



963662

LEGISLATIVE ACTION

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

1 **Senate Substitute for Amendment (521886) (with title**
2 **amendment)**

3
4 Between lines 167 and 168
5 insert:

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

9 1012.34 Personnel evaluation procedures and criteria.—

10 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

11 (c) Annually, by February 1, the Commissioner of Education



963662

12 shall publish on the department's website the status of each
13 school district's instructional personnel and school
14 administrator evaluation systems. This information must include:

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

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

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

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

39 (a) A performance evaluation must be conducted for each
40 employee at least once a year, except that a classroom teacher,



963662

41 as defined in s. 1012.01(2)(a), excluding substitute teachers,
42 who is newly hired by the district school board must be observed
43 and evaluated at least twice in the first year of teaching in
44 the school district. The performance evaluation must be based
45 upon sound educational principles and contemporary research in
46 effective educational practices. The evaluation criteria must
47 include:

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

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

69 3. Instructional leadership.—For school administrators, at



963662

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

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

94 (7) MEASUREMENT OF STUDENT PERFORMANCE.—

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



963662

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

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

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



963662

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

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

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

145 And the title is amended as follows:

146 Delete line 19

147 and insert:

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

149 revising personnel evaluation procedures and criteria;

150 authorizing the commissioner to develop a formula for

151 measuring student learning growth on specified

152 statewide, standardized assessments, rather than

153 requiring the commissioner to approve such a formula;

154 authorizing, rather than requiring, a school district

155 to use certain formulas developed by the commissioner;

156 providing an effective date.