

By Senator Montford

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1 A bill to be entitled
2 An act relating to education performance
3 accountability; creating s. 1008.311, F.S.; providing
4 legislative findings and intent; establishing the
5 Transition Education Accountability Task Force within
6 the Executive Office of the Governor; providing
7 membership, duties, and meeting times for the task
8 force; providing for per diem and reimbursement for
9 travel expenses; requiring the Commissioner of
10 Education to provide certain services to the task
11 force; requiring the task force to report regularly to
12 the State Board of Education; requiring the task force
13 to submit an annual report to the Governor, the
14 Legislature, and the State Board of Education by a
15 specified date; requiring the task force to comply
16 with certain statutory requirements; providing for the
17 expiration of the task force; amending s. 1003.41,
18 F.S.; requiring the implementation of the Next
19 Generation Sunshine State Standards adopted by rule of
20 the State Board of Education in a specified year be
21 extended through a specified school year; amending s.
22 1008.22, F.S.; prohibiting the use of a student's
23 performance on the Florida Comprehensive Assessment
24 Test (FCAT) as a requirement for graduation,
25 promotion, retention, or assignment of grades during
26 the transition period from the FCAT to a new
27 assessment; requiring the Commissioner of Education to
28 select a new statewide assessment; requiring the new
29 assessment to undergo rigorous content review;

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30 providing procedural requirements for establishing the
31 new assessment; requiring the Department of Education
32 to provide to school districts assessments for certain
33 subjects in certain grades; requiring the commissioner
34 to collaborate with a consortium of school district
35 representatives to develop the local assessments;
36 providing a purpose for the consortium; amending s.
37 1008.31, F.S.; revising the legislative intent
38 regarding the state's K-20 education performance
39 accountability system with regard to the transition to
40 a new education performance accountability system;
41 amending s. 1008.34, F.S.; providing that the school
42 grading system is suspended during specified school
43 years; requiring a new education performance
44 accountability system to be implemented in a specified
45 school year; requiring the school districts to report
46 on certain performance and growth measures during the
47 transition period for implementing the new education
48 performance accountability system; amending s.
49 1008.345, F.S.; requiring the commissioner to
50 implement and maintain a system of intensive school
51 improvement and stringent education accountability
52 during the transition period for implementing the new
53 education performance accountability system; requiring
54 the commissioner to assign a community assessment team
55 to each school district that is deemed to be low
56 performing during the transition period for
57 implementing the new performance accountability system
58 for certain purposes; amending s. 1008.385, F.S.;

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59 revising the responsibilities of the Commissioner of
60 Education and the school districts with regard to the
61 integrated information system for educational
62 management; amending s. 1012.22, F.S.; revising the
63 date of hire for school employees with regard to the
64 salary schedules used as a basis for paying such
65 employees; revising the date in which a district
66 school board must adopt a certain performance salary
67 schedule for instructional personnel and school
68 administrators; authorizing, rather than requiring,
69 certain classroom teachers to remain under the
70 grandfathered salary schedule under certain
71 circumstances; providing a basis for payment of a
72 salary for certain classroom teachers during the
73 transition period for implementing the new performance
74 accountability system; revising the effective date for
75 application of the performance salary schedule for
76 certain instructional personnel or school
77 administrators; amending s. 1012.34, F.S.; revising
78 the evaluation criteria used to prepare performance
79 evaluations for certain instructional personnel and
80 school administrators; revising provisions regarding
81 the measurement of student learning growth; amending
82 s. 1012.3401, F.S.; reducing the percentage of a
83 classroom teacher's performance evaluation and a
84 school administrator's performance evaluation which is
85 based on student learning growth or achievement;
86 providing an effective date.

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88 Be It Enacted by the Legislature of the State of Florida:

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90 Section 1. Section 1008.311, Florida Statutes, is created
91 to read:

92 1008.311 Transition education accountability system.-

93 (1) LEGISLATIVE FINDINGS AND INTENT.-

94 (a) The Legislature finds that several elements must be in
95 place in order to attain a valid and reliable system to measure
96 student achievement and the performance of schools. New state
97 standards must be adopted. Instructional materials directly
98 related to the new state standards must also be adopted,
99 procured, and made available to students and teachers. Teachers
100 must receive and master the content and instructional delivery
101 of the new state standards. Technological tools necessary to
102 deliver instruction and the newly adopted assessments must be
103 acquired and made available for use. Assessment instruments must
104 be created or acquired and must be field-tested to ensure that
105 the instruments meet the new state standards and the adopted
106 district curricula.

107 (b) It is the intent of the Legislature to:

108 1. Create a new performance accountability system, matched
109 to the new state performance standards, which is valid and
110 reliable and accurately measures student achievement and the
111 performance of teachers and schools. The Legislature finds that
112 this new system is necessary to ensure transparency in public
113 education so that parents have accurate information concerning
114 the achievement and academic growth of their students. Such
115 transparency enables the Legislature to make sound public policy
116 decisions and the most effective investments of resources

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117 provided by taxpayers. The Legislature further finds that a
118 valid, reliable performance accountability system to measure the
119 achievement of students served by this state's system of public
120 education is necessary to help develop the state's economy and
121 to convince businesses to locate and expand in this state.

