



587488

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2015	.	
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Appropriations Subcommittee on Education (Legg, Montford, and Gaetz) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (18) is added to section 1001.03,  
Florida Statutes, to read:

1001.03 Specific powers of State Board of Education.—

(18) PUBLICATION OF GRADE 3 RETENTION AND MIDYEAR PROMOTION  
AND HIGH SCHOOL GRADUATION REQUIREMENTS AND OPTIONS.—The State  
Board of Education shall adopt by rule:



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11       (a) A notification form that clearly identifies for parents  
12 and students the grade 3 retention and midyear promotion  
13 requirements, processes, and options, as well as the high school  
14 graduation requirements, processes, and options. The rule must  
15 require school districts to publish this notification form on  
16 their websites and include the form in annual student handbooks.

17       (b) A requirement that school districts attach the  
18 notification form when providing student performance results to  
19 parents on statewide, standardized assessments administered  
20 pursuant to ss. 1002.69, 1003.56, and 1008.22.

21       Section 2. Paragraphs (a), (d), and (h) of subsection (3)  
22 and subsection (6) of section 1008.22, Florida Statutes, are  
23 amended to read:

24       1008.22 Student assessment program for public schools.—

25       (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The  
26 Commissioner of Education shall design and implement a  
27 statewide, standardized assessment program aligned to the core  
28 curricular content established in the Next Generation Sunshine  
29 State Standards. The commissioner also must develop or select  
30 and implement a common battery of assessment tools that will be  
31 used in all juvenile justice education programs in the state.  
32 These tools must accurately measure the core curricular content  
33 established in the Next Generation Sunshine State Standards.  
34 Participation in the assessment program is mandatory for all  
35 school districts and all students attending public schools,  
36 including adult students seeking a standard high school diploma  
37 under s. 1003.4282 and students in Department of Juvenile  
38 Justice education programs, except as otherwise provided by law.  
39 If a student does not participate in the assessment program, the



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40 school district must notify the student's parent and provide the  
41 parent with information regarding the implications of such  
42 nonparticipation. The statewide, standardized assessment program  
43 shall be designed and implemented as follows:

44 (a) *Statewide, standardized comprehensive assessments.*—The  
45 statewide, standardized Reading assessment shall be administered  
46 annually in grades 3 through 10. The statewide, standardized  
47 Writing assessment shall be administered annually at least once  
48 at the elementary, middle, and high school levels. When the  
49 Reading and Writing assessments are replaced by English Language  
50 Arts (ELA) assessments, ELA assessments shall be administered to  
51 students in grades 3 through 10 ~~11~~. Retake opportunities for the  
52 grade 10 Reading assessment or, upon implementation, the grade  
53 10 ELA assessment must be provided. Students taking the ELA  
54 assessments shall not take the statewide, standardized  
55 assessments in Reading or Writing. ELA assessments shall be  
56 administered online. The statewide, standardized Mathematics  
57 assessments shall be administered annually in grades 3 through  
58 8. Students taking a revised Mathematics assessment shall not  
59 take the discontinued assessment. The statewide, standardized  
60 Science assessment shall be administered annually at least once  
61 at the elementary and middle grades levels. In order to earn a  
62 standard high school diploma, a student who has not earned a  
63 passing score on the grade 10 Reading assessment or, upon  
64 implementation, the grade 10 ELA assessment must earn a passing  
65 score on the assessment retake or earn a concordant score as  
66 authorized under subsection (7).

67 (d) *Implementation schedule.*—

68 1. The Commissioner of Education shall establish and



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69 publish on the department's website an implementation schedule  
70 to transition from the statewide, standardized Reading and  
71 Writing assessments to the ELA assessments and to the revised  
72 Mathematics assessments, including the Algebra I and Geometry  
73 EOC assessments. The schedule must take into consideration  
74 funding, sufficient field and baseline data, access to  
75 assessments, instructional alignment, and school district  
76 readiness to administer the assessments online. All such  
77 assessments must be delivered through computer-based testing.  
78 However, the following assessments must be delivered in a  
79 computer-based format, as follows: the grade 3 ELA assessment  
80 beginning in the 2017-2018 school year; the grade 3 mathematics  
81 assessment beginning in the 2016-2017 school year; the grade 4  
82 ELA assessment beginning in the 2015-2016 school year; and the  
83 grade 4 Mathematics assessment beginning in the 2016-2017 school  
84 year. Paper-based administrations of assessments must, at a  
85 minimum, include paper-based accommodations available for  
86 eligible students whose IEPs or Section 504 plans indicate a  
87 need for a paper-based format.

88         2. The Department of Education shall publish minimum and  
89 recommended technology requirements that include specifications  
90 for hardware, software, networking, security, and broadband  
91 capacity to facilitate school district compliance with the  
92 requirement that assessments be administered online.

93         (h) *Contracts for assessments.*—

94         1. The commissioner shall provide for the assessments to be  
95 developed or obtained, as appropriate, through contracts and  
96 project agreements with private vendors, public vendors, public  
97 agencies, postsecondary educational institutions, or school



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98 districts. The commissioner may enter into contracts for the  
99 continued administration of the assessments authorized and  
100 funded by the Legislature. Contracts may be initiated in 1  
101 fiscal year and continue into the next fiscal year and may be  
102 paid from the appropriations of either or both fiscal years. The  
103 commissioner may negotiate for the sale or lease of tests,  
104 scoring protocols, test scoring services, and related materials  
105 developed pursuant to law.

106 2. A student's performance results on statewide,  
107 standardized comprehensive assessments, EOC assessments, and  
108 Florida Alternate Assessments administered pursuant to this  
109 subsection must be provided to the student's teachers and  
110 parents within 30 days after administering such assessments.  
111 This subparagraph does not apply to existing contracts for such  
112 assessments, but shall apply to new contracts and any renewal of  
113 existing contracts for such assessments.

114 3. If liquidated damages are applicable, the department  
115 shall collect and distribute liquidated damages that are due in  
116 response to the administration of the spring 2015 computer-based  
117 assessments of the department's Florida Standards Assessment  
118 contract with American Institutes for Research, to school  
119 districts as determined by the Legislature.

120 (6) LOCAL ASSESSMENTS.—

121 (a) Measurement of student performance ~~in all subjects and~~  
122 ~~grade levels~~, except in those subjects and grade levels measured  
123 under the statewide, standardized assessment program described  
124 in this section, is the responsibility of the school districts.  
125 However, a school district may not administer an additional,  
126 cumulative final local assessment for a course measured under a



127 statewide, standardized end-of-course assessment. A school  
128 district must provide a student's performance results on  
129 district-required local assessments to the student's teachers  
130 and parents within 30 days after administering such assessments.

