results for the prior school year
15 for instructional personnel and school administrators using the
16 four levels of performance specified in paragraph (2) (e). The
17 performance evaluation results for instructional personnel shall
18 be disaggregated by classroom teachers, as defined in s.
19 1012.01(2) (a), excluding substitute teachers, and all other
20 instructional personnel, as defined in s. 1012.01(2) (b)-(d).

21 ~~2. An analysis that compares performance evaluation results~~
22 ~~calculated by each school district to indicators of performance~~
23 ~~calculated by the department using the standards for performance~~
24 ~~levels adopted by the state board under subsection (8).~~

25 ~~3. Data reported under s. 1012.341.~~

26 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
27 personnel and school administrator performance evaluations must
28 be based upon the performance of students assigned to their
29 classrooms or schools, as provided in this section. Pursuant to
30 this section, a school district's performance evaluation system
31 is not limited to basing unsatisfactory performance of
32 instructional personnel and school administrators solely upon
33 student performance, but may include other criteria to evaluate
34 instructional personnel and school administrators' performance,
35 or any combination of student performance and other criteria.
36 Evaluation procedures and criteria must comply with, but are not
37 limited to, the following:

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



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41 who is newly hired by the district school board must be observed
42 and evaluated at least twice in the first year of teaching in
43 the school district. The performance evaluation must be based
44 upon sound educational principles and contemporary research in
45 effective educational practices. The evaluation criteria must
46 include:

47 1. Performance of students.—At least one-third of a
48 performance evaluation must be based upon data and indicators of
49 student performance, as determined by each school district in
50 ~~accordance with subsection (7).~~ This portion of the evaluation
51 must include growth or achievement data of the teacher's
52 students or, for a school administrator, the students attending
53 the school over the course of at least 3 years. If less than 3
54 years of data are available, the years for which data are
55 available must be used. The proportion of growth or achievement
56 data may be determined by instructional assignment.

57 2. Instructional practice.—For instructional personnel, at
58 least one-third of the performance evaluation must be based upon
59 instructional practice. Evaluation criteria used when annually
60 observing classroom teachers, as defined in s. 1012.01(2)(a),
61 excluding substitute teachers, must include indicators based
62 upon each of the Florida Educator Accomplished Practices adopted
63 by the State Board of Education. For instructional personnel who
64 are not classroom teachers, evaluation criteria must be based
65 upon indicators of the Florida Educator Accomplished Practices
66 and may include specific job expectations related to student
67 support.

68 3. Instructional leadership.—For school administrators, at
69 least one-third of the performance evaluation must be based on



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70 instructional leadership. Evaluation criteria for instructional
71 leadership must include indicators based upon each of the
72 leadership standards adopted by the State Board of Education
73 under s. 1012.986, including performance measures related to the
74 effectiveness of classroom teachers in the school, the
75 administrator's appropriate use of evaluation criteria and
76 procedures, recruitment and retention of effective and highly
77 effective classroom teachers, improvement in the percentage of
78 instructional personnel evaluated at the highly effective or
79 effective level, and other leadership practices that result in
80 student learning growth. The system may include a means to give
81 parents and instructional personnel an opportunity to provide
82 input into the administrator's performance evaluation.

83 4. Other indicators of performance.—For instructional
84 personnel and school administrators, the remainder of a
85 performance evaluation may include, but is not limited to,
86 professional and job responsibilities as recommended by the
87 State Board of Education or identified by the district school
88 board and, for instructional personnel, peer reviews,
89 objectively reliable survey information from students and
90 parents based on teaching practices that are consistently
91 associated with higher student achievement, and other valid and
92 reliable measures of instructional practice.

93 (7) MEASUREMENT OF STUDENT PERFORMANCE.—

94 (a) The Commissioner of Education may develop ~~shall approve~~
95 a formula to measure individual student learning growth on the
96 statewide, standardized assessments in English Language Arts and
97 mathematics administered under s. 1008.22. The formula must take
98 into consideration each student's prior academic performance.



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99 The formula must not set different expectations for student
100 learning growth based upon a student's gender, race, ethnicity,
101 or socioeconomic status. In the development of the formula, the
102 commissioner shall consider other factors such as a student's
103 attendance record, disability status, or status as an English
104 language learner. The commissioner may select additional
105 formulas to measure student performance as appropriate for the
106 remainder of the statewide, standardized assessments included
107 under s. 1008.22 and continue to select formulas as new
108 assessments are implemented in the state system. ~~After the~~
109 ~~commissioner approves the formula to measure individual student~~
110 ~~learning growth, the State Board of Education shall adopt these~~
111 ~~formulas in rule.~~

112 (b) Each school district may, but is not required to, shall
113 measure student learning growth using the formulas developed
114 ~~approved~~ by the commissioner under paragraph (a) ~~and the~~
115 ~~standards for performance levels adopted by the state board~~
116 ~~under subsection (8) for courses associated with the statewide,~~
117 ~~standardized assessments administered under s. 1008.22 no later~~
118 ~~than the school year immediately following the year the formula~~
119 ~~is approved by the commissioner. For grades and subjects not~~
120 ~~assessed by statewide, standardized assessments, each school~~
121 ~~district shall measure student performance using a methodology~~
122 ~~determined by the district.~~

123 (8) RULEMAKING. ~~No later than August 1, 2015,~~ The State
124 Board of Education shall adopt rules pursuant to ss. 120.536(1)
125 and 120.54 which establish uniform procedures and format for the
126 submission, review, and approval of district evaluation systems
127 and reporting requirements for the annual evaluation of



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128 instructional personnel and school administrators; ~~specific,~~
129 ~~discrete standards for each performance level required under~~
130 ~~subsection (2), based on student learning growth models approved~~
131 ~~by the commissioner, to ensure clear and sufficient~~
132 ~~differentiation in the performance levels and to provide~~
133 ~~consistency in meaning across school districts; the measurement~~
134 ~~of student learning growth and associated implementation~~
135 ~~procedures required under subsection (7); and a process for~~
136 ~~monitoring school district implementation of evaluation systems~~
137 ~~in accordance with this section.~~

138 ~~(9) TRANSITION TO NEW STATEWIDE, STANDARDIZED ASSESSMENTS.—~~
139 ~~Standards for each performance level required under subsection~~
140 ~~(2) shall be established by the State Board of Education~~
141 ~~beginning with the 2015-2016 school year.~~

142
143 ===== T I T L E A M E N D M E N T =====

144 And the title is amended as follows:

145 Delete line 19

146 and insert:

147 assessment results; amending s. 1012.34, F.S.;

148 revising personnel evaluation procedures and criteria;

149 authorizing the commissioner to develop a formula for

150 measuring student learning growth on specified

151 statewide, standardized assessments, rather than

152 requiring the commissioner to approve such a formula;

153 authorizing, rather than requiring, a school district

154 to use certain formulas developed by the commissioner;

155 providing an effective date.