122 2. Implement a new performance accountability system during
123 a 3-year transition period in order to ensure that the new
124 standards are thoroughly incorporated in all grades and subject
125 areas; that instructional materials are available and aligned to
126 the new standards; that technology is available for instruction
127 in, and assessment on, the new standards; that teachers and
128 administrators receive sufficient professional development in
129 the new standards; and that the new assessment is aligned to the
130 new standards. Student performance on the new assessment shall
131 be reported and used to make decisions on graduation, promotion,
132 and retention. However, performance on the new assessment may
133 not be the sole determiner for graduation, promotion, or
134 retention. A new performance accountability system shall be in
135 place for the 2017-2018 school year.

136 3. Suspend the school grading system during the 3-year
137 transition period. However, student performance on the new
138 assessment and other statewide assessments shall be reported to
139 the public in a format that indicates a school's performance.
140 Low-performing schools must continue to receive additional focus
141 and resources.

142 4. Modify the teacher evaluation system to reflect the
143 implementation of the new performance accountability system. The
144 percentage of the evaluation based on student performance shall
145 be modified in acknowledgment of the transition period. Pay-for-

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146 performance requirements shall be extended, but school districts
147 may continue or implement pay-for-performance systems that have
148 been adopted.

149 5. Establish a Transition Education Accountability Task
150 Force to advise the Governor, the President of the Senate, the
151 Speaker of the House of Representatives, and the State Board of
152 Education during the 3-year transition period. The task force
153 shall consist of leaders in education, parents, and members of
154 the business community.

155 (2) TRANSITION EDUCATION ACCOUNTABILITY TASK FORCE.—The
156 Transition Education Accountability Task Force is established to
157 monitor the education performance accountability system while in
158 transition and provide recommendations for the new performance
159 accountability system to be implemented in the 2017-2018 school
160 year. The task force shall be administratively housed in the
161 Executive Office of the Governor.

162 (a) The task force consists of the following 15 members:

163 1. Five members, appointed by the Governor, to include:

164 a. A former district school superintendent of a school
165 district in this state, who shall serve as chair.

166 b. A high school principal who is employed at a public
167 school in this state.

168 c. A teacher who is employed by a school district in this
169 state and who is a member of the Florida Education Association.

170 d. A parent of a student in a public school in this state.

171 e. A member of the business community who has at least one
172 child who is currently enrolled in or who has graduated from a
173 public school in this state.

174 2. Five members, appointed by the President of the Senate,

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175 to include:

176 a. A current superintendent of a large school district in
177 this state.

178 b. A district school board member from a small or medium
179 school district in this state.

180 c. A middle school principal employed by a school district
181 in this state.

182 d. A teacher who is employed by a school district in this
183 state.

184 e. A member of the business community who has at least one
185 child who is currently enrolled in or who has graduated from a
186 public school in this state.

187 3. Five members, appointed by the Speaker of the House of
188 Representatives, to include:

189 a. A current superintendent of a small or medium school
190 district in this state.

191 b. A current district school board member from a large
192 school district in this state.

193 c. An elementary school principal employed by a school
194 district in this state.

195 d. A member of the Florida PTA.

196 e. A member of the business community who has at least one
197 child who is currently enrolled in or who has graduated from a
198 public school in this state.

199 (b) The duties and responsibilities of the task force are
200 to:

201 1. Review and make recommendations to the Commissioner of
202 Education on all proposals relating to the performance
203 accountability system.

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204 2. Recommend accountability measures for consideration by
205 the State Board of Education during the 3-year transition period
206 for implementing the new performance accountability system.

207 3. Develop recommendations for the performance
208 accountability system to be implemented in the 2017-2018 school
209 year.

210 4. Provide a forum for the public to discuss concerns and
211 to make recommendations relating to school accountability.

212 (c) The task force members shall have an organizational
213 meeting no later than August 1, 2014, and shall meet quarterly
214 thereafter or at the call of the chair. Task force members may
215 not be paid but are entitled to receive per diem and
216 reimbursement for travel expenses and as provided in s. 112.061.
217 The Commissioner of Education shall provide professional and
218 administrative services to the task force. The task force shall
219 regularly report to the State Board of Education regarding the
220 progress of the new performance accountability system. The task
221 force shall submit a report to the Governor, the President of
222 the Senate, the Speaker of the House of Representatives, and the
223 State Board of Education no later than January 15 of each year.

224 (d) The task force shall comply with the requirements for
225 commissions in s. 20.052.

226 (e) The task force shall expire after submission of a final
227 report on December 1, 2018.

228 Section 2. Subsection (1) of section 1003.41, Florida
229 Statutes, is amended to read:

230 1003.41 Next Generation Sunshine State Standards.—

231 (1) Next Generation Sunshine State Standards establish the
232 core content of the curricula to be taught in the state and

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233 specify the core content knowledge and skills that K-12 public
234 school students are expected to acquire. Standards must be
235 rigorous and relevant and provide for the logical, sequential
236 progression of core curricular content that incrementally
237 increases a student's core content knowledge and skills over
238 time. Curricular content for all subjects must integrate
239 critical-thinking, problem-solving, and workforce-literacy
240 skills; communication, reading, and writing skills; mathematics
241 skills; collaboration skills; contextual and applied-learning
242 skills; technology-literacy skills; information and media-
243 literacy skills; and civic-engagement skills. The standards must
244 include distinct grade-level expectations for the core content
245 knowledge and skills that a student is expected to have acquired
246 by each individual grade level from kindergarten through grade
247 8. The standards for grades 9 through 12 may be organized by
248 grade clusters of more than one grade level except as otherwise
249 provided for visual and performing arts, physical education,
250 health, and foreign language standards. The implementation of
251 the standards as adopted by rule of the State Board of Education
252 in 2010 shall be extended through the 2016-2017 school year.

