

# FLORIDA HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

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**BILL #:** [CS/CS/HB 753](#)

**TITLE:** School Counselors

**SPONSOR(S):** Hunschofsky

**COMPANION :** [CS/CS/SB 1036](#) (Calatayud)

**LINKED BILLS:** None

**RELATED BILLS:** None

**FINAL HOUSE FLOOR ACTION:** 103 Y's 0 N's

**GOVERNOR'S ACTION:** Pending

## SUMMARY

### **Effect of the Bill:**

The bill provides an exemption for individuals seeking employment as a school counselor from the demonstration of mastery of general knowledge and professional preparation and education competence requirements for educator certification. A school district may require such demonstration as a condition of employment. Additionally, the bill requires that school counselors be evaluated based on indicators of the Florida School Counseling Standards adopted by the State Board of Education.

### **Fiscal or Economic Impact:**

The bill will have an indeterminate positive impact on private sector expenditures through savings on examination fees for school counselors and an indeterminate negative impact on state revenues due to the loss of such fees.

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## ANALYSIS

### **EFFECT OF THE BILL:**

The bill provides an exemption for individuals seeking employment as a school counselor from the demonstration of [mastery of general knowledge](#) and [professional preparation and education competence](#) requirements for educator certification. The bill is limited to those individuals seeking employment as school counselors, who must have a master's degree or higher in school counseling, or general counseling with school experience, as well as requisite field work. A school counselor's master's degree and demonstration of [mastery of subject area knowledge](#) could be deemed sufficient to demonstrate knowledge required by the exempted certification requirements. Additionally, the professional preparation and education competence requirement is limited, by statute, to classroom teachers and school administrators and in many cases would fall outside of the daily duties of a school counselor. However, the bill clarifies that a school district may require a certified school counselor to satisfy these requirements as a condition of employment. (Section [2](#)).

The bill requires that the instructional practice component of the mandatory annual [performance evaluation](#) for school counselors be based on indicators of the Florida School Counseling Standards adopted by the State Board of Education (SBE). While school districts are currently authorized to use these indicators, this requirement more closely aligns the standards used statewide for performance evaluations with school counselor job duties and responsibilities. (Section [1](#)).

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2026. (Section [3](#)).

### **FISCAL OR ECONOMIC IMPACT:**

**STORAGE NAME:** h0753z

**DATE:** 3/27/2026

**STATE GOVERNMENT:**

The bill has an indeterminate negative fiscal impact on state revenues due to the loss of examination fees from the general knowledge (\$130.00 per initial registration and full retake)<sup>1</sup> and professional education examination (\$150.00 per initial registration and retake) from school counselors seeking educator certification.

**PRIVATE SECTOR:**

The bill has an indeterminate positive fiscal impact on private sector expenditures due to school counselors seeking their educator certification no longer being required to pay examination fees for the general knowledge exam (\$130.00 per initial registration and full retake)<sup>2</sup> and the professional education examination (\$150.00 per initial registration and retake).

**RELEVANT INFORMATION****SUBJECT OVERVIEW:****School Counselors in Florida**

In Florida, school counselors are advanced degreed educators responsible for advising students with regard to their abilities and aptitudes, educational and occupational opportunities, and personal and social adjustments, providing placement services and overseeing the development and implementation of school counseling programs in Florida schools.<sup>3</sup> School counselors serve all students at all school levels while employed in district supervisory positions and school counselor education positions.<sup>4</sup>

Current law requires that school counselors be certified by the Florida Department of Education (DOE).<sup>5</sup> The SBE adopted the Florida School Counseling Standards to govern the role and responsibilities of school counselors, including but not limited to:

- professional, legal, and ethical expectations for school counselors;
- the development, implementation, and evaluation of School Counseling Programs;
- the provision of direct and indirect counseling services; and
- academic advising and planning.<sup>6</sup>

In 2024-25, Florida schools reported 6729 school counselors serving students. This includes 2134 elementary school counselors, 3653 secondary school counselors and 941 school counselors without a specified grade level.<sup>7</sup>

**Educator Certification**

In order for a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the DOE.<sup>8</sup> Persons seeking employment at a public school as a school supervisor, principal, teacher, library media specialist, school counselor, athletic coach, or

<sup>1</sup> The fees would be lower if the individual only needed to take subtests and not the full administration. *See* text associated with note 41, *infra*.

