

By Senator Montford

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1 A bill to be entitled
2 An act relating to education accountability; amending
3 s. 1003.41, F.S.; providing that the English Language
4 Arts (ELA) and Mathematics online assessments may not
5 be fully implemented until certain technology
6 infrastructure, connectivity, and capacity have been
7 tested, verified, and certified as ready; requiring
8 the Commissioner of Education to provide an
9 alternative to online assessments in certain
10 circumstances; amending s. 1008.22, F.S.; specifying
11 that, for the purpose of the student assessment
12 program, state and local student assessment programs
13 must use the minimum amount of testing necessary;
14 revising requirements for the administration of the
15 ELA and Mathematics assessments; prohibiting the use
16 of such assessments for promotion or retention
17 purposes; prohibiting the use of the ELA assessment
18 for graduation purposes; requiring the commissioner to
19 provide an alternative, nonelectronic option for the
20 administration and reporting of assessments under
21 certain circumstances; providing that online
22 assessments may not be implemented until certain
23 technology infrastructure, connectivity, and capacity
24 has been tested, verified, and certified as ready;
25 revising requirements relating to local assessments,
26 including certain student performance measurements,
27 course content measurements, end-of-course
28 assessments, and administration schedules; amending s.
29 1008.30, F.S.; providing that the PSAT, SAT, and ACT

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30 are tests that may be accepted in lieu of a common
31 placement test to assess student college readiness;
32 authorizing, rather than requiring, high schools to
33 evaluate student college readiness using the results
34 of the test prescribed in this section under certain
35 circumstances; amending s. 1008.31, F.S.; revising
36 legislative intent regarding the state K-20 education
37 performance accountability system; requiring the
38 commissioner to notify the United States Department of
39 Education regarding the transition period required to
40 implement the new performance accountability system;
41 requiring the system to be implemented in the 2016-
42 2017 school year; requiring school grades to be held
43 in abeyance until the system is implemented; creating
44 s. 1008.311, F.S.; providing legislative findings and
45 intent regarding the state's transition to the new
46 system; amending s. 1008.34, F.S.; requiring that
47 specified school grades and school improvement ratings
48 be held in abeyance; authorizing the commissioner to
49 reduce or eliminate intervention and support services
50 for a school or an approved provider under certain
51 circumstances; authorizing school districts to use
52 other measures of student performance or concordant
53 scores for certain purposes; removing a future repeal
54 relating to the transition of the school grading
55 system; amending s. 1008.345, F.S.; requiring the
56 commissioner to continue his or her responsibility for
57 implementing and maintaining a system of intensive
58 school improvement and stringent education

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59 accountability during the transition period for
60 implementing the new performance accountability
61 system; amending s. 1008.385, F.S.; requiring the
62 commissioner to publish technology requirements for
63 school districts to facilitate online assessments;
64 prohibiting the implementation of certain online
65 assessments until certain technology infrastructure,
66 connectivity, and capacity has been tested, verified,
67 and certified as ready; requiring the commissioner to
68 provide an alternative, nonelectronic option for the
69 administration and reporting of assessments under
70 certain circumstances, to submit a report on the
71 implementation of technology requirements by school
72 districts to the Legislature, and to recommend the
73 level of funding for such technology requirements to
74 the Legislature annually; requiring school districts
75 to implement technology requirements for administering
76 online assessments and to report to the commissioner
77 its compliance with such requirements; amending s.
78 1012.34, F.S.; revising the personnel evaluation
79 procedures and criteria, including student learning
80 assessments; authorizing school districts to measure
81 student learning and performance using certain
82 formulas; revising the rulemaking requirements the
83 State Board of Education must adopt relating to
84 evaluations; requiring the standards for each
85 performance level to be established within a certain
86 timeframe; amending s. 1012.3401, F.S.; revising
87 personnel performance evaluations in relation to

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88 student learning or achievement; amending ss. 1001.03,
89 1002.451, 1004.04, 1004.85, 1007.271, 1008.37,
90 1012.22, 1012.341, and 1012.56, F.S.; conforming
91 provisions to changes made by the act; providing an
92 effective date.

93

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

95

96 Section 1. Present subsection (4) of section 1003.41,
97 Florida Statutes, is redesignated as subsection (5), and a new
98 subsection (4) is added to that section, to read:

99 1003.41 Next Generation Sunshine State Standards.—

100 (4) Full implementation of online assessments for Next
101 Generation Sunshine State Standards in English Language Arts and
102 mathematics adopted under this section shall occur only after
103 the technology infrastructure, connectivity, and capacity of all
104 public schools and school districts have been load tested,
105 independently verified, and certified by the district school
106 superintendents as ready for successful deployment and
107 implementation. If a district school superintendent certifies
108 that the school district or schools within that district are not
109 ready to deploy and implement the online assessments, the
110 Commissioner of Education shall provide an alternative,
111 nonelectronic option to the school district for the successful
112 and timely administration of assessments and the reporting of
113 such assessment results to the Department of Education.

114 Section 2. Subsection (1), paragraphs (a) and (d) of
115 subsection (3), and subsections (4) and (6) of section 1008.22,
116 Florida Statutes, are amended to read:

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117 1008.22 Student assessment program for public schools.—

118 (1) PURPOSE.—The primary purpose of the student assessment
119 program is to provide student academic achievement and learning
120 gains data to students, parents, teachers, school
121 administrators, and school district staff. This data is to be
122 used by districts to improve instruction; by students, parents,
123 and teachers to guide learning objectives; by education
124 researchers to assess national and international education
125 comparison data; and by the public to assess the cost benefit of
126 the expenditure of taxpayer dollars. State and local student
127 assessment programs must use the minimum amount of state and
128 local testing required for students to accomplish the purposes
129 of the program. The program must be designed to:

130 (a) Assess the achievement level and annual learning gains
131 of each student in English Language Arts and mathematics and the
132 achievement level in all other subjects assessed.