253 Section 3. Present paragraphs (e) through (h) of subsection
254 (3) of section 1008.22, Florida Statutes, are redesignated as
255 paragraphs (f) through (i), respectively, a new paragraph (e) is
256 added to that subsection, and paragraph (a) of subsection (3)
257 and paragraphs (a) and (c) of subsection (6) of that section are
258 amended, to read:

259 1008.22 Student assessment program for public schools.—

260 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
261 Commissioner of Education shall design and implement a

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262 statewide, standardized assessment program aligned to the core
263 curricular content established in the Next Generation Sunshine
264 State Standards. The commissioner also must develop or select
265 and implement a common battery of assessment tools that will be
266 used in all juvenile justice education programs in the state.
267 These tools must accurately measure the core curricular content
268 established in the Next Generation Sunshine State Standards.
269 Participation in the assessment program is mandatory for all
270 school districts and all students attending public schools,
271 including students seeking an adult high school diploma and
272 students in Department of Juvenile Justice education programs,
273 except as otherwise prescribed by the commissioner. If a student
274 does not participate in the assessment program, the school
275 district must notify the student's parent and provide the parent
276 with information regarding the implications of such
277 nonparticipation. The statewide, standardized assessment program
278 shall be designed and implemented as follows:

279 (a) *Florida Comprehensive Assessment Test (FCAT) until*
280 *replaced by other ~~common-core~~ assessments.*—FCAT Reading shall be
281 administered annually in grades 3 through 10; FCAT Mathematics
282 shall be administered annually in grades 3 through 8; FCAT
283 Writing shall be administered annually at least once at the
284 elementary, middle, and high school levels; and FCAT Science
285 shall be administered annually at least once at the elementary
286 and middle grades levels. A student who has not earned a passing
287 score on grade 10 FCAT Reading must participate in each retake
288 of the assessment until the student earns a passing score. The
289 commissioner shall recommend and the State Board of Education
290 must adopt a score on both the SAT and ACT that is concordant to

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291 a passing score on grade 10 FCAT Reading that, if achieved by a
292 student, meets the must-pass requirement for grade 10 FCAT
293 Reading. However, if the FCAT is not replaced by a new
294 assessment described in paragraph (e), the student's performance
295 on the FCAT may not be used as a requirement for graduation,
296 promotion, or retention during the transition period from the
297 FCAT to the new assessment. In addition, student performance may
298 not be used in the assignment of school grades during the 3-year
299 transition period.

300 (e) New statewide assessment.—The Commissioner of Education
301 shall select a new statewide assessment that accurately and
302 appropriately measures the new standards. The new assessment is
303 critical to the continued success of this state's performance
304 accountability system. Performance on the assessment impacts
305 graduation, promotion, and retention decisions of students and
306 ultimately impacts the employment, retention, and pay for
307 teachers and school administrators. The new assessment must
308 undergo a rigorous content review measured against this state's
309 standards. The reliability and validity of the new assessment
310 must be determined before its use in measuring student
311 performance and evaluating teachers and school administrators.
312 In addition, the new assessment must compare the performance of
313 students in this state with the performance of students in other
314 states. The 3-year transition period for administering the new
315 assessment shall proceed as follows:

316 1. The 2014-2015 school year shall be the first year for
317 administering the new assessment. The assessment must be a
318 comprehensive field test that replaces the FCAT. After the field
319 test, a thorough impact data review must be conducted.

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320 2. For the 2015-2016 school year, the new assessment must
321 be administered and incorporate any modifications made during or
322 following the prior school year, including adjustments in
323 technology requirements.

324 3. After calculating the results of the 2016-2017
325 administration of the new assessment, the standards and cut
326 scores for graduation, promotion, and retention shall be
327 established before the beginning of the 2017-2018 school year.

328 (6) LOCAL ASSESSMENTS.—

329 (a) Measurement of student learning gains in all subjects
330 and grade levels, except those subjects and grade levels
331 measured under the statewide, standardized assessment program
332 described in this section, is the responsibility of the school
333 districts. The Department of Education shall, at a minimum,
334 provide to school districts assessments for subjects in
335 prekindergarten through grade 2 and nonstatewide-assessed
336 subjects in grades 3 through 12.

337 (c) In implementing the requirements in paragraph (a), the
338 Commissioner of Education shall identify methods to assist and
339 support districts that may develop and acquire their own ~~in the~~
340 ~~development and acquisition of~~ assessments required under this
341 subsection. Methods may include developing item banks,
342 facilitating the sharing of developed tests among school
343 districts, acquiring assessments from state and national
344 curriculum-area organizations, and providing technical
345 assistance in best professional practices of test development
346 based upon state-adopted curriculum standards, administration,
347 and security. The commissioner shall collaborate with a
348 consortium of school district representatives in developing the

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349 assessments required under this subsection. The purpose of the
350 consortium is to avoid unnecessary duplication of assessments,
351 to more efficiently use limited resources, and to ensure
352 alignment with the standards among the districts.