<sup>2</sup> The fees would be lower if the individual only needed to take subtests and not the full administration. *See* text associated with note 41, *infra*.

<sup>3</sup> Florida School Counselor Association, *About FL School Counselors*, <https://www.fla-schoolcounselor.org/flcounselors> (last visited Mar. 6, 2026).

<sup>4</sup> *Id.*

<sup>5</sup> Section [1012.55\(1\)\(b\), F.S.](#)

<sup>6</sup> Rule 6A-5.079(3), F.A.C.

<sup>7</sup> National Center for Education Statistics, *Common Core of Data American Public Schools: CCD Data Files*, <https://nces.ed.gov/ccd/files.asp#Fiscal:2,LevelId:2,SchoolYearId:39,Page:1> (last visited Mar. 6, 2026). (click the “Flat and SAS Files” link under the “Staff” heading to download the data.) (The data is reported in FTE and reports of partial FTE result in the total not being the sum of the breakdown by classification).

<sup>8</sup> Sections [1012.55\(1\)](#) and [1002.33\(12\)\(f\), F.S.](#)

in other instructional capacities must be certified.<sup>9</sup> The purpose of certification is to require school-based personnel to “possess the credentials, knowledge, and skills necessary to allow the opportunity for a high-quality education in the public schools.”<sup>10</sup>

The DOE issues three main types of educator certificates:

- **Professional Certificate:** The professional certificate is Florida’s highest type of full-time educator certification.<sup>11</sup> The professional certificate is valid for 5 years and is renewable.<sup>12</sup>
- **Temporary Certificate:** The temporary certificate covers employment in full-time positions for which educator certification is required.<sup>13</sup> Generally, a temporary certificate is valid for 5 years and is nonrenewable.<sup>14</sup>
- **Athletic Coaching Certificate:** The athletic coaching certificate covers full-time and part-time employment as a public school’s athletic coach.<sup>15</sup> The DOE issues two types of athletic coaching certificates – one is valid for 5 years and may be issued for subsequent 5-year periods while the other is valid for 3 years and may be issued only once.<sup>16</sup> The 5-year certificate requires satisfaction of certain specialization requirements established in SBE rule.<sup>17</sup>

### **Professional Certificate Requirements**

To be eligible for a professional certificate, a person must:<sup>18</sup>

- be at least 18 years of age;
- sign an affidavit attesting that the applicant will uphold the U.S. and State Constitutions;
- earn a bachelor’s or higher degree from an accredited institution of higher learning<sup>19</sup> or from a nonaccredited institution identified by the DOE as having a quality program resulting in a bachelor’s or higher degree;<sup>20</sup>
- submit to fingerprinting and background screening and not have a criminal history that requires the applicant’s disqualification from certification or employment;
- be of good moral character;
- be competent and capable of performing the duties, functions, and responsibilities of a teacher;

<sup>9</sup> Sections [1002.33\(12\)\(f\)](#) (charter school teachers) and [1012.55\(1\), F.S.](#) District school boards and charter school governing boards are authorized to hire non-certified individuals who possess expertise in a given field to serve in an instructional capacity. Rule 6A-1.0502, F.A.C.; ss. [1002.33\(12\)\(f\)](#) and [1012.55\(1\)\(c\), F.S.](#) Occupational therapists, physical therapists, audiologists, and speech therapists are not required to be certified educators. Rule 6A-1.0502(10) and (11), F.A.C.

<sup>10</sup> Section [1012.54, F.S.](#); see r. 6A-4.001(1), F.A.C.