133 (b) Provide data for making decisions regarding school
134 accountability, recognition, and improvement of operations and
135 management, including schools operating for the purpose of
136 providing educational services to youth in Department of
137 Juvenile Justice programs.

138 (c) Identify the educational strengths and needs of
139 students and the readiness of students to be promoted to the
140 next grade level or to graduate from high school.

141 (d) Assess how well educational goals and curricular
142 standards are met at the school, district, state, national, and
143 international levels.

144 (e) Provide information to aid in the evaluation and
145 development of educational programs and policies.

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146 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
147 Commissioner of Education shall design and implement a
148 statewide, standardized assessment program aligned to the core
149 curricular content established in the Next Generation Sunshine
150 State Standards. The commissioner also must develop or select
151 and implement a common battery of assessment tools that will be
152 used in all juvenile justice education programs in the state.
153 These tools must accurately measure the core curricular content
154 established in the Next Generation Sunshine State Standards.
155 Participation in the assessment program is mandatory for all
156 school districts and all students attending public schools,
157 including adult students seeking a standard high school diploma
158 under s. 1003.4282 and students in Department of Juvenile
159 Justice education programs, except as otherwise provided by law.
160 If a student does not participate in the assessment program, the
161 school district must notify the student's parent and provide the
162 parent with information regarding the implications of such
163 nonparticipation. The statewide, standardized assessment program
164 shall be designed and implemented as follows:

165 (a) *Statewide, standardized comprehensive assessments.*—The
166 English Language Arts (ELA) assessment, including the statewide,
167 ~~standardized Reading assessment shall be administered annually~~
168 ~~in grades 3 through 10. The statewide, standardized Writing~~
169 component, assessment shall be administered annually at least
170 ~~once at the elementary, middle, and high school levels. When the~~
171 ~~Reading and Writing assessments are replaced by English Language~~
172 ~~Arts (ELA) assessments, ELA assessments shall be administered~~
173 annually to students in grades 3 through 10 11. Retake
174 opportunities for the ~~grade 10 Reading assessment or, upon~~

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175 ~~implementation, the grade 10 ELA assessment must be provided.~~
176 Students taking the ELA assessments may ~~shall~~ not take the
177 statewide, standardized assessments in ~~Reading or~~ Writing. ELA
178 assessments may be, but are not required to be, ~~shall be~~
179 administered online. The statewide, standardized Mathematics
180 assessments shall be administered annually in grades 3 through
181 8. Students taking a revised Mathematics assessment may ~~shall~~
182 not take the discontinued assessment. The statewide,
183 standardized Science assessment shall be administered ~~annually~~
184 at least once annually at the elementary grades level and the
185 middle grades levels. In order to earn a standard high school
186 diploma, a student who has not earned a passing score on ~~the~~
187 ~~grade 10 Reading assessment or, upon implementation,~~ the grade
188 10 ELA assessment must earn a passing score on the assessment
189 retake or earn a concordant score as authorized under subsection
190 (7).

191 1. The ELA assessment may not be used as a requirement for
192 graduation, promotion, or retention during the transition period
193 from the administration of the FCAT to a statewide, standardized
194 ELA assessment. The 2016-2017 school year is the first year that
195 the ELA assessment may be used for graduation, promotion, or
196 retention purposes. Until the 2016-2017 school year, a
197 concordant score may be used as provided in subsection (7) to
198 satisfy high school graduation requirements. For promotion and
199 retention purposes, the school district may use a variety of
200 assessments to quantify student performance in English Language
201 Arts or reading.

202 2. The Mathematics assessment administered in grades 3
203 through 8 may not be used as a requirement for promotion or

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204 retention during the transition period from the administration
205 of the FCAT to a statewide, standardized Mathematics assessment.
206 The 2016-2017 school year is the first year that the Mathematics
207 assessment may be used for promotion or retention purposes.
208 Until the 2016-2017 school year, the school district may use a
209 variety of assessments to quantify student performance in
210 mathematics.

211 3. Until the 2016-2017 school year, the commissioner shall
212 provide an alternative, nonelectronic option for the
213 administration of the ELA statewide, standardized assessment,
214 including Writing, and the Mathematics statewide, standardized
215 assessment. The nonelectronic option shall be provided in order
216 to ensure that students have adequate time to develop the word
217 processing and computer skills to take the statewide,
218 standardized assessment and that districts have the capacity on
219 both the school and district levels to administer the assessment
220 as an online assessment.

221 (d) *Implementation schedule.*—

222 1. The Commissioner of Education shall establish and
223 publish on the department's website an implementation schedule
224 to transition from the statewide, standardized Reading and
225 Writing assessments to the ELA assessments and to the revised
226 Mathematics assessments, including the Algebra I and Geometry
227 EOC assessments. The schedule must take into consideration
228 funding, sufficient field and baseline data, access to
229 assessments, instructional alignment, and school district
230 readiness to administer the assessments online.

231 2. The Department of Education shall publish minimum and
232 recommended technology requirements that include specifications

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233 for hardware, software, networking, security, and broadband
234 capacity to facilitate school district compliance with the
235 requirement that assessments be administered online.