353 Section 4. Paragraph (c) of subsection (1) of section
354 1008.31, Florida Statutes, is amended, and paragraph (f) is
355 added to that subsection, to read:

356 1008.31 Florida's K-20 education performance accountability
357 system; legislative intent; mission, goals, and systemwide
358 measures; data quality improvements.-

359 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature
360 that:

361 (c) The K-20 education performance accountability system
362 comply with the requirements of the "No Child Left Behind Act of
363 2001," Pub. L. No. 107-110, and the Individuals with
364 Disabilities Education Act (IDEA). The Commissioner of Education
365 shall notify the United States Department of Education regarding
366 the 3-year transition period to implement the new performance
367 accountability system under paragraph (f) in order to maintain
368 compliance with the requirements of the "No Child Left Behind
369 Act of 2001."

370 (f) Notwithstanding any other provision of law, the K-12
371 education performance accountability system shall be in
372 transition for 3 years, and a new performance accountability
373 system shall be fully implemented during the 2017-2018 school
374 year. After receiving recommendations from the Transition
375 Education Accountability Task Force, the Commissioner of
376 Education shall recommend to the State Board of Education annual
377 accountability measures that must be quantified and reported

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378 during the 3-year transition period to keep the public informed
379 of the performance of students and schools.

380 Section 5. Present subsection (8) of section 1008.34,
381 Florida Statutes, is redesignated as subsection (9), and a new
382 subsection (8) is added to that section, to read:

383 1008.34 School grading system; school report cards;
384 district grade.—

385 (8) Notwithstanding any other provision of law, the school
386 grading system shall be suspended during the 2014-2015, 2015-
387 2016, and 2016-2017 school years. A new education performance
388 accountability system under s. 1008.31(1), including school
389 grades, shall be implemented in the 2017-2018 school year.
390 During the 3-year transition period to implement the new
391 performance accountability system, each school district shall
392 report on student performance and school performance, including
393 performance indicators based on proficiency and learning gains;
394 performance by content area and grade level to be used to target
395 assistance and interventions at the district level or state
396 level; and growth measures for all subgroups in accordance with
397 the federal Elementary and Secondary Education Act (ESEA), 20
398 U.S.C. ss. 6301 et seq., to be compared to each subgroup's
399 median growth measure to determine if progress is being made.

400 Section 6. Subsection (1) and paragraph (d) of subsection
401 (6) of section 1008.345, Florida Statutes, are amended to read:

402 1008.345 Implementation of state system of school
403 improvement and education accountability.—

404 (1) The Commissioner of Education shall implement and
405 maintain ~~is responsible for implementing and maintaining~~
406 a system of intensive school improvement and stringent education

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407 accountability and continue to do so during the 3-year
408 transition period for implementing the new performance
409 accountability system under s. 1008.31(1). The system of
410 intensive school improvement and stringent education
411 accountability must, ~~which shall~~ include policies and programs
412 to implement the following:

413 (a) A system of data collection and analysis that will
414 improve information about the educational success of individual
415 students and schools, including schools operating for the
416 purpose of providing educational services to youth in Department
417 of Juvenile Justice programs. The information and analyses must
418 be capable of identifying educational programs or activities in
419 need of improvement, and reports prepared pursuant to this
420 paragraph shall be distributed to the appropriate district
421 school boards prior to distribution to the general public. This
422 provision shall not preclude access to public records as
423 provided in chapter 119.

424 (b) A program of school improvement that will analyze
425 information to identify schools, including schools operating for
426 the purpose of providing educational services to youth in
427 Department of Juvenile Justice programs, educational programs,
428 or educational activities in need of improvement.

429 (c) A method of delivering services to assist school
430 districts and schools to improve, including schools operating
431 for the purpose of providing educational services to youth in
432 Department of Juvenile Justice programs.

433 (d) A method of coordinating with the state educational
434 goals and school improvement plans any other state program that
435 creates incentives for school improvement.

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(6)

(d) The commissioner shall assign a community assessment team to each school district or governing board with a school that earned a grade of "F" or three consecutive grades of "D" pursuant to s. 1008.34 or that is deemed to be low performing during the 3-year transition period for implementing the new performance accountability system under s. 1008.31(1) to review the school performance data and determine causes for the low performance, including the role of school, area, and district administrative personnel. The community assessment team shall review a high school's graduation rate calculated without GED tests for the past 3 years, disaggregated by student ethnicity. The team shall make recommendations to the school board or the governing board and to the State Board of Education which address the causes of the school's low performance and may be incorporated into the school improvement plan. The assessment team shall include, but not be limited to, a department representative, parents, business representatives, educators, representatives of local governments, and community activists, and shall represent the demographics of the community from which they are appointed.