<sup>11</sup> Rule 6A-4.004(5), F.A.C.

<sup>12</sup> Section [1012.56\(7\)\(a\), F.S.](#); see r. 6A-4.0051(3)(d), F.A.C. (validity period is expressed as 5 years from July 1 of the school fiscal year). The DOE also issues a nonrenewable 5-year professional certificate that allows an applicant with a bachelor’s degree in the area of speech-language impairment to complete a master’s degree in speech-language impairment. Section [1012.56\(7\)\(c\), F.S.](#); r. 6A-4.004(6), F.A.C.

<sup>13</sup> Rule 6A-4.004(1)(a)2., F.A.C.

<sup>14</sup> Section [1012.56\(7\)\(f\), F.S.](#) (validity period is expressed in school fiscal years); r. 6A-4.004(1)(a), F.A.C. The veteran’s pathway to educator certification authorizes a 5-year nonrenewable temporary certificate. Section [1012.56\(7\)\(b\)2., F.S.](#) The DOE also issues a nonrenewable temporary certificate, which is valid for 2 years in the area of speech-language impairment. Section [1012.56\(7\)\(c\), F.S.](#)

<sup>15</sup> Section [1012.55\(2\)\(a\), F.S.](#)

<sup>16</sup> Rule 6A-4.004(7), F.A.C. (validity periods expressed in school fiscal years).

<sup>17</sup> See r. 6A-4.0282, F.A.C.

<sup>18</sup> Section [1012.56\(2\)\(a\)-\(i\), F.S.](#)

<sup>19</sup> Section [1012.56\(2\)\(c\), F.S.](#); r. 6A-4.003(1), F.A.C. (approved accrediting agencies); see also 34 C.F.R. ss. 602.1-602.50; U.S. Department of Education, *Institutional Accrediting Agencies*, <https://www.ecfr.gov/current/title-34/subtitle-B/chapter-VI/part-602> (last visited Mar. 6, 2026).

<sup>20</sup> Section [1012.56\(2\)\(c\), F.S.](#); r. 6A-4.003(2), F.A.C. (criteria for approval of nonaccredited institutions of higher learning). For initial certification, an applicant must attain at least a 2.5 overall grade point average on a 4.0 scale in the applicant’s major field of study. Section [1012.56\(2\)\(c\), F.S.](#)

- demonstrate mastery of general knowledge;<sup>21</sup>
- demonstrate mastery of subject area knowledge;<sup>22</sup> and
- demonstrate mastery of professional preparation and education competence, if the person serves as a classroom teacher or school administrator.<sup>23</sup>

### Demonstrating Mastery of General Knowledge

Mastery of general knowledge may be demonstrated through any of the following methods:

- achieving a passing score on the General Knowledge Test;<sup>24</sup>
- achieving passing scores established in SBE rule on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills (*e.g.*, the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination);<sup>25</sup>
- providing documentation of a valid professional standard teaching certificate issued by another U.S. state or territory,<sup>26</sup> by the National Board for Professional Teaching Standards (NBPTS),<sup>27</sup> or by the American Board for Certification of Teacher Excellence (ABCTE);<sup>28</sup>
- completing two semesters of successful, part-time or full-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution identified by the DOE as having a quality program;<sup>29</sup> or
- documentation of receipt of a master's or higher degree from an accredited postsecondary institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher.<sup>30</sup>

### Demonstrating Mastery of Subject Area Knowledge

Mastery of subject area knowledge may be demonstrated through any of the following methods:

- **Bachelor's Degree Level** (for certification in a subject area for which SBE rule requires a bachelor's or higher degree):
  - If a Florida subject area examination has been developed, achieving a passing score on the Florida-developed subject area examination specified in SBE rule<sup>31</sup> or documentation of receipt of a

<sup>21</sup> Section [1012.56\(2\)\(g\) and \(3\), F.S.](#); DOE, *General Knowledge*, <http://www.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.stml> (last visited Mar. 6, 2026).