236 3. The technology infrastructure, connectivity, and
237 capacity of all public schools and school districts that
238 administer statewide standardized assessments pursuant to this
239 section, including online assessments, shall be load tested,
240 independently verified as appropriate, and certified by the
241 district school superintendent as adequate, efficient, and
242 sustainable. If a district school superintendent certifies that
243 the school district or schools within that district are not
244 ready, the Commissioner of Education shall provide an
245 alternative, nonelectronic option to the school district for the
246 successful and timely administration of assessments and the
247 reporting of such assessment results to the Department of
248 Education.

249 (4) SCHOOL ASSESSMENT PROGRAMS.—Each public school shall
250 participate in the statewide, standardized assessment program in
251 accordance with the assessment and reporting schedules and the
252 minimum and recommended technology requirements published by the
253 Commissioner of Education. However, if a district school
254 superintendent certifies that the school district or schools
255 within that district are not ready, the commissioner shall
256 provide an alternative, nonelectronic option to the school
257 district for the successful and timely administration of
258 assessments and the reporting of such assessment results to the
259 Department of Education. District school boards may ~~shall~~ not
260 establish school calendars that conflict with or jeopardize
261 implementation of the assessment program. All district school

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262 boards shall report assessment results as required by the state
263 management information system. Performance data shall be
264 analyzed and reported to parents, the community, and the state.
265 Student performance data shall be used by districts in
266 developing objectives for the school improvement plan,
267 evaluating instructional personnel and administrative personnel,
268 assigning staff, allocating resources, acquiring instructional
269 materials and technology, implementing performance-based
270 budgeting, and promoting and assigning students to educational
271 programs. The analysis of student performance data must also
272 identify strengths and needs in the educational program and
273 trends over time. The analysis must be used in conjunction with
274 the budgetary planning processes developed pursuant to s.
275 1008.385 and the development of remediation programs.

276 (6) LOCAL ASSESSMENTS.—

277 (a) Measurement of student performance is the
278 responsibility of school districts except in those subjects and
279 grade levels measured under the statewide, standardized
280 assessment program described in this section ~~in all subjects and~~
281 ~~grade levels, except those subjects and grade levels measured~~
282 ~~under the statewide, standardized assessment program described~~
283 ~~in this section, is the responsibility of the school districts.~~

284 (b) ~~Except for those subjects and grade levels measured~~
285 ~~under the statewide, standardized assessment program, beginning~~
286 ~~with the 2014-2015 school year, each school district shall~~
287 ~~administer for each course offered in the district a local~~
288 ~~assessment that measures student mastery of course content at~~
289 ~~the necessary level of rigor for the course. As adopted pursuant~~
290 to State Board of Education rule, course content is set forth in

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291 the state standards required by s. 1003.41 and in the course
292 description. Local assessments that measure course content set
293 forth in the state standards may include:

- 294 1. Statewide assessments.
- 295 2. Other standardized assessments, including nationally
296 recognized standardized assessments.
- 297 3. Industry certification assessments.
- 298 4. District-developed or district-selected end-of-course
299 assessments.
- 300 5. Teacher-selected or principal-selected assessments.

301 (c) Each district school board must adopt policies for
302 selection, development, administration, and scoring of local
303 assessments and for collection of assessment results. Local
304 assessments implemented under subparagraphs (b)4. and 5. may
305 include a variety of assessment formats, including, but not
306 limited to, project-based assessments, adjudicated performances,
307 and practical application assignments. Teacher-selected or
308 principal-selected end-of-course assessments used for all
309 English Language Arts, mathematics, science, and social studies
310 courses offered in the district that are used to meet graduation
311 requirements under s. 1002.3105, s. 1003.4281, or s. 1003.4282
312 and that are not otherwise assessed by statewide, standardized
313 assessments must be approved by the district school
314 superintendent or his or her designee ~~For all English Language~~
315 ~~Arts, mathematics, science, and social studies courses offered~~
316 ~~in the district that are used to meet graduation requirements~~
317 ~~under s. 1002.3105, s. 1003.4281, or s. 1003.4282 and that are~~
318 ~~not otherwise assessed by statewide, standardized assessments,~~
319 ~~the district school board must select the assessments described~~

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320 ~~in subparagraphs (b)1.-4.~~

321 (d) The Commissioner of Education shall identify methods to
322 assist and support districts in the development and acquisition
323 of assessments required under this subsection. Methods may
324 include developing item banks, facilitating the sharing of
325 developed tests among school districts, acquiring assessments
326 from state and national curriculum-area organizations, and
327 providing technical assistance in best professional practices of
328 test development based upon state-adopted curriculum standards,
329 administration, and security.

330 (e) Each school district shall establish schedules for the
331 administration of any state- and district-mandated assessment.
332 The schedules must identify the statutory requirement for all
333 mandated assessments. Each school district shall ~~and~~ approve the
334 schedules as an agenda item at a district school board meeting.
335 The school district shall publish the testing schedules on its
336 website, clearly specifying the state- and district-mandated
337 assessments, and report the schedules to the Department of
338 Education by October 1 of each year.

339 Section 3. Section 1008.30, Florida Statutes, is amended to
340 read:

341 1008.30 Postsecondary readiness ~~Common placement testing~~
342 ~~for public postsecondary education.-~~

343 (1) The State Board of Education, in conjunction with the
344 Board of Governors, shall develop and implement a common
345 placement test for the purpose of assessing the basic
346 computation and communication skills of students who intend to
347 enter a degree program at any public postsecondary educational
348 institution. Alternative assessments that may be accepted in

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349 lieu of the common placement test shall also be identified in
350 rule. The PSAT, SAT, and ACT are tests that may be used. Public
351 postsecondary educational institutions shall provide appropriate
352 modifications of the test instruments or test procedures for
353 students with disabilities.