Section 7. Subsection (2) of section 1008.385, Florida Statutes, is amended to read:

1008.385 Educational planning and information systems.—

(2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.—The Commissioner of Education shall develop and implement an integrated information system for educational management. The system must be designed to collect, via electronic transfer, all student and school performance data required to ascertain the

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465 degree to which schools and school districts are meeting state
466 performance standards, and must be capable of producing data for
467 a comprehensive annual report on school and district
468 performance. In addition, the system shall support, as feasible,
469 the management decisions to be made in each division of the
470 department and at the individual school and district levels.
471 Similar data elements among divisions and levels shall be
472 compatible. The system shall be based on an overall conceptual
473 design; the information needed for such decisions, including
474 fiscal, student, program, personnel, facility, community,
475 evaluation, and other relevant data; and the relationship
476 between cost and effectiveness. The system shall be managed and
477 administered by the commissioner and shall include a district
478 subsystem component to be administered at the district level,
479 with input from the reports-and-forms control management
480 committees. Each district school system that has ~~with~~ a unique
481 management information system must ~~shall~~ assure that
482 compatibility exists between its unique system and the district
483 component of the state system so that all data required as input
484 to the state system is made available via electronic transfer
485 and in the appropriate input format.

486 (a) The specific responsibilities of the commissioner ~~shall~~
487 include:

488 1. Consulting with school district representatives in the
489 development of the system design model and implementation plans
490 for the management information system for public school
491 education management;

492 2. Providing operational definitions for the proposed
493 system, including criteria for issuing and revoking master

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494 school identification numbers to support the maintenance of
495 education records, to enforce and support education
496 accountability, to support the distribution of funds to school
497 districts, to support the preparation and analysis of school
498 district financial reports, and to assist the commissioner in
499 carrying out the duties specified in ss. 1001.10 and 1001.11;

500 3. Determining the information and specific data elements
501 required for the management decisions made at each educational
502 level, recognizing that the primary unit for information input
503 is the individual school and recognizing that time and effort of
504 instructional personnel expended in collection and compilation
505 of data should be minimized;

506 4. Developing standardized terminology and procedures to be
507 followed at all levels of the system;

508 5. Developing a standard transmittal format to be used for
509 collection of data from the various levels of the system;

510 6. Developing appropriate computer programs to assure
511 integration of the various information components dealing with
512 students, personnel, facilities, fiscal, program, community, and
513 evaluation data;

514 7. Developing the necessary programs to provide statistical
515 analysis of the integrated data provided in subparagraph 6. in
516 such a way that required reports may be disseminated,
517 comparisons may be made, and relationships may be determined in
518 order to provide the necessary information for making management
519 decisions at all levels;

520 8. Developing output report formats which will provide
521 district school systems with information for making management
522 decisions at the various educational levels;

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523 9. Developing a phased plan for distributing computer
524 services equitably among all public schools and school districts
525 in the state as rapidly as possible. The plan must ~~shall~~
526 describe alternatives available to the state in providing such
527 computing services and shall contain estimates of the cost of
528 each alternative, together with a recommendation for action. In
529 developing the plan, the feasibility of shared use of computing
530 hardware and software by school districts, Florida College
531 System institutions, and universities shall be examined. Laws or
532 administrative rules regulating procurement of data processing
533 equipment, communication services, or data processing services
534 by state agencies do ~~shall~~ not be ~~construed to~~ apply to local
535 agencies that ~~which~~ share computing facilities with state
536 agencies;

537 10. Assisting the district school systems in establishing
538 their subsystem components and assuring compatibility with
539 current district systems;

540 11. Establishing procedures for continuous evaluation of
541 system efficiency and effectiveness;

542 12. Initiating a reports-management and forms-management
543 system to ascertain that duplication in collection of data does
544 not exist and that forms and reports for reporting under state
545 and federal requirements and other forms and reports are
546 prepared in a logical and uncomplicated format, resulting in a
547 reduction in the number and complexity of required reports,
548 particularly at the school level; ~~and~~

549 13. Publishing minimum, recommended technology requirements
550 that include specifications for hardware, software, networking,
551 security, and broadband capacity to facilitate all school

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552 districts' compliance with the requirement that assessments be
553 administered online. Full implementation of online assessments
554 for Next Generation Sunshine State Standards in English Language
555 Arts and mathematics adopted under s. 1003.41 for all K-12
556 public school students shall occur only after the technology
557 infrastructure, connectivity, and capacity of all public schools
558 and school districts are load tested and independently verified
559 as ready for successful deployment and implementation. The
560 Commissioner of Education shall submit a report on the
561 implementation of the technology requirements by school
562 districts, including any implementation and funding issues
563 reported by each school district, to the Governor, the President
564 of the Senate, and the Speaker of the House of Representatives
565 by January 15 of each year; and

566 14.13. Initiating such other actions as are necessary to
567 carry out the intent of the Legislature that a management
568 information system for public school management needs be
569 implemented. Such other actions shall be based on criteria
570 including, but not limited to:

- 571 a. The purpose of the reporting requirement;
572 b. The origination of the reporting requirement;
573 c. The date of origin of the reporting requirement; and
574 d. The date of repeal of the reporting requirement.

575 (b) The specific responsibilities of each district school
576 system ~~shall~~ include:

- 577 1. Establishing, at the district level, a reports-control
578 and forms-control management system committee composed of school
579 administrators and classroom teachers. The district school board
580 shall appoint school administrator members and classroom teacher

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581 members or, in school districts where appropriate, the classroom
582 teacher members shall be appointed by the bargaining agent.
583 Teachers shall constitute a majority of the committee
584 membership. The committee shall periodically recommend
585 procedures to the district school board for eliminating,
586 reducing, revising, and consolidating paperwork and data
587 collection requirements and shall submit to the district school
588 board an annual report of its findings.

