



537056

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
03/04/2015	.	
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The Committee on Education Pre-K - 12 (Bullard) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 387 - 482

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 administered pursuant to s. 1008.22, the ~~2014-2015~~ school grades



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11 ~~shall~~ serve as an informational baseline for schools to work  
12 toward improved performance in future years. Accordingly,  
13 notwithstanding any other provision of law:

14 (a) A school may not be required to select and implement a  
15 turnaround option pursuant to s. 1008.33 in the 2015-2016 or  
16 2016-2017 school year based on the school's 2014-2015 or 2015-  
17 2016 grade or school improvement rating under s. 1008.341, as  
18 applicable.

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

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

32 (c) For purposes of determining grade 3 retention pursuant  
33 to s. 1008.25(5) and high school graduation pursuant to s.  
34 1003.4282, student performance on the 2014-2015 statewide,  
35 standardized assessments shall be linked to 2013-2014 student  
36 performance expectations.

37

38 This subsection is repealed July 1, 2017.

39 Section 6. Paragraph (a) of subsection (3) and subsections



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40 (7) and (8) of section 1012.34, Florida Statutes, are amended to  
41 read:

42 1012.34 Personnel evaluation procedures and criteria.—

43 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional  
44 personnel and school administrator performance evaluations must  
45 be based upon the performance of students assigned to their  
46 classrooms or schools, as provided in this section. Pursuant to  
47 this section, a school district's performance evaluation is not  
48 limited to basing unsatisfactory performance of instructional  
49 personnel and school administrators solely upon student  
50 performance, but may include other criteria approved to evaluate  
51 instructional personnel and school administrators' performance,  
52 or any combination of student performance and other approved  
53 criteria. Evaluation procedures and criteria must comply with,  
54 but are not limited to, the following:

55 (a) A performance evaluation must be conducted for each  
56 employee at least once a year, except that a classroom teacher,  
57 as defined in s. 1012.01(2)(a), excluding substitute teachers,  
58 who is newly hired by the district school board must be observed  
59 and evaluated at least twice in the first year of teaching in  
60 the school district. The performance evaluation must be based  
61 upon sound educational principles and contemporary research in  
62 effective educational practices. The evaluation criteria must  
63 include:

64 1. Performance of students.—At least 33 ~~50~~ percent of a  
65 performance evaluation must be based upon data and indicators of  
66 student learning growth assessed annually by statewide  
67 assessments or, for subjects and grade levels not measured by  
68 statewide assessments, by school district assessments pursuant



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69 to subsection (7) as provided in s. 1008.22(6). Each school  
70 district must use the formula adopted pursuant to paragraph  
71 (7)(a) for measuring student learning growth in all courses  
72 associated with statewide assessments and must select an equally  
73 appropriate formula for measuring student learning growth for  
74 all other grades and subjects, except as otherwise provided in  
75 subsection (7).

76 a. For classroom teachers, as defined in s. 1012.01(2)(a),  
77 excluding substitute teachers, the student learning growth  
78 portion of the evaluation must include growth data for students  
79 assigned to the teacher over the course of at least 3 years. If  
80 less than 3 years of data are available, the years for which  
81 data are available must be used and the percentage of the  
82 evaluation based upon student learning growth may be reduced to  
83 not less than 30 40 percent.

84 b. For instructional personnel who are not classroom  
85 teachers, the student learning growth portion of the evaluation  
86 must include growth data on statewide assessments for students  
87 assigned to the instructional personnel over the course of at  
88 least 3 years, or may include a combination of student learning  
89 growth data and other measurable student outcomes that are  
90 specific to the assigned position, provided that the student  
91 learning growth data accounts for not less than 30 percent of  
92 the evaluation. If less than 3 years of student growth data are  
93 available, the years for which data are available must be used  
94 and the percentage of the evaluation based upon student learning  
95 growth may be reduced to not less than 20 percent.

96 c. For school administrators, the student learning growth  
97 portion of the evaluation must include growth data for students



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98 assigned to the school over the course of at least 3 years. If  
99 less than 3 years of data are available, the years for which  
100 data are available must be used and the percentage of the  
101 evaluation based upon student learning growth may be reduced to  
102 not less than 30 ~~40~~ percent.

103 d. Notwithstanding any other provision of law, performance  
104 evaluations based upon data and indicators for the 2014-2015 and  
105 2015-2016 school years may not use student learning growth as  
106 required under this subparagraph if such use would result in a  
107 lower level of performance as specified in paragraph (2)(e) than  
108 the level of performance which would result without the use of  
109 student learning growth.

110  
111 ===== T I T L E A M E N D M E N T =====

112 And the title is amended as follows:

113 Delete lines 40 - 44

114 and insert:

115 amending s. 1008.34, F.S.; providing that school  
116 grades and school improvement ratings for specified  
117 school years shall serve as an informational baseline;  
118 prohibiting a school from being required to implement  
119 a school turnaround option in a specified school year  
120 based on certain school grades or improvement ratings;  
121 prohibiting a virtual instruction program from being  
122 subject to sanctions or penalties based on certain  
123 school grades or improvement ratings; prohibiting a  
124 charter school system or school district from losing a  
125 designation as high performing based on certain school  
126 grades or improvement ratings in a specified school



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127 year; amending s. 1012.34, F.S.; revising the  
128 percentage thresholds for performance evaluation  
129 criteria for instructional personnel and school  
130 administrators; prohibiting the use of student  
131 learning growth in performance evaluations under  
132 certain circumstances; authorizing use of peer reviews