<sup>22</sup> Section [1012.56\(2\)\(h\) and \(5\), F.S.](#)

<sup>23</sup> Section [1012.56\(2\)\(i\) and \(6\), F.S.](#); DOE, *Professional Preparation and Education Competence*, <http://www.fldoe.org/teaching/certification/general-cert-requirements/professional-preparation-edu-competenc.stml> (last visited Mar. 6, 2026).

<sup>24</sup> Section [1012.56\(3\)\(a\), F.S.](#) The General Knowledge Test is part of the Florida Teacher Certification Examinations and is administered as four subtests: Reading, English Language Skills, Essay, and Mathematics. Rule 6A-4.0021(7), F.A.C.; *see also* DOE, *Competencies and Skills Required for Teacher Certification in Florida*, s. 82 (27<sup>th</sup> ed., 2022), *available at* <https://www.fldoe.org/core/fileparse.php/7479/urlt/FTCE27thEdition22Rule.pdf> (competencies and skills measured by General Knowledge Test).

<sup>25</sup> Section [1012.56\(3\)\(e\), F.S.](#) The passing scores to be identified in state board rule must be at approximately the same level of rigor as is required to pass the General Knowledge Test. Rule 6A-4.002(4), F.A.C.

<sup>26</sup> Section [1012.56\(3\)\(b\), F.S.](#); *see* rr. 6A-4.002(1)(i) and 6A-4.003, F.A.C. (flush-left provisions following r. 6A-4.003(2)(e), F.A.C.). Section [1012.56\(3\)\(b\), F.S.](#) specifies that a valid professional standard teaching certificate issued by *another state* is an acceptable means of demonstrating mastery of general knowledge. The DOE also recognizes certificates issued by U.S. territories. *See* DOE, *General Knowledge*, <http://www.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.stml> (last visited Mar. 6, 2026).

<sup>27</sup> Section [1012.56\(3\)\(c\), F.S.](#); *see* r. 6A-4.002(1)(j), F.A.C.; *see also* National Board for Professional Teaching Standards, <https://www.nbpts.org/> (last visited Mar. 6, 2026).

<sup>28</sup> Section [1012.56\(3\)\(c\), F.S.](#); *see* r. 6A-4.002(1)(j), F.A.C.

<sup>29</sup> Section [1012.56\(3\)\(d\), F.S.](#); *see also* r. 6A-4.003(1)-(2), F.A.C. (approval of accredited and nonaccredited institutions of higher learning).

<sup>30</sup> Section [1012.56\(3\)\(f\), F.S.](#)

<sup>31</sup> Section [1012.56\(5\)\(a\), F.S.](#) The Florida Teacher Certification Examinations include 39 subject area tests. DOE, *Test Information Guides*, [http://www.fl.nesinc.com/FL\\_TIGS.asp](http://www.fl.nesinc.com/FL_TIGS.asp) (last visited Mar. 6, 2026); *see also* DOE, *Competencies and Skills Required for Teacher Certification in Florida*, ss. 1-63 (27<sup>th</sup> ed., 2022), *available at*

master's or higher degree from an accredited postsecondary institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher in the certificate subject area as identified in SBE rule.<sup>32</sup>

- If a Florida subject area examination has not been developed, achieving a passing score on a standardized examination specified in SBE rule, including passing scores on both the oral proficiency and written proficiency examinations administered by the American Council on the Teaching of Foreign Languages<sup>33</sup> or successful completion of a United States Defense Language Institute Foreign Language Center program or a passing score on the Defense Language Proficiency Test.<sup>34</sup>
- For certification in any other subject area for which there is no Florida subject area test or standardized examination specified in state board rule (e.g., Dance), completing the required bachelor's or higher degree and content courses specified in SBE rule<sup>35</sup> and verification of subject area competence by the district school superintendent or, for a state-supported or private school, the school's chief administrative officer.<sup>36</sup>
- **Master's Degree Level** (for certification in a subject area for which SBE rule requires a master's or higher degree): Completing the required master's or higher degree and content courses specified in SBE rule and achieving a passing score on the corresponding Florida-developed subject area test or standardized examination specified in SBE rule.<sup>37</sup>
- **Out-of-State Certification:** Providing documentation of a valid professional standard teaching certificate issued for a subject area by another U.S. state or territory or by NBPTS or ABCTE, if the certificate is comparable to the Florida professional certificate issued for the same subject area.<sup>38</sup>