131 ~~(b) Except for those subjects and grade levels measured~~  
132 ~~under the statewide, standardized assessment program, beginning~~  
133 ~~with the 2014-2015 school year, each school district shall~~  
134 ~~administer for each course offered in the district a local~~  
135 ~~assessment that measures student mastery of course content at~~  
136 ~~the necessary level of rigor for the course. As adopted pursuant~~  
137 ~~to State Board of Education rule, course content is set forth in~~  
138 ~~the state standards required by s. 1003.41 and in the course~~  
139 ~~description. Local assessments may include:~~

- 140 ~~1. Statewide assessments.~~
- 141 ~~2. Other standardized assessments, including nationally~~  
142 ~~recognized standardized assessments.~~
- 143 ~~3. Industry certification assessments.~~
- 144 ~~4. District-developed or district-selected end-of-course~~  
145 ~~assessments.~~
- 146 ~~5. Teacher-selected or principal-selected assessments.~~

147 ~~(c) Each district school board must adopt policies for~~  
148 ~~selection, development, administration, and scoring of local~~  
149 ~~assessments and for collection of assessment results. Local~~  
150 ~~assessments implemented under subparagraphs (b) 4. and 5. may~~  
151 ~~include a variety of assessment formats, including, but not~~  
152 ~~limited to, project-based assessments, adjudicated performances,~~  
153 ~~and practical application assignments. For all English Language~~  
154 ~~Arts, mathematics, science, and social studies courses offered~~  
155 ~~in the district that are used to meet graduation requirements~~



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156 ~~under s. 1002.3105, s. 1003.4281, or s. 1003.4282 and that are~~  
157 ~~not otherwise assessed by statewide, standardized assessments,~~  
158 ~~the district school board must select the assessments described~~  
159 ~~in subparagraphs (b)1.-4.~~

160 ~~(d)~~ The Commissioner of Education shall identify methods to  
161 assist and support districts in the development and acquisition  
162 of local assessments ~~required under this subsection~~. Methods may  
163 include developing item banks, facilitating the sharing of  
164 developed tests among school districts, acquiring assessments  
165 from state and national curriculum-area organizations, and  
166 providing technical assistance in best professional practices of  
167 test development based upon state-adopted curriculum standards,  
168 administration, and security.

169 ~~(c)~~~~(e)~~ Each school district shall establish schedules for  
170 the administration of any district-required local ~~district-~~  
171 ~~mandated~~ assessment and approve the schedules as an agenda item  
172 at a district school board meeting. A school district may not  
173 schedule more than 5 percent of a student's total school hours  
174 in a school year to administer statewide, standardized  
175 assessments and district-required local assessments. The  
176 district must secure written consent from a student's parent  
177 before administering district-required local assessments that,  
178 after applicable statewide, standardized assessments are  
179 scheduled, exceed the 5 percent test administration limit for  
180 that student under this paragraph. The 5 percent test  
181 administration limit for a student under this paragraph may be  
182 exceeded as needed to provide test accommodations that are  
183 required by an IEP or are appropriate for an English language  
184 learner who is currently receiving services in a program



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185 operated in accordance with an approved English language learner  
186 district plan pursuant to s. 1003.56. Notwithstanding this  
187 paragraph, a student may choose within a school year to take an  
188 examination or assessment adopted by State Board of Education  
189 rule pursuant to this section and ss. 1007.27, 1008.30, and  
190 1008.44. The school district shall ~~adopt its~~ ~~publish the~~ testing  
191 schedule for statewide, standardized assessments and district  
192 required local assessments ~~schedules on its website~~, clearly  
193 specifying the ~~estimates of average time for administering such~~  
194 assessment by grade level. The district shall publish on its  
195 website ~~district-mandated assessments~~, and report the schedules  
196 to the Department of Education, in a format prescribed by the  
197 department, by October 1 of each year.

198 Section 3. Subsection (3) of section 1008.24, Florida  
199 Statutes, is amended to read:

200 1008.24 Test administration and security; public records  
201 exemption.—

202 (3) (a) A school district may contract with qualified  
203 contractors to administer and proctor statewide, standardized  
204 assessments required under s. 1008.22 or assessments associated  
205 with Florida approved courses under s. 1003.499, as approved by  
206 the Department of Education in accordance with rules of the  
207 State Board of Education. Assessments may be administered or  
208 proctored by qualified contractors at sites that meet criteria  
209 established by rules of the State Board of Education and adopted  
210 pursuant to ss. 120.536(1) and 120.54 to implement the  
211 contracting requirements of this subsection.

212 (b) A school district may use district employees, such as  
213 education paraprofessionals as described in s. 1012.37, to





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214 administer and proctor statewide, standardized assessments  
215 required under s. 1008.22 or assessments associated with Florida  
216 approved courses under s. 1003.499, in accordance with this  
217 section and related rules adopted by the State Board of  
218 Education. The rules must establish training requirements that  
219 must be successfully completed by district employees prior to  
220 the employees performing duties pursuant this paragraph.

221 Section 4. Paragraph (b) of subsection (2), subsections (3)  
222 and (4), paragraphs (a) and (c) of subsection (5), and paragraph  
223 (a) of subsection (8) of section 1008.25, Florida Statutes, are  
224 amended to read:

225 1008.25 Public school student progression; remedial  
226 instruction; reporting requirements.-

227 (2) COMPREHENSIVE STUDENT PROGRESSION PLAN.-Each district  
228 school board shall establish a comprehensive plan for student  
229 progression which must:

230 (b) Identify the ~~Provide~~ specific levels of performance in  
231 reading, writing, science, and mathematics for each grade level,  
232 ~~including the levels of performance on the~~ statewide,  
233 standardized assessments required by s. 1008.22 as defined by  
234 ~~the commissioner,~~ below which a student, pursuant to subsection  
235 (4), must receive remediation or be retained within an intensive  
236 program that is different from the previous year's program and  
237 that takes into account the student's learning style.

238 (3) ALLOCATION OF RESOURCES.-District school boards shall  
239 allocate remedial and supplemental instruction resources to  
240 students in the following priority:

241 (a) Students who are deficient in reading by the end of  
242 grade 3.



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243 (b) Students who fail to meet performance levels required  
244 for promotion consistent with the district school board's plan  
245 for student progression ~~required in paragraph (2) (b)~~.

246 (4) ASSESSMENT AND REMEDIATION.—

247 (a) Each student must participate in the statewide,  
248 standardized assessment program required by s. 1008.22. Each  
249 student who ~~does not meet specific levels of performance on the~~  
250 ~~required assessments as determined by the district school board~~  
251 ~~or who~~ scores below Level 3 on the statewide, standardized  
252 Reading assessment or, upon implementation, the English Language  
253 Arts assessment or on the statewide, standardized Mathematics  
254 assessments in grades 3 through 8 and the Algebra I EOC  
255 assessment must be provided with additional diagnostic  
256 assessments to determine the nature of the student's difficulty,  
257 the areas of academic need, and strategies for appropriate  
258 intervention and instruction as described in paragraph (b).

259 (b) The school in which the student is enrolled must  
260 develop, in consultation with the student's parent, and must  
261 implement a progress monitoring plan. A progress monitoring plan  
262 is intended to provide the school district and the school  
263 flexibility in meeting the academic needs of the student and to  
264 reduce paperwork. A student who is not meeting the ~~school~~  
265 ~~district or~~ state requirements for proficiency in reading and  
266 mathematics shall be covered by one of the following plans to  
267 target instruction and identify ways to improve his or her  
268 academic achievement:

269 1. A federally required student plan such as an individual  
270 education plan;

271 ~~2. A schoolwide system of progress monitoring for all~~



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272 ~~students,~~ or

273 2.3. An individualized progress monitoring plan.