589 2. With assistance from the commissioner, developing
590 systems compatibility between the state management information
591 system and unique local systems.

592 3. Providing, with the assistance of the department,
593 inservice training dealing with management information system
594 purposes and scope, a method of transmitting input data, and the
595 use of output report information.

596 4. Establishing a plan for continuous review and evaluation
597 of local management information system needs and procedures.

598 5. Advising the commissioner of all district management
599 information needs.

600 6. Transmitting required data input elements to the
601 appropriate processing locations in accordance with guidelines
602 established by the commissioner.

603 7. Determining required reports, comparisons, and
604 relationships to be provided to district school systems by the
605 system output reports, continuously reviewing these reports for
606 usefulness and meaningfulness, and submitting recommended
607 additions, deletions, and change requirements in accordance with
608 the guidelines established by the commissioner.

609 8. Being responsible for the accuracy of all data elements

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610 transmitted to the department.

611 9. Implementing the technology requirements for
612 administering assessments online. Each district school
613 superintendent shall submit a report to the Commissioner of
614 Education which specifies whether the school district is in
615 compliance with the technology requirements, outstanding
616 implementation issues, and funding requirements to implement and
617 maintain the technology requirements.

618 (c) It is the intent of the Legislature that the expertise
619 in the state system of public education, as well as contracted
620 services, be used ~~utilized~~ to hasten the plan for full
621 implementation of a comprehensive management information system.

622 Section 8. Paragraph (c) of subsection (1) of section
623 1012.22, Florida Statutes, is amended to read:

624 1012.22 Public school personnel; powers and duties of the
625 district school board.—The district school board shall:

626 (1) Designate positions to be filled, prescribe
627 qualifications for those positions, and provide for the
628 appointment, compensation, promotion, suspension, and dismissal
629 of employees as follows, subject to the requirements of this
630 chapter:

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

632 1. Definitions.—As used in this paragraph:

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

637 b. "Grandfathered salary schedule" means the salary
638 schedule or schedules adopted by a district school board before

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639 July 1, 2014, pursuant to subparagraph 4.

640 c. "Instructional personnel" means instructional personnel
641 as defined in s. 1012.01(2)(a)-(d), excluding substitute
642 teachers.

643 d. "Performance salary schedule" means the salary schedule
644 or schedules adopted by a district school board pursuant to
645 subparagraph 5.

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

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

650 g. "Supplement" means an annual addition to the base salary
651 for the term of the negotiated supplement as long as the
652 employee continues his or her employment for the purpose of the
653 supplement. A supplement does not become part of the employee's
654 continuing base salary but shall be considered compensation
655 under s. 121.021(22).

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

658 a. Does not discriminate among comparable classes of
659 employees based upon the salary schedule under which they are
660 compensated.

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

663 3. Advanced degrees.—A district school board may not use
664 advanced degrees in setting a salary schedule for instructional
665 personnel or school administrators hired on or after July 1,
666 2011, unless the advanced degree is held in the individual's
667 area of certification and is only a salary supplement.

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668 4. Grandfathered salary schedule.—

669 a. The district school board shall adopt a salary schedule
670 or salary schedules to be used as the basis for paying all
671 school employees hired before July 1, 2017 ~~2014~~. Instructional
672 personnel on annual contract as of July 1, 2017 ~~2014~~, shall be
673 placed on the performance salary schedule adopted under
674 subparagraph 5. Instructional personnel on continuing contract
675 or professional service contract may opt into the performance
676 salary schedule if the employee relinquishes such contract and
677 agrees to be employed on an annual contract under s. 1012.335.
678 Such an employee shall be placed on the performance salary
679 schedule and may not return to continuing contract or
680 professional service contract status. Any employee who opts into
681 the performance salary schedule may not return to the
682 grandfathered salary schedule.

683 b. In determining the grandfathered salary schedule for
684 instructional personnel, a district school board must base a
685 portion of each employee's compensation upon performance
686 demonstrated under s. 1012.34 and shall provide differentiated
687 pay for both instructional personnel and school administrators
688 based upon district-determined factors, including, but not
689 limited to, additional responsibilities, school demographics,
690 critical shortage areas, and level of job performance
691 difficulties.

692 5. Performance salary schedule.—By July 1, 2017 ~~2014~~, the
693 district school board shall adopt a performance salary schedule
694 that provides annual salary adjustments for instructional
695 personnel and school administrators based upon performance
696 determined under s. 1012.34. Employees hired on or after July 1,

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697 2017 ~~2014~~, or employees who choose to move from the
698 grandfathered salary schedule to the performance salary schedule
699 shall be compensated pursuant to the performance salary schedule
700 once they have received the appropriate performance evaluation
701 for this purpose. However, a classroom teacher whose performance
702 evaluation uses ~~utilizes~~ student learning growth measures
703 established under s. 1012.34(7)(e) may, but is not required to,
704 ~~shall~~ remain under the grandfathered salary schedule until his
705 or her teaching assignment changes to a subject for which there
706 is an assessment or the school district establishes equally
707 appropriate measures of student learning growth as defined under
708 s. 1012.34 and rules of the State Board of Education. During the
709 3-year transition period for implementing the new performance
710 accountability system under s. 1008.31(1), pay may be based on
711 the performance on the instructional practice portion of the
712 assessment and district-determined outcome measures.