### Demonstration of Professional Preparation and Education Competence

Mastery of professional preparation and education competence may be demonstrated through any of the following methods:

- successful completion of an approved teacher preparation program at a postsecondary educational institution within this state and achievement of a passing score on the professional education competency examination required by SBE rule;
- successful completion of a teacher preparation program at a postsecondary educational institution outside Florida and achievement of a passing score on the professional education competency examination required by SBE rule;
- documentation of a valid professional standard teaching certificate issued by another state;
- documentation of a valid certificate issued by the NBPTS or a national educator credentialing board approved by the SBE;
- documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the DOE as having a quality

<https://www.fldoe.org/core/fileparse.php/7479/urlt/FTCE27thEdition22Rule.pdf>; see also r. 6A-4.0021(9), F.A.C. (scoring of subject area tests).

<sup>32</sup> Section [1012.56\(5\)\(i\), F.S.](#)

<sup>33</sup> Section [1012.56\(5\)\(b\), F.S.](#); r. 6A-4.0243(1)(e), F.A.C.; see American Council on the Teaching of Foreign Languages (ACTFL), *Assessments*, <https://www.actfl.org/assessments> (last visited Mar. 6, 2026); Language Testing International (ACTFL Language Testing Office), *ACTFL*, <https://www.languagetesting.com/> (last visited Mar. 6, 2026).

<sup>34</sup> Section [1012.56\(5\)\(g\)-\(h\), F.S.](#)

<sup>35</sup> See, e.g., r. 6A-4.0123, F.A.C. (specialization requirements for certification in dance); see also DOE, *Florida Certificate Subjects*, <http://www.fldoe.org/teaching/certification/certificate-subjects/> (last visited Mar. 6, 2026).

<sup>36</sup> Section [1012.56\(5\)\(c\), F.S.](#); r. 6A-4.002(4), F.A.C.

<sup>37</sup> Section [1012.56\(5\)\(d\), F.S.](#); see DOE, *Florida Certificate Subjects*, <http://www.fldoe.org/teaching/certification/certificate-subjects/> (last visited Mar. 6, 2026).

<sup>38</sup> Section [1012.56\(5\)\(e\), F.S.](#), and (f), F.S.; r. 6A-4.002(1)(i)-(j), F.A.C.; DOE, *NBPTS Certificate Subjects and Corresponding Subjects in Florida*, <http://www.fldoe.org/teaching/certification/pathways-routes/nbpts-certificate-subjects-correspondi.stml> (last visited Mar. 6, 2026).

program and achievement of a passing score on the professional education competency examination required by SBE rule;

- successful completion of professional preparation courses as specified in SBE rule, successful completion of a professional education competence program, and documentation of 3 years of being rated effective or highly effective while holding a temporary certificate;
- successful completion of a professional learning certification program; or
- successful completion of a competency-based certification program and achievement of a passing score on the professional education competency examination required by rule of the SBE.<sup>39</sup>

### **Educator Certification Examination Fees**

The DOE sets registration fees for the various exams required for educator certification, including initial registration and retakes.<sup>40</sup> For the general knowledge exam, the initial registration fee is \$130.00 for the full battery of 4 subjects. An individual is able to retake the General Knowledge exam by subtest with the retake registration fees being the following:

- One subtest - \$32.50.
- Two subtests - \$60.00.
- Three subtests - \$97.50.
- Full battery retake - \$130.00.<sup>41</sup>