274

275 The plan chosen must be designed to assist the student ~~or the~~  
276 ~~school~~ in meeting state ~~and district~~ expectations for  
277 proficiency. If the student has been identified as having a  
278 deficiency in reading, the K-12 comprehensive reading plan  
279 required by s. 1011.62(9) shall include instructional and  
280 support services to be provided to meet the desired levels of  
281 performance. District school boards may require low-performing  
282 students to attend remediation programs held before or after  
283 regular school hours or during the summer if transportation is  
284 provided.

285 (c) Upon subsequent evaluation, if the documented  
286 deficiency has not been remediated, the student may be retained.  
287 Each student who does not meet the minimum performance  
288 expectations identified in paragraph (2) (b) ~~defined by the~~  
289 ~~Commissioner of Education for the statewide assessment tests in~~  
290 ~~reading, writing, science, and mathematics~~ must continue to be  
291 provided with remedial or supplemental instruction until the  
292 expectations are met or the student graduates from high school  
293 or is not subject to compulsory school attendance.

294 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

295 (a) Any student who exhibits a substantial deficiency in  
296 reading, based upon ~~locally determined or~~ statewide assessments  
297 conducted in kindergarten or grade 1, grade 2, or grade 3, such  
298 as the statewide kindergarten screening administered under s.  
299 1002.69 and subsequent related reading readiness screening ~~or~~  
300 ~~through teacher observations~~, must be given intensive reading



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301 instruction immediately following the identification of the  
302 reading deficiency. The student's reading proficiency must be  
303 reassessed ~~by locally determined assessments or through teacher~~  
304 ~~observations at the beginning of the grade following the~~  
305 ~~intensive reading instruction.~~ The student must continue to be  
306 provided with intensive reading instruction until the reading  
307 deficiency is remedied.

308 (c) The parent of any student who exhibits a substantial  
309 deficiency in reading, as described in paragraph (a), must be  
310 notified in writing of the following:

311 1. That his or her child has been identified as having a  
312 substantial deficiency in reading.

313 2. A description of the current services that are provided  
314 to the child.

315 3. A description of the proposed supplemental instructional  
316 services and supports that will be provided to the child that  
317 are designed to remediate the identified area of reading  
318 deficiency.

319 4. That if the child's reading deficiency is not remediated  
320 by the end of grade 3, the child must be retained unless he or  
321 she is exempt from mandatory retention for good cause.

322 5. Strategies for parents to use in helping their child  
323 succeed in reading proficiency.

324 6. That the statewide, standardized assessment required  
325 under s. 1008.22 ~~Florida Comprehensive Assessment Test (FCAT)~~ is  
326 not the sole determiner of promotion and that additional  
327 evaluations, portfolio reviews, and assessments are available to  
328 the child to assist parents and the school district in knowing  
329 when a child is reading at or above grade level and ready for



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330 grade promotion.

331 7. The district's specific criteria and policies for a  
332 portfolio as provided in subparagraph (6)(b)4. and the evidence  
333 required for a student to demonstrate mastery of Florida's  
334 academic standards for English Language Arts. A parent of a  
335 student in grade 3 who is identified anytime during the year as  
336 being at risk of retention may request that the school  
337 immediately begin collecting evidence for a portfolio.

338 8. The district's specific criteria and policies for  
339 midyear promotion. Midyear promotion means promotion of a  
340 retained student at any time during the year of retention once  
341 the student has demonstrated ability to read at grade level.

342 (8) ANNUAL REPORT.—

343 (a) In addition to the requirements in paragraph (5)(b),  
344 each district school board must annually report to the parent of  
345 each student the progress of the student toward achieving state  
346 ~~and district~~ expectations for proficiency in reading, writing,  
347 science, and mathematics. The district school board must report  
348 to the parent the student's results on each statewide assessment  
349 test. The evaluation of each student's progress must be based  
350 upon the student's classroom work, observations, tests, district  
351 and state assessments, and other relevant information. Progress  
352 reporting must be provided to the parent in writing in a format  
353 adopted by the district school board.

354 Section 5. Subsections (1) and (3) of section 1008.30,  
355 Florida Statutes, are amended to read:

356 1008.30 Common placement testing for public postsecondary  
357 education.—

358 (1) The State Board of Education, in conjunction with the



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359 Board of Governors, shall develop and implement a common  
360 placement test for the purpose of assessing the basic  
361 computation and communication skills of students who intend to  
362 enter a degree program at any public postsecondary educational  
363 institution. Alternative assessments, such as the SAT, the ACT,  
364 and other assessments identified by rule, ~~that~~ may be accepted  
365 in lieu of the common placement test ~~shall also be identified in~~  
366 rule. Public postsecondary educational institutions shall  
367 provide appropriate modifications of the test instruments or  
368 test procedures for students with disabilities.

369 (3) The State Board of Education shall adopt rules that  
370 authorize ~~require~~ high schools, at the request of a parent, to  
371 evaluate before the beginning of grade 12 the college readiness  
372 of a ~~each~~ student who scores Level 2 or Level 3 on grade 10 FCAT  
373 Reading or the English Language Arts assessment under s.  
374 1008.22, as applicable, or Level 2, Level 3, or Level 4 on the  
375 Algebra I assessment under s. 1008.22. High schools may ~~shall~~  
376 perform this evaluation using results from the corresponding  
377 component of the common placement test prescribed in this  
378 section, or an alternative test identified by the State Board of  
379 Education, such as the SAT, the ACT, and other assessments  
380 identified by rule. The high school shall use the results of the  
381 test to advise the students of any identified deficiencies and  
382 to recommend ~~provide 12th grade students, and require them to~~  
383 ~~complete,~~ appropriate postsecondary preparatory instruction  
384 before high school graduation as an option to grade 12 students.  
385 The curriculum provided under this subsection shall be  
386 identified in rule by the State Board of Education and encompass  
387 Florida's Postsecondary Readiness Competencies. Other elective



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388 courses may not be substituted for the selected postsecondary  
389 mathematics, reading, writing, or English Language Arts  
390 preparatory course unless the elective course covers the same  
391 competencies included in the postsecondary mathematics, reading,  
392 writing, or English Language Arts preparatory course.

393 Section 6. Subsection (7) of section 1008.34, Florida  
394 Statutes, is amended to read:

395 1008.34 School grading system; school report cards;  
396 district grade.—

397 (7) TRANSITION.—School grades pursuant to this section and  
398 school improvement ratings pursuant to s. 1008.341 for the 2013-  
399 2014 school year shall be calculated based on statutes and rules  
400 in effect on June 30, 2014. To assist in the transition to 2014-  
401 2015 school grades and school improvement ratings, calculated  
402 based on new statewide, standardized assessments administered  
403 pursuant to s. 1008.22, the 2014-2015 school grades and school  
404 improvement ratings shall serve as an informational baseline for  
405 schools to work toward improved performance in future years.  
406 Accordingly, notwithstanding any other provision of law:

407 (a) A school may not be required to select and implement a  
408 turnaround option pursuant to s. 1008.33 in the 2015-2016 school  
409 year based on the school's 2014-2015 grade or school improvement  
410 rating under s. 1008.341, as applicable. The benefits of s.  
411 1008.33(4)(c), relating to a school being released from  
412 implementation of the turnaround option, and s. 1008.33(4)(d),  
413 relating to a school implementing strategies identified in its  
414 school improvement plan, apply to a school using turnaround  
415 options pursuant to s. 1008.33 which improves at least one  
416 letter grade during the 2014-2015 school year.



