

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Gaetz offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 1018 and 1019, insert:

5 Section 21. Subsection (3) of section 1012.34, Florida
6 Statutes, is amended to read:

7 1012.34 Personnel evaluation procedures and criteria.—

8 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
9 personnel and school administrator performance evaluations,
10 excluding evaluations for classroom teachers, as defined in s.
11 1012.01(2)(a), must be based upon the performance of students
12 assigned to their classrooms or schools, as provided in this
13 section. Classroom teacher performance evaluations must be based
14 upon the performance of students with fewer than 20 absences,

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15 or, for schools with block scheduling, fewer than 10 absences,
16 assigned to their classrooms, as provided in this section.

17 Pursuant to this section, a school district's performance
18 evaluation is not limited to basing unsatisfactory performance
19 of instructional personnel and school administrators solely upon
20 student performance, but may include other criteria approved to
21 evaluate instructional personnel and school administrators'
22 performance, or any combination of student performance and other
23 approved criteria. Evaluation procedures and criteria must
24 comply with, but are not limited to, the following:

25 (a) A performance evaluation must be conducted for each
26 employee at least once a year, except that a classroom teacher,
27 as defined in s. 1012.01(2)(a), excluding substitute teachers,
28 who is newly hired by the district school board must be observed
29 and evaluated at least twice in the first year of teaching in
30 the school district. The performance evaluation must be based
31 upon sound educational principles and contemporary research in
32 effective educational practices. The evaluation criteria must
33 include:

34 1. Performance of students.—At least 50 percent of a
35 performance evaluation must be based upon data and indicators of
36 student learning growth assessed annually by statewide
37 assessments or, for subjects and grade levels not measured by
38 statewide assessments, by school district assessments as
39 provided in s. 1008.22(6). Each school district must use the
40 formula adopted pursuant to paragraph (7)(a) for measuring

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41 student learning growth in all courses associated with statewide
42 assessments and must select an equally appropriate formula for
43 measuring student learning growth for all other grades and
44 subjects, except as otherwise provided in subsection (7).

45 a. For classroom teachers, as defined in s. 1012.01(2)(a),
46 excluding substitute teachers, the student learning growth
47 portion of the evaluation must include growth data for students
48 assigned to the teacher over the course of at least 3 years. If
49 less than 3 years of data are available, the years for which
50 data are available must be used and the percentage of the
51 evaluation based upon student learning growth may be reduced to
52 not less than 40 percent.

53 b. For instructional personnel who are not classroom
54 teachers, the student learning growth portion of the evaluation
55 must include growth data on statewide assessments for students
56 assigned to the instructional personnel over the course of at
57 least 3 years, or may include a combination of student learning
58 growth data and other measurable student outcomes that are
59 specific to the assigned position, provided that the student
60 learning growth data accounts for not less than 30 percent of
61 the evaluation. If less than 3 years of student growth data are
62 available, the years for which data are available must be used
63 and the percentage of the evaluation based upon student learning
64 growth may be reduced to not less than 20 percent.

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

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67 assigned to the school over the course of at least 3 years. If
68 less than 3 years of data are available, the years for which
69 data are available must be used and the percentage of the
70 evaluation based upon student learning growth may be reduced to
71 not less than 40 percent.

72 2. Instructional practice.—Evaluation criteria used when
73 annually observing classroom teachers, as defined in s.
74 1012.01(2)(a), excluding substitute teachers, must include
75 indicators based upon each of the Florida Educator Accomplished
76 Practices adopted by the State Board of Education. For
77 instructional personnel who are not classroom teachers,
78 evaluation criteria must be based upon indicators of the Florida
79 Educator Accomplished Practices and may include specific job
80 expectations related to student support.

81 3. Instructional leadership.—For school administrators,
82 evaluation criteria must include indicators based upon each of
83 the leadership standards adopted by the State Board of Education
84 under s. 1012.986, including performance measures related to the
85 effectiveness of classroom teachers in the school, the
86 administrator's appropriate use of evaluation criteria and
87 procedures, recruitment and retention of effective and highly
88 effective classroom teachers, improvement in the percentage of
89 instructional personnel evaluated at the highly effective or
90 effective level, and other leadership practices that result in
91 student learning growth. The system may include a means to give

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92 parents and instructional personnel an opportunity to provide
93 input into the administrator's performance evaluation.

94 4. Professional and job responsibilities.—For
95 instructional personnel and school administrators, other
96 professional and job responsibilities must be included as
97 adopted by the State Board of Education. The district school
98 board may identify additional professional and job
99 responsibilities.

100 (b) All personnel must be fully informed of the criteria
101 and procedures associated with the evaluation process before the
102 evaluation takes place.

103 (c) The individual responsible for supervising the
104 employee must evaluate the employee's performance. The
105 evaluation system may provide for the evaluator to consider
106 input from other personnel trained under paragraph (2)(f). The
107 evaluator must submit a written report of the evaluation to the
108 district school superintendent for the purpose of reviewing the
109 employee's contract. The evaluator must submit the written
110 report to the employee no later than 10 days after the
111 evaluation takes place. The evaluator must discuss the written
112 evaluation report with the employee. The employee shall have the
113 right to initiate a written response to the evaluation, and the
114 response shall become a permanent attachment to his or her
115 personnel file.

116 (d) The evaluator may amend an evaluation based upon
117 assessment data from the current school year if the data becomes

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118 available within 90 days after the close of the school year. The
119 evaluator must then comply with the procedures set forth in
120 paragraph (c).

121 Section 22. Subsection (1) of section 1012.3401, Florida
122 Statutes, is amended to read:

123 1012.3401 Requirements for measuring student performance
124 in instructional personnel and school administrator performance
125 evaluations; performance evaluation of personnel for purposes of
126 performance salary schedule.—Notwithstanding any provision to
127 the contrary in ss. 1012.22 and 1012.34 regarding the
128 performance salary schedule and personnel evaluation procedures
129 and criteria:

130 (1) (a) At least 50 percent of a ~~classroom teacher's or~~
131 school administrator's performance evaluation, or 40 percent if
132 less than 3 years of student performance data are available,
133 shall be based upon learning growth or achievement of ~~the~~
134 ~~teacher's students or, for a school administrator, the students~~
135 attending that school; the remaining portion shall be based upon
136 factors identified in district-determined, state-approved
137 evaluation system plans. Student achievement measures for
138 courses associated with statewide assessments may be used only
139 if a statewide growth formula has not been approved for that
140 assessment or, for courses associated with school district
141 assessments, if achievement is demonstrated to be a more
142 appropriate measure of teacher performance.

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143 (b) At least 50 percent of a classroom teacher's
144 performance evaluation, or 40 percent if less than 3 years of
145 student performance data are available, shall be based upon
146 learning growth or achievement of the teacher's students who
147 have fewer than 20 absences, or, for schools with block
148 scheduling, fewer than 10 absences; the remaining portion shall
149 be based upon factors identified in district-determined, state-
150 approved evaluation system plans. Student achievement measures
151 for courses associated with statewide assessments may be used
152 only if a statewide growth formula has not been approved for
153 that assessment or, for courses associated with school district
154 assessments, if achievement is demonstrated to be a more
155 appropriate measure of teacher performance.

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158 **T I T L E A M E N D M E N T**

159 Remove line 51 and insert:

160 employees of the district school board; amending ss.
161 1012.34 and 1012.3401, F.S.; requiring that classroom
162 teacher performance evaluations be based upon the
163 performance of students with fewer than a specified
164 number of absences; amending s.

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