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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/19/2015	.	
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Appropriations Subcommittee on Education (Bullard) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 392 - 487

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 if based on the school receives a school  
17 grade that is two or more grades lower or a lower school's 2014-  
18 2015 grade or school improvement rating for the 2014-2015 school  
19 year compared to the 2013-2014 school year or for the 2015-2016  
20 school year compared to the 2014-2015 school year under s.  
21 1008.341, as applicable.

22 (b)1. A school or approved provider under s. 1002.45 that  
23 receives ~~the same or a lower~~ school grade that is two or more  
24 grades lower or a lower school improvement rating for the 2014-  
25 2015 school year compared to the 2013-2014 school year or for  
26 the 2015-2016 school year compared to the 2014-2015 school year  
27 is not subject to sanctions or penalties that would otherwise  
28 occur as a result of the 2014-2015 or 2015-2016 school grade or  
29 rating. A charter school system or a school district designated  
30 as high performing may not lose the designation based on the  
31 2014-2015 or 2015-2016 school grades of any of the schools  
32 within the charter school system or school district, as  
33 applicable.

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

37 (c) For purposes of determining grade 3 retention pursuant  
38 to s. 1008.25(5) and high school graduation pursuant to s.  
39 1003.4282, student performance on the 2014-2015 statewide,



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40 standardized assessments shall be linked to 2013-2014 student  
41 performance expectations.

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43 This subsection is repealed July 1, 2017.

44 Section 6. Paragraph (a) of subsection (3) and subsections  
45 (7) and (8) of section 1012.34, Florida Statutes, are amended to  
46 read:

47 1012.34 Personnel evaluation procedures and criteria.—

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

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



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69           1. Performance of students.—At least 33 ~~50~~ percent of a  
70 performance evaluation must be based upon data and indicators of  
71 student learning growth assessed annually by statewide  
72 assessments or, for subjects and grade levels not measured by  
73 statewide assessments, by school district assessments pursuant  
74 to subsection (7) ~~as provided in s. 1008.22(6)~~. Each school  
75 district must use the formula adopted pursuant to paragraph  
76 (7) (a) for measuring student learning growth in all courses  
77 associated with statewide assessments and must select an equally  
78 appropriate formula for measuring student learning growth for  
79 all other grades and subjects, except as otherwise provided in  
80 subsection (7).

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

89           b. For instructional personnel who are not classroom  
90 teachers, the student learning growth portion of the evaluation  
91 must include growth data on statewide assessments for students  
92 assigned to the instructional personnel over the course of at  
93 least 3 years, or may include a combination of student learning  
94 growth data and other measurable student outcomes that are  
95 specific to the assigned position, provided that the student  
96 learning growth data accounts for not less than 30 percent of  
97 the evaluation. If less than 3 years of student growth data are



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98 available, the years for which data are available must be used  
99 and the percentage of the evaluation based upon student learning  
100 growth may be reduced to not less than 20 percent.

101 c. For school administrators, the student learning growth  
102 portion of the evaluation must include growth data for students  
103 assigned to the school over the course of at least 3 years. If  
104 less than 3 years of data are available, the years for which  
105 data are available must be used and the percentage of the  
106 evaluation based upon student learning growth may be reduced to  
107 not less than 30 ~~40~~ percent.

108 d. Notwithstanding any other provision of law, performance  
109 evaluations based upon data and indicators for the 2014-2015 and  
110 2015-2016 school years may not use student learning growth as  
111 required under this subparagraph if such use would result in a  
112 lower level of performance as specified in paragraph (2)(e) than  
113 the level of performance which would result without the use of  
114 student learning growth.

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117 ===== T I T L E A M E N D M E N T =====

118 And the title is amended as follows:

119 Delete lines 40 - 44

120 and insert:

121 amending s. 1008.34, F.S.; revising the criteria that  
122 serve as an informational baseline for schools to work  
123 toward improved performance providing that school  
124 grades and school improvement ratings for specified  
125 school years shall serve as an informational baseline;  
126 revising the circumstances under which a school may



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127 not be required to implement a school turnaround  
128 option in specified school years; revising the  
129 circumstances under which a virtual instruction  
130 program will not be subject to sanctions or penalties  
131 based on certain school grades or improvement ratings;  
132 extending the period during which a charter school  
133 system or school district will not lose a designation  
134 as high performing based on certain school grades or  
135 improvement ratings; amending s. 1012.34, F.S.;  
136 revising the percentage thresholds for performance  
137 evaluation criteria for instructional personnel and  
138 school administrators; prohibiting the use of student  
139 learning growth in performance evaluations under  
140 certain circumstances; authorizing use of peer reviews