417 (b)1. A school or approved provider under s. 1002.45 which  
418 ~~that~~ receives the same or a lower school grade or school  
419 improvement rating for the 2014-2015 school year compared to the  
420 2013-2014 school year is not subject to sanctions or penalties  
421 that would otherwise occur as a result of the 2014-2015 school  
422 grade or rating. A charter school system or a school district  
423 designated as high performing may not lose the designation based  
424 on the 2014-2015 school grades of any of the schools within the  
425 charter school system or school district, as applicable.

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

429 (c) For purposes of determining grade 3 retention pursuant  
430 to s. 1008.25(5) and high school graduation pursuant to s.  
431 1003.4282, student performance on the 2014-2015 statewide,  
432 standardized assessments shall be linked to 2013-2014 student  
433 performance expectations.

434

435 This subsection is repealed July 1, 2017.

436 Section 7. Paragraphs (b) and (c) of subsection (1),  
437 paragraphs (a), (b), and (c) of subsection (3), and subsections  
438 (6), (7), (8), and (10) of section 1012.34, Florida Statutes,  
439 are amended to read:

440 1012.34 Personnel evaluation procedures and criteria.—

441 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

442 (b) The department must approve each school district's  
443 instructional personnel and school administrator evaluation  
444 systems. The department shall monitor each district's  
445 implementation of its instructional personnel and school





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446 administrator evaluation systems for compliance with the  
447 requirements of this section and ~~s. 1012.3401~~.

448 (c) Annually, by December 1, the Commissioner of Education  
449 shall report to the Governor, the President of the Senate, and  
450 the Speaker of the House of Representatives the approval and  
451 implementation status of each school district's instructional  
452 personnel and school administrator evaluation systems. The  
453 report shall include:

454 1. Performance evaluation results for the prior school year  
455 for instructional personnel and school administrators using the  
456 four levels of performance specified in paragraph (2) (e). The  
457 performance evaluation results for instructional personnel shall  
458 be disaggregated by classroom teachers, as defined in s.  
459 1012.01(2) (a), excluding substitute teachers, and all other  
460 instructional personnel, as defined in s. 1012.01(2) (b)-(d).

461 2. An analysis that compares performance evaluation results  
462 calculated by each school district to indicators of performance  
463 calculated by the department using the standards for performance  
464 levels adopted by the state board under subsection (8).

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

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

472 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional  
473 personnel and school administrator performance evaluations must  
474 be based upon the performance of students assigned to their



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475 classrooms or schools, as provided in this section. Pursuant to  
476 this section, a school district's performance evaluation is not  
477 limited to basing unsatisfactory performance of instructional  
478 personnel and school administrators solely upon student  
479 performance, but may include other criteria approved to evaluate  
480 instructional personnel and school administrators' performance,  
481 or any combination of student performance and other approved  
482 criteria. Evaluation procedures and criteria must comply with,  
483 but are not limited to, the following:

484 (a) A performance evaluation must be conducted for each  
485 employee at least once a year, except that a classroom teacher,  
486 as defined in s. 1012.01(2) (a), excluding substitute teachers,  
487 who is newly hired by the district school board must be observed  
488 and evaluated at least twice in the first year of teaching in  
489 the school district. The performance evaluation must be based  
490 upon sound educational principles and contemporary research in  
491 effective educational practices. The evaluation criteria must  
492 include:

493 1. Performance of students.—At least 33 ~~50~~ percent of a  
494 performance evaluation must be based upon data and indicators of  
495 student performance in accordance with subsection (7) learning  
496 ~~growth assessed annually by statewide assessments or, for~~  
497 ~~subjects and grade levels not measured by statewide assessments,~~  
498 ~~by school district assessments as provided in s. 1008.22(6).~~  
499 ~~Each school district must use the formula adopted pursuant to~~  
500 ~~paragraph (7) (a) for measuring student learning growth in all~~  
501 ~~courses associated with statewide assessments and must select an~~  
502 ~~equally appropriate formula for measuring student learning~~  
503 ~~growth for all other grades and subjects, except as otherwise~~



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504 ~~provided in subsection (7).~~

505 ~~a. For classroom teachers, as defined in s. 1012.01(2)(a),~~  
506 ~~excluding substitute teachers, the student learning growth This~~  
507 ~~portion of the evaluation must include growth or achievement~~  
508 ~~data of the teacher's students or, for a school administrator,~~  
509 ~~the students attending the school for students assigned to the~~  
510 ~~teacher over the course of at least 3 years. If less than 3~~  
511 ~~years of data are available, the years for which data are~~  
512 ~~available must be used. The proportion of growth or achievement~~  
513 ~~data may be determined by instructional assignment and the~~  
514 ~~percentage of the evaluation based upon student learning growth~~  
515 ~~may be reduced to not less than 40 percent.~~

516 ~~b. For instructional personnel who are not classroom~~  
517 ~~teachers, the student learning growth portion of the evaluation~~  
518 ~~must include growth data on statewide assessments for students~~  
519 ~~assigned to the instructional personnel over the course of at~~  
520 ~~least 3 years, or may include a combination of student learning~~  
521 ~~growth data and other measurable student outcomes that are~~  
522 ~~specific to the assigned position, provided that the student~~  
523 ~~learning growth data accounts for not less than 30 percent of~~  
524 ~~the evaluation. If less than 3 years of student growth data are~~  
525 ~~available, the years for which data are available must be used~~  
526 ~~and the percentage of the evaluation based upon student learning~~  
527 ~~growth may be reduced to not less than 20 percent.~~

528 ~~e. For school administrators, the student learning growth~~  
529 ~~portion of the evaluation must include growth data for students~~  
530 ~~assigned to the school over the course of at least 3 years. If~~  
531 ~~less than 3 years of data are available, the years for which~~  
532 ~~data are available must be used and the percentage of the~~



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533 ~~evaluation based upon student learning growth may be reduced to~~  
534 ~~not less than 40 percent.~~

535       2. Instructional practice.—For instructional personnel, at  
536 least 33 percent of the performance evaluation must be based  
537 upon instructional practice. Evaluation criteria used when  
538 annually observing classroom teachers, as defined in s.  
539 1012.01(2)(a), excluding substitute teachers, must include  
540 indicators based upon each of the Florida Educator Accomplished  
541 Practices adopted by the State Board of Education. Observations  
542 must be used by administrative personnel to evaluate the  
543 performance of classroom teachers. For instructional personnel  
544 who are not classroom teachers, evaluation criteria must be  
545 based upon indicators of the Florida Educator Accomplished  
546 Practices and may include specific job expectations related to  
547 student support.