713 a. Base salary.—The base salary shall be established as
714 follows:

715 (I) The base salary for instructional personnel or school
716 administrators who opt into the performance salary schedule
717 shall be the salary paid in the prior year, including
718 adjustments only.

719 (II) Beginning July 1, 2017 ~~2014~~, instructional personnel
720 or school administrators new to the district, returning to the
721 district after a break in service without an authorized leave of
722 absence, or appointed for the first time to a position in the
723 district in the capacity of instructional personnel or school
724 administrator shall be placed on the performance salary
725 schedule.

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726 b. Salary adjustments.—Salary adjustments for highly
727 effective or effective performance shall be established as
728 follows:

729 (I) The annual salary adjustment under the performance
730 salary schedule for an employee rated as highly effective must
731 be greater than the highest annual salary adjustment available
732 to an employee of the same classification through any other
733 salary schedule adopted by the district.

734 (II) The annual salary adjustment under the performance
735 salary schedule for an employee rated as effective must be equal
736 to at least 50 percent and no more than 75 percent of the annual
737 adjustment provided for a highly effective employee of the same
738 classification.

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

742 c. Salary supplements.—In addition to the salary
743 adjustments, each district school board shall provide for salary
744 supplements for activities that must include, but are not
745 limited to:

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

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

751 (III) Certification and teaching in critical teacher
752 shortage areas. Statewide critical teacher shortage areas shall
753 be identified by the State Board of Education under s. 1012.07.
754 However, the district school board may identify other areas of

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755 critical shortage within the school district for purposes of
756 this sub-sub-subparagraph and may remove areas identified by the
757 state board which do not apply within the school district.

758 (IV) Assignment of additional academic responsibilities.
759

760 If budget constraints in any given year limit a district school
761 board's ability to fully fund all adopted salary schedules, the
762 performance salary schedule shall not be reduced on the basis of
763 total cost or the value of individual awards in a manner that is
764 proportionally greater than reductions to any other salary
765 schedules adopted by the district.

766 Section 9. Paragraph (a) of subsection (3) and paragraphs
767 (b) through (e) of subsection (7) of section 1012.34, Florida
768 Statutes, are amended to read:

769 1012.34 Personnel evaluation procedures and criteria.—

770 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
771 personnel and school administrator performance evaluations must
772 be based upon the performance of students assigned to their
773 classrooms or schools, as provided in this section. Pursuant to
774 this section, a school district's performance evaluation is not
775 limited to basing unsatisfactory performance of instructional
776 personnel and school administrators solely upon student
777 performance, but may include other criteria approved to evaluate
778 instructional personnel and school administrators' performance,
779 or any combination of student performance and other approved
780 criteria. Evaluation procedures and criteria must comply with,
781 but are not limited to, the following:

782 (a) A performance evaluation must be conducted for each
783 employee at least once a year, except that a classroom teacher,

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784 as defined in s. 1012.01(2)(a), excluding substitute teachers,
785 who is newly hired by the district school board must be observed
786 and evaluated at least twice in the first year of teaching in
787 the school district. The performance evaluation must be based
788 upon sound educational principles and contemporary research in
789 effective educational practices. The evaluation criteria must
790 include:

791 1. Performance of students.—At least 30 ~~50~~ percent of a
792 performance evaluation must be based upon data and indicators of
793 student learning growth assessed annually by statewide
794 assessments or, for subjects and grade levels not measured by
795 statewide assessments, by school district assessments as
796 provided in s. 1008.22(8), and 20 percent must be based on
797 district-determined outcome measures including, but not limited
798 to, school improvement goals, professional growth plans, and
799 student or parent surveys. For those grades and subjects for
800 which no assessment is developed, a school district may develop
801 student learning growth measures for such grades and subjects
802 until the assessments are available. Each school district must
803 use the formula adopted pursuant to paragraph (7)(a) for
804 measuring student learning growth in all courses associated with
805 statewide assessments and must select an equally appropriate
806 formula for measuring student learning growth for all other
807 grades and subjects, except as otherwise provided in subsection
808 (7).

809 a. For classroom teachers, as defined in s. 1012.01(2)(a),
810 excluding substitute teachers, the student learning growth
811 portion of the evaluation must include growth data for students
812 assigned to the teacher over the course of at least 3 years. If

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813 less than 3 years of data are available, the years for which
814 data are available must be used and the percentage of the
815 evaluation based upon student learning growth may be reduced to
816 not less than 20 ~~40~~ percent.

817 b. For instructional personnel who are not classroom
818 teachers, the student learning growth portion of the evaluation
819 must include growth data on statewide assessments for students
820 assigned to the instructional personnel over the course of at
821 least 3 years, or may include a combination of student learning
822 growth data and other measurable student outcomes that are
823 specific to the assigned position, provided that the student
824 learning growth data accounts for not less than 30 percent of
825 the evaluation. If less than 3 years of student growth data are
826 available, the years for which data are available must be used
827 and the percentage of the evaluation based upon student learning
828 growth may be reduced to not less than 20 percent.