354 (2) The test must ~~common placement testing program shall~~
355 include the capacity to diagnose basic competencies in the areas
356 of English, reading, and mathematics which are essential for
357 success in meta-majors and to provide test information to
358 students on the specific skills the student needs to attain.

359 (3) The State Board of Education shall adopt rules that
360 authorize ~~require~~ high schools to evaluate before the beginning
361 of grade 12 the college readiness of each student who scores
362 Level 2 or Level 3 on grade 10 FCAT Reading or the English
363 Language Arts assessment under s. 1008.22, as applicable, or
364 Level 2, Level 3, or Level 4 on the Algebra I assessment under
365 s. 1008.22. High schools may ~~shall~~ perform this evaluation using
366 results from the ~~corresponding component of the common placement~~
367 ~~test prescribed in this section, or an alternative test~~
368 ~~identified by the State Board of Education.~~ The high school may
369 ~~shall~~ use the results of the test to advise the students of any
370 identified deficiencies and to provide 12th grade students with,
371 and strongly encourage ~~require~~ them to complete, appropriate
372 postsecondary preparatory instruction before high school
373 graduation. The curriculum provided under this subsection shall
374 be identified in rule by the State Board of Education and
375 encompass Florida's Postsecondary Readiness Competencies. Other
376 elective courses may not be substituted for the selected
377 postsecondary mathematics, reading, writing, or English Language

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378 Arts preparatory course unless the elective course covers the
379 same competencies included in the postsecondary mathematics,
380 reading, writing, or English Language Arts preparatory course.

381 (4) By October 31, 2013, the State Board of Education shall
382 establish by rule the test scores a student must achieve to
383 demonstrate readiness to perform college-level work, and the
384 rules must specify the following:

385 (a) A student who entered 9th grade in a Florida public
386 school in the 2003-2004 school year, or any year thereafter, and
387 earned a Florida standard high school diploma or a student who
388 is serving as an active duty member of any branch of the United
389 States Armed Services may ~~shall~~ not be required to take the
390 ~~common placement~~ test and may ~~shall~~ not be required to enroll in
391 developmental education instruction in a Florida College System
392 institution. However, a student who is not required to take the
393 ~~common placement~~ test and is not required to enroll in
394 developmental education under this paragraph may opt to be
395 assessed and to enroll in developmental education instruction,
396 and the college shall provide such assessment and instruction
397 upon the student's request.

398 (b) A student who takes the ~~common placement~~ test and whose
399 score on the test indicates a need for developmental education
400 must be advised of all the developmental education options
401 offered at the institution and, after advisement, shall be
402 allowed to enroll in the developmental education option of his
403 or her choice.

404 (c) A student who demonstrates readiness by achieving or
405 exceeding the test scores established by the state board and
406 enrolls in a Florida College System institution within 2 years

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407 after achieving such scores may ~~shall~~ not be required to retest
408 or complete developmental education when admitted to any Florida
409 College System institution.

410 (5) By December 31, 2013, the State Board of Education, in
411 consultation with the Board of Governors, shall approve a series
412 of meta-majors and the academic pathways that identify the
413 gateway courses associated with each meta-major. Florida College
414 System institutions shall use placement test results to
415 determine the extent to which each student demonstrates
416 sufficient communication and computation skills to indicate
417 readiness for his or her chosen meta-major. Florida College
418 System institutions shall counsel students into college credit
419 courses as quickly as possible, with developmental education
420 limited to that content needed for success in the meta-major.

421 (6) (a) Each Florida College System institution board of
422 trustees shall develop a plan to implement the developmental
423 education strategies defined in s. 1008.02 and rules established
424 by the State Board of Education. The plan must be submitted to
425 the Chancellor of the Florida College System for approval no
426 later than March 1, 2014, for implementation no later than the
427 fall semester 2014. Each plan must include, at a minimum, local
428 policies that outline:

429 1. Documented student achievements such as grade point
430 averages, work history, military experience, participation in
431 juried competitions, career interests, degree major declaration,
432 or any combination of such achievements that the institution may
433 consider, in addition to ~~common placement~~ test scores, for
434 advising students regarding enrollment options.

435 2. Developmental education strategies available to

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436 students.

437 3. A description of student costs and financial aid
438 opportunities associated with each option.

439 4. Provisions for the collection of student success data.

440 5. A comprehensive plan for advising students into
441 appropriate developmental education strategies based on student
442 success data.

443 (b) Beginning October 31, 2015, each Florida College System
444 institution shall annually prepare an accountability report that
445 includes student success data relating to each developmental
446 education strategy implemented by the institution. The report
447 shall be submitted to the Division of Florida Colleges by
448 October 31 in a format determined by the Chancellor of the
449 Florida College System. By December 31, the chancellor shall
450 compile and submit the institutional reports to the Governor,
451 the President of the Senate, the Speaker of the House of
452 Representatives, and the State Board of Education.

453 (c) A university board of trustees may contract with a
454 Florida College System institution board of trustees for the
455 Florida College System institution to provide developmental
456 education on the state university campus. Any state university
457 in which the percentage of incoming students requiring
458 developmental education equals or exceeds the average percentage
459 of such students for the Florida College System may offer
460 developmental education without contracting with a Florida
461 College System institution; however, any state university
462 offering college-preparatory instruction as of January 1, 1996,
463 may continue to provide such services.