548       3. Instructional leadership.—For school administrators, at  
549 least 30 percent of the performance evaluation must be based on  
550 instructional leadership. Evaluation criteria for instructional  
551 leadership must include indicators based upon each of the  
552 leadership standards adopted by the State Board of Education  
553 under s. 1012.986, including performance measures related to the  
554 effectiveness of classroom teachers in the school, the  
555 administrator's appropriate use of evaluation criteria and  
556 procedures, recruitment and retention of effective and highly  
557 effective classroom teachers, improvement in the percentage of  
558 instructional personnel evaluated at the highly effective or  
559 effective level, and other leadership practices that result in  
560 student learning growth. The system may include a means to give  
561 parents and instructional personnel an opportunity to provide



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562 input into the administrator's performance evaluation.

563 4. Other indicators of performance ~~Professional and job~~  
564 ~~responsibilities.~~ For instructional personnel and school  
565 administrators, no more than 33 percent of a performance  
566 evaluation must include other professional and job  
567 responsibilities ~~must be included~~ as recommended ~~adopted~~ by the  
568 State Board of Education or identified by the district school  
569 board and, for instructional personnel, peer reviews,  
570 objectively reliable survey information from students and  
571 parents based on teaching practices that are consistently  
572 associated with higher student achievement, and other valid and  
573 reliable measures of instructional practice. ~~The district school~~  
574 ~~board may identify additional professional and job~~  
575 ~~responsibilities.~~

576 (b) All personnel must be fully informed of the criteria,  
577 data sources, methodologies and procedures associated with the  
578 evaluation process before the evaluation takes place.

579 (c) The individual responsible for supervising the employee  
580 must evaluate the employee's performance. The evaluation system  
581 may provide for the evaluator to consider input from other  
582 personnel trained under subsection (2) ~~paragraph (2)(f)~~. The  
583 evaluator must submit a written report of the evaluation to the  
584 district school superintendent for the purpose of reviewing the  
585 employee's contract. The evaluator must submit the written  
586 report to the employee no later than 10 days after the  
587 evaluation takes place. The evaluator must discuss the written  
588 evaluation report with the employee. The employee shall have the  
589 right to initiate a written response to the evaluation, and the  
590 response shall become a permanent attachment to his or her



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591 personnel file.

592 (6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT  
593 EVALUATION SYSTEMS.—The district school board shall establish a  
594 procedure for annually reviewing instructional personnel and  
595 school administrator evaluation systems to determine compliance  
596 with this section ~~and s. 1012.3401~~. All substantial revisions to  
597 an approved system must be reviewed and approved by the district  
598 school board before being used to evaluate instructional  
599 personnel or school administrators. Upon request by a school  
600 district, the department shall provide assistance in developing,  
601 improving, or reviewing an evaluation system.

602 (7) MEASUREMENT OF STUDENT PERFORMANCE ~~LEARNING GROWTH~~.—

603 (a) The Commissioner of Education shall approve a formula  
604 to measure individual student learning growth on the statewide,  
605 standardized assessments in English Language Arts and  
606 mathematics administered under s. 1008.22. The formula must take  
607 into consideration each student's prior academic performance.  
608 The formula must not set different expectations for student  
609 learning growth based upon a student's gender, race, ethnicity,  
610 or socioeconomic status. In the development of the formula, the  
611 commissioner shall consider other factors such as a student's  
612 attendance record, disability status, or status as an English  
613 language learner. The commissioner may ~~shall~~ select additional  
614 formulas to measure student performance as appropriate for the  
615 remainder of the statewide, standardized assessments included  
616 under s. 1008.22 and continue to select formulas as new  
617 assessments are implemented in the state system. After the  
618 commissioner approves the formula to measure individual student  
619 learning growth, the State Board of Education shall adopt these



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620 formulas in rule.

621 (b) For courses associated with the statewide, standardized  
622 assessments under s. 1008.22, each school district shall measure  
623 student learning growth using the formulas approved by the  
624 commissioner under paragraph (a) and the standards for  
625 performance levels adopted by the state board under subsection  
626 (8) for courses associated with the statewide, standardized  
627 assessments administered under s. 1008.22 no later than the  
628 school year immediately following the year the formula is  
629 approved by the commissioner.

630 (c) For grades and subjects not assessed by statewide,  
631 standardized assessments, but otherwise locally assessed  
632 pursuant to s. 1008.22 (6) (c) as required under s. 1008.22 (6),  
633 each school district shall measure student performance of  
634 students using a methodology determined by the district.  
635 However, a school district may not administer an additional,  
636 final cumulative local assessment for a course measured under a  
637 statewide, standardized end-of-course assessment. As provided in  
638 state board rule, course content is set forth in the state  
639 standards required under s. 1003.41 and in the course  
640 description for the course as provided in the course code  
641 directory.

642 (d) School districts shall, for all educator performance  
643 evaluations and related student performance results:

644 1. Determine the data sources, methodologies and  
645 proportions of student performance data used in each educator's  
646 evaluation based on the educator's school, classroom, or other  
647 instructional assignments; except that each school district must  
648 include data and student learning growth using the formulas



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649 approved by the commissioner pursuant to paragraph (a) and the  
650 standards for performance levels adopted by the state board  
651 pursuant to subsection (8).

652 2. Provide that, for instructional personnel or school  
653 administrator to be eligible for salary adjustment under the  
654 performance salary schedule pursuant to s. 1012.22(1)(c)5.c.,  
655 the student performance component of the educator's performance  
656 evaluation be based on a statewide, standardized assessment  
657 pursuant to s. 1008.22; a district-approved assessment; or a  
658 combination of both, as applicable to the educator's  
659 assignments.

660 3. Adopt, report, and provide to the public the district's  
661 administration schedules for statewide assessments and local  
662 assessments in compliance with timelines and requirements  
663 established in s. 1008.22.

664 4. Provide parents and teachers with student performance  
665 results on district-required assessments and the statewide,  
666 standardized assessments within the timeframe requirements  
667 established in s. 1008.22. ~~The department shall provide models~~  
668 ~~for measuring performance of students which school districts may~~  
669 ~~adopt.~~

670 ~~(c) For a course that is not measured by a statewide,~~  
671 ~~standardized assessment, a school district may request, through~~  
672 ~~the evaluation system approval process, to use a student's~~  
673 ~~achievement level rather than student learning growth if~~  
674 ~~achievement is demonstrated to be a more appropriate measure of~~  
675 ~~classroom teacher performance. A school district may also~~  
676 ~~request to use a combination of student learning growth and~~  
677 ~~achievement, if appropriate.~~





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678           ~~(d) For a course that is not measured by a statewide,~~  
679 ~~standardized assessment, a school district may request, through~~  
680 ~~the evaluation system approval process, that the performance~~  
681 ~~evaluation for the classroom teacher assigned to that course~~  
682 ~~include the learning growth of his or her students on one or~~  
683 ~~more statewide, standardized assessments. The request must~~  
684 ~~clearly explain the rationale supporting the request.~~