For subject area examinations, the initial registration fee is \$150.00. For subject area exams with subparts, the \$150.00 fee is divided evenly among the subparts for retakes. If the subject area exam does not have subparts then the retake fee is \$150.00.<sup>42</sup>

For the Professional Education examination, the initial registration fee, as well as the fee for a retake of the exam, is \$150.00.<sup>43</sup>

Current law and rule provide for several fee waivers including the Military Testing Fee Waiver,<sup>44</sup> Retired First Responder Fee Waiver,<sup>45</sup> and Exceptional Student Education K–12/Elementary Education K–6 Waivers.<sup>46</sup>

### **School Counselor Certification Specializations**

An individual holding an educator certification from the DOE may apply for an additional coverage<sup>47</sup> or endorsement<sup>48</sup> indicating advanced education or experience in a particular subject, area, or field.<sup>49</sup> The DOE offers a specialization for certification in school counseling that can be earned under three plans:

- Plan One. A master’s or higher degree with a graduate major in guidance and counseling or school counseling that includes a minimum of 600 clock hours of supervised internship serving school-aged students in a prekindergarten, an elementary or a secondary school setting; or

<sup>39</sup> Section [1012.56\(6\), F.S.](#)

<sup>40</sup> See r. 6A-4.0021, F.A.C.

<sup>41</sup> Rule 6A-4.0021(4)(b), F.A.C.

<sup>42</sup> Rule 6A-4.0021(4)(b)-(e), F.A.C.

<sup>43</sup> *Id.*

<sup>44</sup> Section [1012.59\(3\)\(a\)-\(c\), F.S.](#) and r. 6A-4.0021(13), F.A.C.

<sup>45</sup> Section [1012.59\(3\)\(d\), F.S.](#) and r. 6A-4.0021(14), F.A.C.

<sup>46</sup> Section [1012.59\(4\), F.S.](#) and r. 6A-4.0021(15), F.A.C.

<sup>47</sup> The term “coverage” as used SBE rules for educator certification purposes shall be defined as the designation on a Florida educator’s certificate which indicates the area in which an individual has a content knowledge base. The term “coverage” shall be used synonymously with the terms “subject,” “area,” or “field.”

<sup>48</sup> The term “endorsement” as used in SBE rules for educator certification purposes shall be defined as a rider on a Florida educator’s certificate with a designated coverage. An endorsement shown on a certificate with a coverage signifies a pedagogical knowledge base which targets particular levels, stages of development, or circumstances.

<sup>49</sup> Rule 6A-4.002(1)(e)-(f), F.A.C.

- Plan Two. A master’s or higher degree with a graduate in counseling other than guidance and counseling or school counseling that includes a minimum 600 clock hours of supervised internship with school-aged children and their families with at least 9 semester hours of graduate credit to include the following areas:
  - student appraisal and evaluation methods in prekindergarten, elementary and secondary schools including interpretation and analysis of standardized tests and other assessment results that assist students in career exploration, academic skills and personal and social skill development;
  - college and career planning for prekindergarten, elementary and secondary school students including college and career exploration and knowledge of financial aid and financing of postsecondary education options;
  - principles, philosophy, organization and administration of a comprehensive school counseling program in prekindergarten, elementary and secondary schools; and
  - consultation skills and techniques for conferring with groups such as agencies, teachers and parents.
- Plan Three. A master’s or higher degree with a graduate major in school counseling that includes a minimum of 300 clock hours of supervised internship serving school-aged students in a prekindergarten, elementary or secondary school setting if the applicant:
  - is a current full-time teacher;
  - has been employed as a teacher for at least five school years; and
  - has earned an effective or highly effective rating under Section [1012.34, F.S.](#), on his or her performance evaluation for the most recent three years the teacher was employed in a Florida public school.<sup>50</sup>