464 (7) A student may not be enrolled in a college credit

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465 mathematics or English course on a dual enrollment basis unless
466 the student has demonstrated adequate precollegiate preparation
467 on the section of the basic computation and communication skills
468 assessment required pursuant to subsection (1) that is
469 appropriate for successful student participation in the course.

470 Section 4. Subsection (1) of section 1008.31, Florida
471 Statutes, is amended to read:

472 1008.31 Florida's K-20 education performance accountability
473 system; legislative intent; mission, goals, and systemwide
474 measures; data quality improvements.-

475 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature
476 that:

477 (a) The performance accountability system implemented to
478 assess the effectiveness of Florida's seamless K-20 education
479 delivery system provide answers to the following questions in
480 relation to its mission and goals:

481 1. What is the public receiving in return for funds it
482 invests in education?

483 2. How effectively is Florida's K-20 education system
484 educating its students?

485 3. How effectively are the major delivery sectors promoting
486 student achievement?

487 4. How are individual schools and postsecondary education
488 institutions performing their responsibility to educate their
489 students as measured by how students are performing and how much
490 they are learning?

491 (b) The K-20 education performance accountability system be
492 established as a single, unified accountability system with
493 multiple components, including, but not limited to, student

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494 performance in public schools and school and district grades.

495 (c) The K-20 education performance accountability system
496 comply with the requirements of the "No Child Left Behind Act of
497 2001," Pub. L. No. 107-110, and the Individuals with
498 Disabilities Education Act (IDEA). The Commissioner of Education
499 shall notify the United States Department of Education regarding
500 the transition period required to implement the new performance
501 accountability system in order to maintain compliance with or be
502 granted a waiver from the requirements of the "No Child Left
503 Behind Act of 2001."

504 (d) Notwithstanding any other law, the K-12 education
505 performance accountability system is in transition for the 2014-
506 2015 and 2015-2016 school years, and the new performance
507 accountability system shall be fully implemented during the
508 2016-2017 school year. During the 2-year transition period,
509 school grades shall be held in abeyance.

510 (e) ~~(d)~~ The State Board of Education and the Board of
511 Governors of the State University System recommend to the
512 Legislature systemwide performance standards; the Legislature
513 establish systemwide performance measures and standards; and the
514 systemwide measures and standards provide Floridians with
515 information on what the public is receiving in return for the
516 funds it invests in education and how well the K-20 system
517 educates its students.

518 (f) ~~(e)~~ 1. The State Board of Education establish performance
519 measures and set performance standards for individual public
520 schools and Florida College System institutions, with measures
521 and standards based primarily on student achievement.

522 2. The Board of Governors of the State University System

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523 establish performance measures and set performance standards for
524 individual state universities, including actual completion
525 rates.

526 Section 5. Section 1008.311, Florida Statutes, is created
527 to read:

528 1008.311 Transition education accountability system.—

529 (1) LEGISLATIVE FINDINGS.—The Legislature finds that:

530 (a) Public education is a critical component to this
531 state's continued economic growth.

532 (b) This state has been a leader in the development and
533 implementation of a rigorous education accountability system.
534 This system is an important component to ensuring that students
535 are prepared for the world of work and postsecondary education
536 and is the foundation for an evaluation and performance pay
537 system for teachers and administrators and for the issuance of
538 school and district grades.

539 (c) One of the consequences of using a new statewide,
540 standardized assessment with the accompanying teacher evaluation
541 system and school grades is the outcry by parents and teachers
542 of too much testing. While testing is a critical component of
543 education and one way of measuring student learning, testing
544 should not define the system.

545 (d) This state's accountability system continues to be in
546 transition with the implementation of new salary schedules for
547 teachers and performance pay for teachers and administrators;
548 the administration of a new statewide, standardized assessment
549 in spring 2015; and the issuance of school grades in fall 2015.

550 (e) The infrastructure of the accountability system is not
551 yet in place, including appropriate professional development,

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552 availability of instructional materials tied to the standards,
553 availability and mastery of technology for students to be
554 successful on the new statewide assessment, and the capacity for
555 districts to administer the assessment.

556 (f) School districts have not had the resources or the
557 technical assistance necessary to develop valid and reliable
558 local assessments both to measure student performance and to
559 apply them as part of the teacher evaluation system.

560 (2) LEGISLATIVE INTENT.—Therefore, it is the intent of the
561 Legislature that:

562 (a) The transition to a new accountability system continue
563 by affording students, teachers, and school districts more time
564 to implement the various components of the accountability
565 system.

566 (b) The assessment requirements shall be refined to reduce
567 the number of required state and district assessments.

568 (c) The grade 11 statewide, standardized English Language
569 Arts assessment, including Writing, shall be eliminated since
570 the grade 10 assessment is the high school graduation
571 requirement.

572 (d) The PSAT, ACT, or SAT may be used in lieu of the common
573 placement test.

574 (e) The overall number of assessments shall be reduced by
575 modifying the teacher evaluation system.

576 (f) A new accountability system shall be implemented during
577 a 2-year transition period in order to ensure that the new
578 standards are thoroughly incorporated in all grades and subject
579 areas; that instructional materials are available and aligned to
580 the standards; that technology is available for instruction in,

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581 and assessment on, the new standards; that teachers and
582 administrators receive sufficient professional development in
583 the new standards; and that the new assessment is aligned to the
584 new standards. Student performance on the new assessment shall
585 be reported and used to make decisions on graduation, promotion,
586 and retention. However, performance on the new assessment may
587 not be the sole determinant for graduation, promotion, or
588 retention. A new performance accountability system shall be in
589 place for the 2016-2017 school year.