685           ~~(e) For purposes of this section and only for the 2014-2015~~  
686 ~~school year, a school district may use measurable learning~~  
687 ~~targets on local assessments administered under s. 1008.22(6) to~~  
688 ~~evaluate the performance of students portion of a classroom~~  
689 ~~teacher's evaluation for courses that are not assessed by~~  
690 ~~statewide, standardized assessments. Learning targets must be~~  
691 ~~approved by the school principal. A district school~~  
692 ~~superintendent may assign to instructional personnel in an~~  
693 ~~instructional team the student learning growth of the~~  
694 ~~instructional team's students on statewide assessments. This~~  
695 ~~paragraph expires July 1, 2015.~~

696           (8) RULEMAKING.—No later than August 1, 2015, the State  
697 Board of Education shall adopt rules pursuant to ss. 120.536(1)  
698 and 120.54 which establish uniform procedures and the format for  
699 the submission, review, and approval of district evaluation  
700 systems and reporting requirements for the annual evaluation of  
701 instructional personnel and school administrators; specific,  
702 discrete standards for each performance level required under  
703 subsection (2), based on student learning growth models approved  
704 by the commissioner, to ensure clear and sufficient  
705 differentiation in the performance levels and to provide  
706 consistency in meaning across school districts; the measurement



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707 of student learning growth and associated implementation  
708 procedures required under subsection (7); and a process for  
709 monitoring school district implementation of evaluation systems  
710 in accordance with this section. ~~Specifically, the rules shall~~  
711 ~~establish student performance levels that if not met will result~~  
712 ~~in the employee receiving an unsatisfactory performance~~  
713 ~~evaluation rating. In like manner, the rules shall establish a~~  
714 ~~student performance level that must be met in order for an~~  
715 ~~employee to receive a highly effective rating and a student~~  
716 ~~learning growth standard that must be met in order for an~~  
717 ~~employee to receive an effective rating.~~

718 ~~(10) DISTRICT BONUS REWARDS FOR PERFORMANCE PAY BASED ON~~  
719 ~~EVALUATION PROGRESS. School districts are eligible for bonus~~  
720 ~~rewards as provided for in the 2014 General Appropriations Act~~  
721 ~~for making outstanding progress toward educator effectiveness,~~  
722 ~~including implementation of instructional personnel salaries~~  
723 ~~based on performance results under s. 1012.34 and the use of~~  
724 ~~local assessment results in personnel evaluations when~~  
725 ~~statewide, standardized assessments are not administered.~~

726 Section 8. Section 1012.3401, Florida Statutes, is  
727 repealed.

728 Section 9. School district contingency plan.—  
729 Notwithstanding s. 1008.34(7), Florida Statutes, a school  
730 district may, by majority vote of the district school board,  
731 request approval from the State Board of Education to waive all  
732 requirements and benefits specified in ss. 1008.34(7), 1008.36,  
733 and 1003.621, Florida Statutes, and instead use results from  
734 student performance on the new statewide, standardized  
735 assessments administered in the 2014-2015 school year pursuant



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736 to s. 1008.22, Florida Statutes, for diagnostic and baseline  
737 purposes only.

738 (1) A school district's request must be submitted to the  
739 Commissioner of Education by the school district superintendent  
740 during the period from the last day of administration of  
741 statewide, standardized assessments through June 5, 2015, in  
742 accordance with the guidelines established by the commissioner.  
743 At a minimum, the request, must include identification of:

744 (a) The scope of the request, to apply either to the school  
745 district or to a school or certain schools within the school  
746 district. The request must be made at a district or school  
747 level. The request may not be made at a grade level, a subject-  
748 area level, or another level.

749 (b) The reason for the request, including a description of  
750 the systemic or unique technical implementation failure.  
751 Quantifiable data substantiating the reason for such failure  
752 must accompany the request. A school district's inability to  
753 assess the minimum percentage of students pursuant to ss.  
754 1008.34 and 1008.341, Florida Statutes, does not constitute a  
755 reasonable justification for requesting the waiver under this  
756 section.

757 (c) The school district's corrective action plan, which has  
758 been adopted by the district school board, and certification  
759 that the identified technical implementation failure must be  
760 resolved in time for successful administration of the statewide,  
761 standardized assessments during the 2015-2016 school year and  
762 each school year thereafter. The district must identify how the  
763 district plans to allocate resources and technical assistance  
764 that the district needs from the Department of Education to



765 facilitate the district's successful resolution of technical  
766 deficiencies.

767 (d) The school district's plan for using the diagnostic  
768 data to facilitate continuous improvement in student performance  
769 and the effectiveness of schools, instructional personnel, and  
770 school administrators; public reporting on the performance of  
771 students, schools, and the district; and informing parents about  
772 instruction associated with remediation and retention and  
773 options available to students including acceleration,  
774 graduation, and school choice. The district must also describe  
775 its plans for implementing student progression plans,  
776 performance evaluations of instructional personnel and school  
777 administrators, performance salary schedule requirements, and  
778 other uses as identified by the commissioner.

779 (2) The commissioner shall review each request for a waiver  
780 and consult with the applicable school district superintendent.  
781 The commissioner shall make, and provide reasons for,  
782 recommendations to the State Board of Education regarding  
783 granting or denying a request for waiver. The state board may  
784 consider recommendations made by the commissioner to approve or  
785 deny school district requests. Notwithstanding any other  
786 provision of law, the commissioner's recommendation to approve a  
787 request may, after consultation with the school district  
788 superintendent, include conditional requirements that must apply  
789 if approved by the state board. The decision of the state board,  
790 including any modifications adopted by the state board, is  
791 final.

792 (3) For only the 2014-2015 school year, if a waiver is  
793 granted under this section:



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794 (a) A school or a school district may not receive a school  
795 grade, school improvement rating, or school district grade, as  
796 applicable.

797 (b) A school may, at the school district's discretion,  
798 choose to use new statewide, standardized assessment results in  
799 performance evaluations of instructional personnel and school  
800 administrators.

801 (c) A school district shall continue to have its student  
802 performance results included in the statewide, standardized  
803 assessment results published by the department pursuant to s.  
804 1008.22, Florida Statutes.

805 (d) A school shall forfeit eligibility to earn school  
806 recognition funds pursuant to s. 1008.36, Florida Statutes, as  
807 provided in the General Appropriations Act.

808 (e) A school district shall forfeit the district's  
809 eligibility to earn the designation and benefits associated with  
810 high performing school districts pursuant to s. 1003.621,  
811 Florida Statutes.

812  
813 This section expires July 1, 2016.

814 Section 10. The Office of Program Policy Analysis and  
815 Government Accountability (OPPAGA) shall conduct a year-long  
816 study, beginning no later than August 1, 2015, to assess the  
817 cost-effectiveness of the leasing of examination questions by  
818 the Department of Education from the American Institute for  
819 Research as compared with using questions from an existing  
820 examination. No later than December 1, 2016, OPPAGA shall  
821 provide a report summarizing the findings of the study to the  
822 President of the Senate and the Speaker of the House of



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823 Representatives.