Additionally, individuals seeking the school counseling specialization must pass the School Counseling (PK-12) subject area examination adopted by the SBE.<sup>51</sup>

### **School District Personnel Performance Evaluations**

Florida law requires each district school superintendent to establish procedures to evaluate the job performance of district instructional, administrative, and supervisory personnel employed by the school district. The procedures established by the district school superintendent set the standards of service to be offered to the public and are not subject to collective bargaining.<sup>52</sup> The DOE must approve each school district’s instructional personnel and school administrators performance evaluation system, which must:

- be based upon sound educational principles and contemporary research in effective educational practices;
- be designed to support effective instruction and student learning growth;
- be used when developing district and school improvement plans as well as identifying professional development;
- provide appropriate instruments, procedures, timely feedback, and criteria for continuous quality improvement of professional skills of instructional personnel and school administrators;
- examine performance data from multiple sources, including opportunities for parental input;
- identify teaching fields for which special evaluation criteria are necessary;
- differentiate among four levels of performance;<sup>53</sup> and
- provide for training on the use of the evaluation system.<sup>54</sup>

A district school board must annually review its evaluation system for compliance with state law. Any substantial revisions to the system must be approved by the board before being used to evaluate instructional personnel or

<sup>50</sup> Rule 6A-4.0181, F.A.C.

<sup>51</sup> See [s. 1012.56\(5\)\(d\), F.S.](#); r. 6A-4.002 and 6A-4.0021, F.A.C.

<sup>52</sup> Section [1012.34\(1\)\(a\), F.S.](#) The term “supervisory personnel” is not defined. See [s. 1012.01\(3\), F.S.](#)

<sup>53</sup> The four levels of performance include highly effective, effective, needs improvement, and unsatisfactory. See [s. 1012.34\(2\)\(e\)1.-4., F.S.](#)

<sup>54</sup> Section [1012.34\(1\)\(b\), \(2\), and \(3\)\(a\), F.S.](#) See r. 6A-5.030, F.A.C. (establishing process for submitting district evaluation system plans to the DOE for approval).

school administrators. DOE must monitor each school district's implementation of its evaluation system for compliance with state law.<sup>55</sup>

Instructional personnel and school administrators must be evaluated annually, except that newly hired classroom teachers must be evaluated at least twice in their first year of teaching in the school district.<sup>56</sup> "Newly hired classroom teachers" include first-time teachers new to the profession as well as veteran teachers new to the school district. Although substitute teachers are classified as classroom teachers, they are excluded from performance evaluation requirements.<sup>57</sup> Whether a performance evaluation is required for instructional personnel who teach at a school district career technical center depends upon whether courses taught by the personnel lead to high school credit for students taking the course and whether the personnel is a school district employee.<sup>58</sup> Likewise, career center directors must be evaluated to the extent that K-12 students are enrolled in courses leading to high school credit offered by the center.<sup>59</sup>

Each employee's evaluation must be conducted by his or her supervisor, who may consider input from other trained personnel.<sup>60</sup> Each performance evaluation system must provide training to evaluators on the proper use of the evaluation criteria and procedures and must include processes for monitoring evaluator reliability and system effectiveness.<sup>61</sup>

The criteria used to evaluate instructional personnel are student performance, instructional practice, and other indicators of performance identified by the district school board.<sup>62</sup> Similarly, the criteria used to measure school administrator performance are student performance, instructional leadership, and other indicators of performance identified by the district school board.<sup>63</sup> At least one third of an instructional personnel or school administrator evaluation must be based upon student performance and at least another one third based on instructional practice or instructional leadership.<sup>64</sup>