590 (g) The school grading system shall be held in abeyance for
591 the 2014-2015 and 2015-2016 school years. However, student
592 performance on the new assessment and other statewide
593 assessments shall be reported to the public in a format that is
594 easily understood. Low-performing schools must continue to
595 receive additional focus and resources.

596 (h) The teacher evaluation system shall be modified to
597 reflect the implementation of the new performance accountability
598 system. The percentage of the evaluation based on student
599 performance shall be modified. Performance pay requirements may
600 be suspended, but school districts may continue or implement
601 performance pay systems that have been adopted.

602 Section 6. Paragraphs (b) and (c) of subsection (1),
603 paragraph (b) of subsection (3), and subsection (7) of section
604 1008.34, Florida Statutes, are amended to read:

605 1008.34 School grading system; school report cards;
606 district grade.—

607 (1) DEFINITIONS.—For purposes of the statewide,
608 standardized assessment program and school grading system, the
609 following terms are defined:

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610 (b) "Learning Gains," "annual learning gains," or "student
611 learning gains" means the degree of student learning ~~growth~~
612 occurring from one school year to the next as required by state
613 board rule for purposes of calculating school grades under this
614 section.

615 (c) "Student performance," "student academic performance,"
616 or "academic performance" includes, but is not limited to,
617 student learning ~~growth~~, achievement levels, and Learning Gains
618 on statewide, standardized assessments administered pursuant to
619 s. 1008.22.

620 (3) DESIGNATION OF SCHOOL GRADES.—

621 (b)1. Beginning with the 2014-2015 school year, a school's
622 grade shall be based on the following components, each worth 100
623 points:

624 a. The percentage of eligible students passing statewide,
625 standardized assessments in English Language Arts under s.
626 1008.22(3).

627 b. The percentage of eligible students passing statewide,
628 standardized assessments in mathematics under s. 1008.22(3).

629 c. The percentage of eligible students passing statewide,
630 standardized assessments in science under s. 1008.22(3).

631 d. The percentage of eligible students passing statewide,
632 standardized assessments in social studies under s. 1008.22(3).

633 e. The percentage of eligible students who make Learning
634 Gains in English Language Arts as measured by statewide,
635 standardized assessments administered under s. 1008.22(3).

636 f. The percentage of eligible students who make Learning
637 Gains in mathematics as measured by statewide, standardized
638 assessments administered under s. 1008.22(3).

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639 g. The percentage of eligible students in the lowest 25
640 percent in English Language Arts, as identified by prior year
641 performance on statewide, standardized assessments, who make
642 Learning Gains as measured by statewide, standardized English
643 Language Arts assessments administered under s. 1008.22(3).

644 h. The percentage of eligible students in the lowest 25
645 percent in mathematics, as identified by prior year performance
646 on statewide, standardized assessments, who make Learning Gains
647 as measured by statewide, standardized Mathematics assessments
648 administered under s. 1008.22(3).

649 i. For schools comprised of middle grades 6 through 8 or
650 grades 7 and 8, the percentage of eligible students passing high
651 school level statewide, standardized end-of-course assessments
652 or attaining national industry certifications identified in the
653 Industry Certification Funding List pursuant to rules adopted by
654 the State Board of Education.

655
656 In calculating Learning Gains for the components listed in sub-
657 subparagraphs e.-h., the State Board of Education shall require
658 that learning ~~growth~~ toward achievement levels 3, 4, and 5 is
659 demonstrated by students who scored below each of those levels
660 in the prior year. In calculating the components in sub-
661 subparagraphs a.-d., the state board shall include the
662 performance of English language learners only if they have been
663 enrolled in a school in the United States for more than 2 years.

664 2. For a school comprised of grades 9, 10, 11, and 12, or
665 grades 10, 11, and 12, the school's grade shall also be based on
666 the following components, each worth 100 points:

667 a. The 4-year high school graduation rate of the school as

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668 defined by state board rule.

669 b. The percentage of students who were eligible to earn
670 college and career credit through College Board Advanced
671 Placement examinations, International Baccalaureate
672 examinations, dual enrollment courses, or Advanced International
673 Certificate of Education examinations; or who, at any time
674 during high school, earned national industry certification
675 identified in the Industry Certification Funding List, pursuant
676 to rules adopted by the state board.

677 (7) TRANSITION.—School grades and school improvement
678 ratings pursuant to s. 1008.341 shall be held in abeyance for
679 the 2014-2015 and 2015-2016 school years. Performance on the new
680 statewide, standardized assessments administered pursuant to s.
681 1008.22 shall serve as an informational baseline for diagnostic
682 purposes in working toward improved performance in future years.

683 School grades and school improvement ratings pursuant to s.
684 1008.341 for the 2013-2014 school year shall be calculated based
685 on statutes and rules in effect on June 30, 2014. ~~To assist in~~
686 ~~the transition to 2014-2015 school grades, calculated based on~~
687 ~~new statewide, standardized assessments administered pursuant to~~
688 ~~s. 1008.22, the 2014-2015 school grades shall serve as an~~
689 ~~informational baseline for schools to work toward improved~~
690 ~~performance in future years.~~ Accordingly, notwithstanding any
691 other provision of law:

692 (a) A school may not be required to select and implement a
693 turnaround option pursuant to s. 1008.33 in the 2015-2016 or
694 2016-2017 school year ~~school year based on the school's 2014-~~
695 ~~2015 grade or school improvement rating under s. 1008.341, as~~
696 ~~applicable.~~

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697 (b)1. A school or approved provider under s. 1002.45 ~~that~~
698 ~~receives the same or a lower school grade or school improvement~~
699 ~~rating for the 2014-2015 school year compared to the 2013-2014~~
700 ~~school year~~ is not subject to sanctions or penalties that would
701 otherwise occur as a result of the 2014-2015 or 2015-2016 school
702 grades or ratings ~~grade or rating~~. A charter school system or a
703 school district designated as high performing may not lose the
704 designation due to the school grades being held in abeyance for
705 the 2014-2015 and 2015-2016 school years for ~~based on the 2014-~~
706 ~~2015 school grades of~~ any of the schools within the charter
707 school system or school district, as applicable.