829 c. For school administrators, the student learning growth
830 portion of the evaluation must include growth data for students
831 assigned to the school over the course of at least 3 years. If
832 less than 3 years of data are available, the years for which
833 data are available must be used and the percentage of the
834 evaluation based upon student learning growth may be reduced to
835 not less than 20 ~~40~~ percent.

836 2. Instructional practice.—Evaluation criteria used when
837 annually observing classroom teachers, as defined in s.
838 1012.01(2)(a), excluding substitute teachers, must include
839 indicators based upon each of the Florida Educator Accomplished
840 Practices adopted by the State Board of Education. For
841 instructional personnel who are not classroom teachers,

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842 evaluation criteria must be based upon indicators of the Florida
843 Educator Accomplished Practices and may include specific job
844 expectations related to student support.

845 3. Instructional leadership.—For school administrators,
846 evaluation criteria must include indicators based upon each of
847 the leadership standards adopted by the State Board of Education
848 under s. 1012.986, including performance measures related to the
849 effectiveness of classroom teachers in the school, the
850 administrator's appropriate use of evaluation criteria and
851 procedures, recruitment and retention of effective and highly
852 effective classroom teachers, improvement in the percentage of
853 instructional personnel evaluated at the highly effective or
854 effective level, and other leadership practices that result in
855 student learning growth. The system may include a means to give
856 parents and instructional personnel an opportunity to provide
857 input into the administrator's performance evaluation.

858 4. Professional and job responsibilities.—For instructional
859 personnel and school administrators, other professional and job
860 responsibilities must be included as adopted by the State Board
861 of Education. The district school board may identify additional
862 professional and job responsibilities.

863 (7) MEASUREMENT OF STUDENT LEARNING GROWTH.—

864 (b) Beginning in the 2017-2018 ~~2011-2012~~ school year, each
865 school district shall measure student learning growth using the
866 formula approved by the commissioner under paragraph (a) for
867 courses associated with the new statewide assessment that
868 replaces the FCAT. Each school district shall implement the
869 additional student learning growth measures selected by the
870 commissioner under paragraph (a) for the remainder of the

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871 statewide assessments included under s. 1008.22 as they become
872 available. Beginning in the 2017-2018 ~~2014-2015~~ school year, for
873 grades and subjects not assessed by statewide assessments but
874 otherwise assessed as required under s. 1008.22(8) or for which
875 district-determined outcome measures are used, each school
876 district shall measure student learning growth using an equally
877 appropriate formula. The department shall provide models for
878 measuring student learning growth which school districts may
879 adopt.

880 (c) For a course that is not measured by a statewide
881 assessment, a school district may ~~request, through the~~
882 ~~evaluation system approval process,~~ to use a student achievement
883 measure rather than a student learning growth measure if
884 achievement is demonstrated to be a more appropriate measure of
885 classroom teacher performance. A school district may also
886 request to use a combination of student learning growth and
887 achievement, if appropriate.

888 (d) If the student learning growth in a course is not
889 measured by a statewide assessment but is measured by a school
890 district assessment, a school district may include in request,
891 ~~through the evaluation system approval process,~~ that the
892 performance evaluation for the classroom teacher assigned to
893 that course ~~include~~ the learning growth of his or her students
894 on FCAT Reading, ~~or~~ FCAT Mathematics, or an applicable statewide
895 assessment. ~~The request must clearly explain the rationale~~
896 ~~supporting the request. However, the classroom teacher's~~
897 ~~performance evaluation must give greater weight to student~~
898 ~~learning growth on the district assessment.~~

899 (e) For classroom teachers of courses for which the

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900 district has not implemented appropriate assessments under s.
901 1008.22(8) or for which the school district has not adopted an
902 equally appropriate measure of student learning growth under
903 paragraphs (b)-(d), student learning growth must be measured by
904 the growth in learning of the classroom teacher's students on
905 statewide assessments, or, for courses in which enrolled
906 students do not take the statewide assessments, measurable
907 learning targets must be established based upon the goals of the
908 school improvement plan and approved by the school principal. A
909 district school superintendent may assign to instructional
910 personnel in an instructional team the student learning growth
911 of the instructional team's students on statewide assessments.
912 ~~This paragraph expires July 1, 2015.~~

913 Section 10. Subsection (1) of section 1012.3401, Florida
914 Statutes, is amended to read:

915 1012.3401 Requirements for measuring student performance in
916 instructional personnel and school administrator performance
917 evaluations; performance evaluation of personnel for purposes of
918 performance salary schedule.—Notwithstanding any provision to
919 the contrary in ss. 1012.22 and 1012.34 regarding the
920 performance salary schedule and personnel evaluation procedures
921 and criteria:

922 (1) At least 30 ~~50~~ percent of a classroom teacher's or
923 school administrator's performance evaluation, or 20 ~~40~~ percent
924 if less than 3 years of student performance data are available,
925 shall be based upon learning growth or achievement of the
926 teacher's students or, for a school administrator, the students
927 attending that school; the remaining portion shall be based upon
928 factors identified in district-determined, state-approved

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929 evaluation system plans. Student achievement measures for
930 courses associated with statewide assessments may be used only
931 if a statewide growth formula has not been approved for that
932 assessment or, for courses associated with school district
933 assessments, if achievement is demonstrated to be a more
934 appropriate measure of teacher performance.

935 Section 11. This act shall take effect July 1, 2014.