The portion of the evaluation based on student performance must include growth or achievement data of the teacher's students or, for a school administrator, the students attending the school over the course of at least 3 years.<sup>65</sup> Evaluation criteria for instructional practices used when annually observing classroom teachers must include indicators based upon each of the Florida Educator Accomplished Practices adopted by the SBE and may include specific job expectations related to student support. The evaluation system procedures and requirements may not prevent a school administrator from visiting and observing classroom teachers throughout the year for the purposes of providing mentorship, training, instructional feedback, or professional learning.<sup>66</sup> Evaluation criteria for instructional leadership must include indicators based upon each of the leadership standards adopted by the SBE, including performance measures related to the effectiveness of classroom teachers in the school, the administrator's appropriate use of evaluation criteria and procedures, recruitment and retention of effective and

<sup>55</sup> Section [1012.34\(1\)\(b\) and \(6\), F.S.](#) Rule 6A-5.030(4)(a), F.A.C., requires each school district, as part of DOE's process for monitoring evaluation systems, to resubmit its plan for approval whenever the plan is substantially revised. *See also* Florida Department of Education, *Approved Instructional Personnel Evaluation Systems*, <https://www.fldoe.org/teaching/performance-evaluation/instructional.shtml> (last visited Mar. 6, 2026).

<sup>56</sup> Section [1012.34\(3\)\(a\), F.S.](#)

<sup>57</sup> *See* [s. 1012.34\(3\)\(a\), F.S.](#); *see also* r. 6A-5.030(2)(h), F.A.C.

<sup>58</sup> *See* ss. [1001.44](#), [1012.01\(2\)](#), and [1012.34, F.S.](#)

<sup>59</sup> *See* [s. 1012.01\(3\), F.S.](#); *see also* ss. [1001.44](#) and [1012.34, F.S.](#)

<sup>60</sup> Section [1012.34\(3\)\(c\), F.S.](#)

<sup>61</sup> Section [1012.34\(2\)\(f\), F.S.](#)

<sup>62</sup> Section [1012.34\(3\)\(a\)1., 2., and 4., F.S.](#)

<sup>63</sup> Section [1012.34\(3\)\(a\)1., 3., and 4., F.S.](#)

<sup>64</sup> Section [1012.34\(3\)\(a\), F.S.](#) *See also*, Florida Department of Education, Performance Evaluation, <https://www.fldoe.org/teaching/performance-evaluation/> (last visited Mar. 6, 2026).

<sup>65</sup> Section [1012.34\(3\)\(a\)1. and 3., F.S.](#)

<sup>66</sup> Section [1012.34\(3\)\(a\)2., F.S.](#)

highly effective classroom teachers, improvement in the percentage of instructional personnel evaluated at the highly effective or effective level, and other leadership practices that result in student learning growth.<sup>67</sup>

For instructional personnel and school administrators, the remainder of a performance evaluation may include, but is not limited to, professional and job responsibilities as recommended by the SBE or identified by the district school board and, for instructional personnel, peer reviews, objectively reliable survey information from students and parents based on teaching practices that are consistently associated with higher student achievement, and other valid and reliable measures of instructional practice.<sup>68</sup> All personnel must be fully informed of the criteria, data sources, methodologies, and procedures associated with the evaluation process before the evaluation takes place.<sup>69</sup>

#### RECENT LEGISLATION:

| YEAR | BILL #/SUBJECT                               | HOUSE/SENATE<br>SPONSOR(S)  | OTHER INFORMATION                 |
|------|--|-----------------------------|-----------------------------------|
| 2023 | <a href="#">CS/CS/CS/HB 1537</a> - Education | Rizo, Daniels/ <i>Avila</i> | The bill became law July 1, 2023. |

#### OTHER RESOURCES:

[Rule 6A-4.0181, F.A.C. - Specialization Requirements for Certification in School Counseling \(Grades PK-12\) - Specialty Class](#)

[Rule 6A-4.0181 - Specialization Requirements for Certification in School Counseling \(Grades PK-12\) - Specialty Class](#)

<sup>67</sup> Section [1012.34\(3\)\(a\)3., F.S.](#)

<sup>68</sup> Section [1012.34\(3\)\(a\)4., F.S.](#)

<sup>69</sup> Section [1012.34\(3\)\(b\), F.S.](#)