708 2. The Commissioner of Education may reduce or eliminate
709 intervention and support services required pursuant to s.
710 1008.33 for the 2015-2016 and 2016-2017 school years, based upon
711 quantifiable increases in student performance for a school or
712 approved provider under s. 1002.45.

713 3.2. The Florida School Recognition Program established
714 under s. 1008.36 shall continue to be implemented as otherwise
715 provided in the General Appropriations Act.

716 (c) For purposes of determining grade 3 retention pursuant
717 to s. 1008.25(5) and high school graduation pursuant to s.
718 1003.4282, student performance on the 2014-2015 statewide,
719 standardized assessments shall be linked to 2013-2014 student
720 performance expectations. School districts may also use other
721 quantifiable measures of student performance or concordant
722 scores on approved examinations for purposes of determining
723 grade 3 retention pursuant to s. 1008.25(5) and high school
724 graduation pursuant to s. 1003.4282.

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726 ~~This subsection is repealed July 1, 2017.~~

727 Section 7. Subsection (1), paragraphs (a), (b), and (c) of
728 subsection (5), and paragraph (d) of subsection (6) of section
729 1008.345, Florida Statutes, are amended to read:

730 1008.345 Implementation of state system of school
731 improvement and education accountability.—

732 (1) The Commissioner of Education is responsible for
733 implementing and maintaining a system of intensive school
734 improvement and stringent education accountability and must
735 continue to do so during the transition period for implementing
736 the new performance accountability system pursuant to s.
737 1008.31(1). The system of intensive school improvement and
738 stringent education accountability must, ~~which shall~~ include
739 policies and programs to implement the following:

740 (a) A system of data collection and analysis that will
741 improve information about the educational success of individual
742 students and schools, including schools operating for the
743 purpose of providing educational services to youth in Department
744 of Juvenile Justice programs. The information and analyses must
745 be capable of identifying educational programs or activities in
746 need of improvement, and reports prepared pursuant to this
747 paragraph shall be distributed to the appropriate district
748 school boards prior to distribution to the general public. This
749 provision shall not preclude access to public records as
750 provided in chapter 119.

751 (b) A program of school improvement that will analyze
752 information to identify schools, including schools operating for
753 the purpose of providing educational services to youth in
754 Department of Juvenile Justice programs, educational programs,

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755 or educational activities in need of improvement.

756 (c) A method of delivering services to assist school
757 districts and schools to improve, including schools operating
758 for the purpose of providing educational services to youth in
759 Department of Juvenile Justice programs.

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

763 (5) The commissioner shall report to the Legislature and
764 recommend changes in state policy necessary to foster school
765 improvement and education accountability. The report shall
766 include:

767 (a) For each school district:

768 1. The percentage of students, by school and grade level,
769 demonstrating learning ~~growth~~ in English Language Arts and
770 mathematics.

771 2. The percentage of students, by school and grade level,
772 in both the highest and lowest quartiles demonstrating learning
773 ~~growth~~ in English Language Arts and mathematics.

774 (b) Intervention and support strategies used by school
775 boards whose students in both the highest and lowest quartiles
776 exceed the statewide average learning ~~growth~~ for students in
777 those quartiles.

778 (c) Intervention and support strategies used by school
779 boards whose schools provide educational services to youth in
780 Department of Juvenile Justice programs that demonstrate
781 learning ~~growth~~ in English Language Arts and mathematics that
782 exceeds the statewide average learning ~~growth~~ for students in
783 those subjects.

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784

785 School reports shall be distributed pursuant to this subsection
786 and s. 1001.42(18)(c) and according to rules adopted by the
787 State Board of Education.

788 (6)

789 (d) The commissioner shall assign a community assessment
790 team to each school district or governing board with a school
791 that earned a grade of "F" or three consecutive grades of "D"
792 pursuant to s. 1008.34 or that is determined to be low-
793 performing by the commissioner during the transition period for
794 implementing the new performance accountability system under s.
795 1008.31(1) to review the school performance data and determine
796 causes for the low performance, including the role of school,
797 area, and district administrative personnel. The community
798 assessment team shall review a high school's graduation rate
799 calculated without high school equivalency diploma recipients
800 for the past 3 years, disaggregated by student ethnicity. The
801 team shall make recommendations to the school board or the
802 governing board and to the State Board of Education which
803 address the causes of the school's low performance and may be
804 incorporated into the school improvement plan. The assessment
805 team shall include, but not be limited to, a department
806 representative, parents, business representatives, educators,
807 representatives of local governments, and community activists,
808 and shall represent the demographics of the community from which
809 they are appointed.