824 Section 11. Paragraph (a) of subsection (5) of section  
825 1003.4282, Florida Statutes, is amended to read:

826 1003.4282 Requirements for a standard high school diploma.-

827 (5) REMEDIATION FOR HIGH SCHOOL STUDENTS.-

828 (a) Each year a student scores Level 1 or Level 2 on the  
829 statewide, standardized grade 9 or grade 10 Reading assessment  
830 or, when implemented, the grade 9 or, grade 10, ~~or grade 11~~ ELA  
831 assessment, the student may, as an option to the student, enroll  
832 ~~must be enrolled in and complete~~ an intensive remedial course  
833 the following year or be placed in a content area course that  
834 includes remediation of skills not acquired by the student.

835 Section 12. Paragraph (a) of subsection (1) of section  
836 1003.4285, Florida Statutes, is amended to read:

837 1003.4285 Standard high school diploma designations.-

838 (1) Each standard high school diploma shall include, as  
839 applicable, the following designations if the student meets the  
840 criteria set forth for the designation:

841 (a) *Scholar designation.*-In addition to the requirements of  
842 s. 1003.4282, in order to earn the Scholar designation, a  
843 student must satisfy the following requirements:

844 1. ~~English Language Arts (ELA).~~ ~~Beginning with students~~  
845 ~~entering grade 9 in the 2014-2015 school year, pass the~~  
846 ~~statewide, standardized grade 11 ELA assessment.~~

847 2. ~~Mathematics.~~-Earn one credit in Algebra II and one  
848 credit in statistics or an equally rigorous course. Beginning  
849 with students entering grade 9 in the 2014-2015 school year,  
850 pass the Algebra II and Geometry statewide, standardized  
851 assessments.



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852           ~~2.3.~~ Science.—Pass the statewide, standardized Biology I  
853 EOC assessment and earn one credit in chemistry or physics and  
854 one credit in a course equally rigorous to chemistry or physics.  
855 However, a student enrolled in an Advanced Placement (AP),  
856 International Baccalaureate (IB), or Advanced International  
857 Certificate of Education (AICE) Biology course who takes the  
858 respective AP, IB, or AICE Biology assessment and earns the  
859 minimum score necessary to earn college credit as identified  
860 pursuant to s. 1007.27(2) meets the requirement of this  
861 subparagraph without having to take the statewide, standardized  
862 Biology I EOC assessment.

863           ~~3.4.~~ Social studies.—Pass the statewide, standardized  
864 United States History EOC assessment. However, a student  
865 enrolled in an AP, IB, or AICE course that includes United  
866 States History topics who takes the respective AP, IB, or AICE  
867 assessment and earns the minimum score necessary to earn college  
868 credit as identified pursuant to s. 1007.27(2) meets the  
869 requirement of this subparagraph without having to take the  
870 statewide, standardized United States History EOC assessment.

871           ~~4.5.~~ Foreign language.—Earn two credits in the same foreign  
872 language.

873           ~~5.6.~~ Electives.—Earn at least one credit in an Advanced  
874 Placement, an International Baccalaureate, an Advanced  
875 International Certificate of Education, or a dual enrollment  
876 course.

877           Section 13. Paragraph (c) of subsection (1) of section  
878 1012.22, Florida Statutes, is amended to read:

879           1012.22 Public school personnel; powers and duties of the  
880 district school board.—The district school board shall:



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881 (1) Designate positions to be filled, prescribe  
882 qualifications for those positions, and provide for the  
883 appointment, compensation, promotion, suspension, and dismissal  
884 of employees as follows, subject to the requirements of this  
885 chapter:

886 (c) *Compensation and salary schedules.*—

887 1. Definitions.—As used in this paragraph, the term:

888 a. "Adjustment" means an addition to the base salary  
889 schedule that is not a bonus and becomes part of the employee's  
890 permanent base salary and shall be considered compensation under  
891 s. 121.021(22).

892 b. "Grandfathered salary schedule" means the salary  
893 schedule or schedules adopted by a district school board before  
894 July 1, 2014, pursuant to subparagraph 4.

895 c. "Instructional personnel" means instructional personnel  
896 as defined in s. 1012.01(2)(a)-(d), excluding substitute  
897 teachers.

898 d. "Performance salary schedule" means the salary schedule  
899 or schedules adopted by a district school board pursuant to  
900 subparagraph 5.

901 e. "Salary schedule" means the schedule or schedules used  
902 to provide the base salary for district school board personnel.

903 f. "School administrator" means a school administrator as  
904 defined in s. 1012.01(3)(c).

905 g. "Supplement" means an annual addition to the base salary  
906 for the term of the negotiated supplement as long as the  
907 employee continues his or her employment for the purpose of the  
908 supplement. A supplement does not become part of the employee's  
909 continuing base salary but shall be considered compensation





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910 under s. 121.021(22).

911 2. Cost-of-living adjustment.—A district school board may  
912 provide a cost-of-living salary adjustment if the adjustment:

913 a. Does not discriminate among comparable classes of  
914 employees based upon the salary schedule under which they are  
915 compensated.

916 b. Does not exceed 50 percent of the annual adjustment  
917 provided to instructional personnel rated as effective.

918 3. Advanced degrees.—A district school board may not use  
919 advanced degrees in setting a salary schedule for instructional  
920 personnel or school administrators hired on or after July 1,  
921 2011, unless the advanced degree is held in the individual's  
922 area of certification and is only a salary supplement.

923 4. Grandfathered salary schedule.—

924 a. The district school board shall adopt a salary schedule  
925 or salary schedules to be used as the basis for paying all  
926 school employees hired before July 1, 2014. Instructional  
927 personnel on annual contract as of July 1, 2014, shall be placed  
928 on the performance salary schedule adopted under subparagraph 5.  
929 Instructional personnel on continuing contract or professional  
930 service contract may opt into the performance salary schedule if  
931 the employee relinquishes such contract and agrees to be  
932 employed on an annual contract under s. 1012.335. Such an  
933 employee shall be placed on the performance salary schedule and  
934 may not return to continuing contract or professional service  
935 contract status. Any employee who opts into the performance  
936 salary schedule may not return to the grandfathered salary  
937 schedule.

938 b. In determining the grandfathered salary schedule for



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939 instructional personnel, a district school board must base a  
940 portion of each employee's compensation upon performance  
941 demonstrated under s. 1012.34 and shall provide differentiated  
942 pay for both instructional personnel and school administrators  
943 based upon district-determined factors, including, but not  
944 limited to, additional responsibilities, school demographics,  
945 critical shortage areas, and level of job performance  
946 difficulties.

947       5. Performance salary schedule.—By July 1, 2014, the  
948 district school board shall adopt a performance salary schedule  
949 that provides annual salary adjustments for instructional  
950 personnel and school administrators based upon performance  
951 determined under s. 1012.34. Employees hired on or after July 1,  
952 2014, or employees who choose to move from the grandfathered  
953 salary schedule to the performance salary schedule shall be  
954 compensated pursuant to the performance salary schedule once  
955 they have received the appropriate performance evaluation for  
956 this purpose. However, a classroom teacher whose performance  
957 evaluation uses ~~utilizes~~ student learning growth measures  
958 established under s. 1012.34(7)(c)3. ~~s. 1012.34(7)(e)~~ shall  
959 remain under the grandfathered salary schedule until his or her  
960 teaching assignment changes to a subject for which there is a  
961 statewide, standardized assessment or district-required local ~~an~~  
962 assessment or the school district establishes equally  
963 appropriate measures of student learning growth as defined under  
964 s. 1012.34 and rules of the State Board of Education.

