



245182

LEGISLATIVE ACTION

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

1 **Senate Amendment to Amendment (587488) (with title**
2 **amendment)**

3
4 Delete lines 398 - 534

5 and insert:

6 school improvement ratings pursuant to s. 1008.341 for the 2014-
7 2015 and 2015-2016 ~~2013-2014~~ school years ~~year shall be~~
8 ~~calculated based on statutes and rules in effect on June 30,~~
9 ~~2014. To assist in the transition to 2014-2015 school grades,~~
10 ~~calculated based on new statewide, standardized assessments~~



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11 ~~administered pursuant to s. 1008.22, the 2014-2015 school grades~~
12 shall serve as an informational baseline for schools to work
13 toward improved performance in future years. Accordingly,
14 notwithstanding any other provision of law:

15 (a) A school may not be required to select and implement a
16 turnaround option pursuant to s. 1008.33 in the 2015-2016 or
17 2016-2017 school year if based on the school receives a school
18 grade that is two or more grades lower or a lower school's 2014-
19 2015 grade or school improvement rating for the 2014-2015 school
20 year compared to the 2013-2014 school year or for the 2015-2016
21 school year compared to the 2014-2015 school year under s.
22 ~~1008.341, as applicable.~~

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

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

38 (c) For purposes of determining grade 3 retention pursuant
39 to s. 1008.25(5) and high school graduation pursuant to s.



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40 1003.4282, student performance on the 2014-2015 statewide,
41 standardized assessments shall be linked to 2013-2014 student
42 performance expectations.

43

44 This subsection is repealed July 1, 2017.

45 Section 7. Paragraphs (b) and (c) of subsection (1),
46 paragraphs (a), (b), and (c) of subsection (3), and subsections
47 (6), (7), (8), and (10) of section 1012.34, Florida Statutes,
48 are amended to read:

49 1012.34 Personnel evaluation procedures and criteria.—

50 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

51 (b) The department must approve each school district's
52 instructional personnel and school administrator evaluation
53 systems. The department shall monitor each district's
54 implementation of its instructional personnel and school
55 administrator evaluation systems for compliance with the
56 requirements of this section ~~and s. 1012.3401.~~

57 (c) Annually, by December 1, the Commissioner of Education
58 shall report to the Governor, the President of the Senate, and
59 the Speaker of the House of Representatives the approval and
60 implementation status of each school district's instructional
61 personnel and school administrator evaluation systems. The
62 report shall include:

63 1. Performance evaluation results for the prior school year
64 for instructional personnel and school administrators using the
65 four levels of performance specified in paragraph (2)(e). The
66 performance evaluation results for instructional personnel shall
67 be disaggregated by classroom teachers, as defined in s.
68 1012.01(2)(a), excluding substitute teachers, and all other



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69 instructional personnel, as defined in s. 1012.01(2)(b)-(d).

70 2. An analysis that compares performance evaluation results
71 calculated by each school district to indicators of performance
72 calculated by the department using the standards for performance
73 levels adopted by the state board under subsection (8).

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

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

81 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
82 personnel and school administrator performance evaluations must
83 be based upon the performance of students assigned to their
84 classrooms or schools, as provided in this section. Pursuant to
85 this section, a school district's performance evaluation is not
86 limited to basing unsatisfactory performance of instructional
87 personnel and school administrators solely upon student
88 performance, but may include other criteria approved to evaluate
89 instructional personnel and school administrators' performance,
90 or any combination of student performance and other approved
91 criteria. Evaluation procedures and criteria must comply with,
92 but are not limited to, the following:

93 (a) A performance evaluation must be conducted for each
94 employee at least once a year, except that a classroom teacher,
95 as defined in s. 1012.01(2)(a), excluding substitute teachers,
96 who is newly hired by the district school board must be observed
97 and evaluated at least twice in the first year of teaching in



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98 the school district. The performance evaluation must be based
99 upon sound educational principles and contemporary research in
100 effective educational practices. The evaluation criteria must
101 include:

102 1. Performance of students.—At least 33 ~~50~~ percent of a
103 performance evaluation must be based upon data and indicators of
104 student learning growth assessed annually by statewide
105 assessments or, for subjects and grade levels not measured by
106 statewide assessments, by school district assessments pursuant
107 to subsection (7) as provided in s. 1008.22(6). Each school
108 district must use the formula adopted pursuant to paragraph
109 (7) (a) for measuring student learning growth in all courses
110 associated with statewide assessments and must select an equally
111 appropriate formula for measuring student learning growth for
112 all other grades and subjects, except as otherwise provided in
113 subsection (7).

114 a. For classroom teachers, as defined in s. 1012.01(2) (a),
115 excluding substitute teachers, the student learning growth
116 portion of the evaluation must include growth data for students
117 assigned to the teacher over the course of at least 3 years. If
118 less than 3 years of data are available, the years for which
119 data are available must be used and the percentage of the
120 evaluation based upon student learning growth may be reduced to
121 not less than 30 ~~40~~ percent.

122 b. For instructional personnel who are not classroom
123 teachers, the student learning growth portion of the evaluation
124 must include growth data on statewide assessments for students
125 assigned to the instructional personnel over the course of at
126 least 3 years, or may include a combination of student learning



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127 growth data and other measurable student outcomes that are
128 specific to the assigned position, provided that the student
129 learning growth data accounts for not less than 30 percent of
130 the evaluation. If less than 3 years of student growth data are
131 available, the years for which data are available must be used
132 and the percentage of the evaluation based upon student learning
133 growth may be reduced to not less than 20 percent.

134 c. For school administrators, the student learning growth
135 portion of the evaluation must include growth data for students
136 assigned to the school over the course of at least 3 years. If
137 less than 3 years of data are available, the years for which
138 data are available must be used and the percentage of the
139 evaluation based upon student learning growth may be reduced to
140 not less than 30 ~~40~~ percent.

141 d. Notwithstanding any other provision of law, performance
142 evaluations based upon data and indicators for the 2014-2015 and
143 2015-2016 school years may not use student learning growth as
144 required under this subparagraph if such use would result in a
145 lower level of performance as specified in paragraph (2)(e) than
146 the level of performance which would result without the use of
147 student learning growth.

148
149 ===== T I T L E A M E N D M E N T =====

150 And the title is amended as follows:

151 Delete lines 1076 - 1085

152 and insert:

153 readiness evaluations; amending s. 1008.34, F.S.;

154 revising the criteria that serve as an informational

155 baseline for schools to work toward improved



156 performance; providing that school grades and school
157 improvement ratings for specified school years shall
158 serve as an informational baseline; revising the
159 circumstances under which a school may not be required
160 to implement a school turnaround option in specified
161 school years; revising the circumstances under which a
162 virtual instruction program will not be subject to
163 sanctions or penalties based on certain school grades
164 or improvement ratings; extending the period during
165 which a charter school system or school district will
166 not lose a designation as high performing based on
167 certain school grades or improvement ratings; amending
168 s. 1012.34, F.S.; revising requirements for the
169 Commissioner of Education's annual report to the
170 Governor and the Legislature regarding personnel
171 evaluation systems; revising the percentage thresholds
172 for performance evaluation criteria for instructional
173 personnel and school administrators; prohibiting the
174 use of student learning growth in performance
175 evaluations under certain circumstances; revising