965       a. Base salary.—The base salary shall be established as  
966 follows:

967       (I) The base salary for instructional personnel or school



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968 administrators who opt into the performance salary schedule  
969 shall be the salary paid in the prior year, including  
970 adjustments only.

971 (II) Beginning July 1, 2014, instructional personnel or  
972 school administrators new to the district, returning to the  
973 district after a break in service without an authorized leave of  
974 absence, or appointed for the first time to a position in the  
975 district in the capacity of instructional personnel or school  
976 administrator shall be placed on the performance salary  
977 schedule.

978 b. Salary adjustments.—Salary adjustments for highly  
979 effective or effective performance shall be established as  
980 follows:

981 (I) The annual salary adjustment under the performance  
982 salary schedule for an employee rated as highly effective must  
983 be greater than the highest annual salary adjustment available  
984 to an employee of the same classification through any other  
985 salary schedule adopted by the district.

986 (II) The annual salary adjustment under the performance  
987 salary schedule for an employee rated as effective must be equal  
988 to at least 50 percent and no more than 75 percent of the annual  
989 adjustment provided for a highly effective employee of the same  
990 classification.

991 (III) The performance salary schedule shall not provide an  
992 annual salary adjustment for an employee who receives a rating  
993 other than highly effective or effective for the year.

994 c. Salary supplements.—In addition to the salary  
995 adjustments, each district school board shall provide for salary  
996 supplements for activities that must include, but are not



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997 limited to:

998 (I) Assignment to a Title I eligible school.

999 (II) Assignment to a school that earned a grade of "F" or  
1000 three consecutive grades of "D" pursuant to s. 1008.34 such that  
1001 the supplement remains in force for at least 1 year following  
1002 improved performance in that school.

1003 (III) Certification and teaching in critical teacher  
1004 shortage areas. Statewide critical teacher shortage areas shall  
1005 be identified by the State Board of Education under s. 1012.07.  
1006 However, the district school board may identify other areas of  
1007 critical shortage within the school district for purposes of  
1008 this sub-sub-subparagraph and may remove areas identified by the  
1009 state board which do not apply within the school district.

1010 (IV) Assignment of additional academic responsibilities.

1011  
1012 If budget constraints in any given year limit a district school  
1013 board's ability to fully fund all adopted salary schedules, the  
1014 performance salary schedule may ~~shall~~ not be reduced on the  
1015 basis of total cost or the value of individual awards in a  
1016 manner that is proportionally greater than reductions to any  
1017 other salary schedules adopted by the district.

1018 Section 14. This act shall take effect upon becoming a law.

1019  
1020 ===== T I T L E A M E N D M E N T =====

1021 And the title is amended as follows:

1022 Delete everything before the enacting clause  
1023 and insert:

1024 A bill to be entitled

1025 An act relating to education accountability; amending



1026 s. 1001.03, F.S.; revising the powers of the State  
1027 Board of Education to require adoption of rules  
1028 regarding notification forms for grade 3 retention and  
1029 midyear promotion, and high school graduation  
1030 requirements and options; amending s. 1008.22, F.S.;  
1031 removing the requirement that English Language Arts  
1032 statewide assessments be administered to students in  
1033 grade 11; requiring that assessments be delivered  
1034 through computer-based testing; providing exceptions;  
1035 specifying minimum requirements for paper-based  
1036 administration of assessments; requiring that  
1037 performance results on specified assessments be  
1038 provided to teachers and parents within a specified  
1039 timeframe; providing applicability; requiring the  
1040 Department of Education to collect and distribute  
1041 liquidated damages relating to the administration of  
1042 specified assessments to school districts under  
1043 certain circumstances; prohibiting a school district  
1044 from administering a local assessment on a subject  
1045 measured under a statewide assessment; requiring a  
1046 school district to provide a student's performance  
1047 results on local assessments within a specified  
1048 timeframe; revising requirements for the  
1049 administration of local assessments; restricting the  
1050 number of school hours that a school district may  
1051 dedicate to administer specified assessments;  
1052 providing exceptions; requiring a school district to  
1053 secure consent of a student's parent if school hours  
1054 dedicated to the administration of local assessments



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1055 exceed the threshold amount; authorizing a student to  
1056 take an examination or assessment adopted pursuant to  
1057 State Board of Education rule; revising requirements  
1058 regarding the school district's adoption and  
1059 publication of testing schedules; amending s. 1008.24,  
1060 F.S.; authorizing a school district to use district  
1061 employees to administer and proctor specified  
1062 assessments; providing minimum requirements for State  
1063 Board of Education rules regarding the training of  
1064 such employees; amending s. 1008.25, F.S.; revising  
1065 requirements for a district school board's  
1066 comprehensive student progression plan; removing  
1067 references regarding local assessments; revising  
1068 requirements regarding instruction and reassessment of  
1069 students who exhibit a reading deficiency; amending s.  
1070 1008.30, F.S.; specifying alternative assessments that  
1071 may be accepted by public postsecondary educational  
1072 institutions in lieu of the common placement test;  
1073 revising requirements for state board rules regarding  
1074 common placement testing; authorizing, rather than  
1075 requiring, high schools to perform specified college  
1076 readiness evaluations; amending s. 1008.34, F.S.;  
1077 adding references to school improvement ratings;  
1078 specifying applicability of certain accountability  
1079 measures to schools using turnaround options; amending  
1080 s. 1012.34, F.S.; revising requirements for the  
1081 Commissioner of Education's annual report to the  
1082 Governor and the Legislature regarding personnel  
1083 evaluation systems; revising the percentage thresholds



1084 for performance evaluation criteria for instructional  
1085 personnel and school administrators; revising  
1086 requirements for the measurement of student  
1087 performance; prescribing requirements for school  
1088 districts regarding educator performance evaluations  
1089 and related student performance results; requiring the  
1090 state board to adopt rules by a certain date; revising  
1091 rule requirements; removing a provision regarding  
1092 district bonus awards; conforming cross-references;  
1093 repealing s. 1012.3401, F.S., relating to the  
1094 measurement of student performance in personnel  
1095 evaluations; authorizing a school district to request  
1096 approval from the state board to use student  
1097 performance results on new statewide assessments for  
1098 diagnostic and baseline purposes; requiring a district  
1099 school superintendent to submit the waiver request to  
1100 the Commissioner of Education; specifying required  
1101 content of a waiver request; requiring the  
1102 commissioner to review and make recommendations to the  
1103 state board regarding each waiver request; specifying  
1104 conditions and requirements for a school that is  
1105 granted a waiver for the 2014-2015 school year;  
1106 providing for expiration; requiring the Office of  
1107 Program Policy Analysis and Government Accountability  
1108 (OPPAGA) to complete a study regarding the leasing of  
1109 examination questions; requiring OPPAGA to submit a  
1110 report summarizing the study findings to the  
1111 Legislature by a specified date; amending ss.  
1112 1003.4282, 1003.4285, and 1012.22, F.S.; conforming



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provisions to changes made by the act; providing an  
effective date.