810 Section 8. Paragraphs (a) and (b) of subsection (2) of
811 section 1008.385, Florida Statutes, are amended to read:

812 1008.385 Educational planning and information systems.—

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813 (2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.—The
814 Commissioner of Education shall develop and implement an
815 integrated information system for educational management. The
816 system must be designed to collect, via electronic transfer, all
817 student and school performance data required to ascertain the
818 degree to which schools and school districts are meeting state
819 performance standards, and must be capable of producing data for
820 a comprehensive annual report on school and district
821 performance. In addition, the system shall support, as feasible,
822 the management decisions to be made in each division of the
823 department and at the individual school and district levels.
824 Similar data elements among divisions and levels shall be
825 compatible. The system shall be based on an overall conceptual
826 design; the information needed for such decisions, including
827 fiscal, student, program, personnel, facility, community,
828 evaluation, and other relevant data; and the relationship
829 between cost and effectiveness. The system shall be managed and
830 administered by the commissioner and shall include a district
831 subsystem component to be administered at the district level,
832 with input from the reports-and-forms control management
833 committees. Each district school system with a unique management
834 information system shall assure that compatibility exists
835 between its unique system and the district component of the
836 state system so that all data required as input to the state
837 system is made available via electronic transfer and in the
838 appropriate input format.

839 (a) The specific responsibilities of the commissioner shall
840 include:

841 1. Consulting with school district representatives in the

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842 development of the system design model and implementation plans
843 for the management information system for public school
844 education management;

845 2. Providing operational definitions for the proposed
846 system, including criteria for issuing and revoking master
847 school identification numbers to support the maintenance of
848 education records, to enforce and support education
849 accountability, to support the distribution of funds to school
850 districts, to support the preparation and analysis of school
851 district financial reports, and to assist the commissioner in
852 carrying out the duties specified in ss. 1001.10 and 1001.11;

853 3. Determining the information and specific data elements
854 required for the management decisions made at each educational
855 level, recognizing that the primary unit for information input
856 is the individual school and recognizing that time and effort of
857 instructional personnel expended in collection and compilation
858 of data should be minimized;

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

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

863 6. Developing appropriate computer programs to assure
864 integration of the various information components dealing with
865 students, personnel, facilities, fiscal, program, community, and
866 evaluation data;

867 7. Developing the necessary programs to provide statistical
868 analysis of the integrated data provided in subparagraph 6. in
869 such a way that required reports may be disseminated,
870 comparisons may be made, and relationships may be determined in

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871 order to provide the necessary information for making management
872 decisions at all levels;

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

876 9. Developing a phased plan for distributing computer
877 services equitably among all public schools and school districts
878 in the state as rapidly as possible. The plan shall describe
879 alternatives available to the state in providing such computing
880 services and shall contain estimates of the cost of each
881 alternative, together with a recommendation for action. In
882 developing the plan, the feasibility of shared use of computing
883 hardware and software by school districts, Florida College
884 System institutions, and universities shall be examined. Laws or
885 administrative rules regulating procurement of data processing
886 equipment, communication services, or data processing services
887 by state agencies shall not be construed to apply to local
888 agencies which share computing facilities with state agencies;

889 10. Assisting the district school systems in establishing
890 their subsystem components and assuring compatibility with
891 current district systems;

892 11. Establishing procedures for continuous evaluation of
893 system efficiency and effectiveness;

894 12. Initiating a reports-management and forms-management
895 system to ascertain that duplication in collection of data does
896 not exist and that forms and reports for reporting under state
897 and federal requirements and other forms and reports are
898 prepared in a logical and uncomplicated format, resulting in a
899 reduction in the number and complexity of required reports,

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900 particularly at the school level; ~~and~~

901 13. Publishing minimum recommended technology requirements
902 that include specifications for hardware, software, networking,
903 security, and broadband capacity to facilitate all school
904 districts' compliance with the requirement that assessments be
905 administered online. Full implementation of online assessments
906 for the statewide standards in English Language Arts and
907 mathematics adopted pursuant to s. 1003.41 for all K-12 public
908 school students shall occur only after the technology
909 infrastructure, connectivity, and capacity of all public schools
910 and school districts are load tested, independently verified,
911 and certified by the district school superintendents as ready
912 for successful deployment and implementation. If a district
913 school superintendent certifies that the school district or
914 schools within that district are not ready, the commissioner
915 shall provide an alternative, nonelectronic option to the school
916 district for the successful and timely administration of
917 assessments and the reporting of such assessment results to the
918 department. The commissioner shall submit a report on the
919 implementation of the technology requirements by school
920 districts, including any implementation and funding issues
921 reported by district school superintendents, to the Governor,
922 the President of the Senate, and the Speaker of the House of
923 Representatives by January 15 of each year;

924 14. Providing a nonelectronic option for the administration
925 of the new ELA statewide, standardized assessment, including the
926 Writing component, and the Mathematics statewide, standardized
927 assessment until the 2016-2017 school year in order to ensure
928 that students have the word processing and computer skills to

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929 take the new statewide, standardized assessments and districts
930 have the capacity to administer the assessments as online
931 assessments;

932 15. Recommending annually to the State Board of Education,
933 the Governor, the President of the Senate, and the Speaker of
934 the House of Representatives the level of funding needed by
935 school districts to implement and maintain technology
936 requirements based upon the technology plans submitted and
937 updated annually by school districts; and

938 ~~16.13.~~ Initiating such other actions as are necessary to
939 carry out the intent of the Legislature that a management
940 information system for public school management needs be
941 implemented. Such other actions shall be based on criteria
942 including, but not limited to:

- 943 a. The purpose of the reporting requirement;
944 b. The origination of the reporting requirement;
945 c. The date of origin of the reporting requirement; and
946 d. The date of repeal of the reporting requirement.

947 (b) The specific responsibilities of each district school
948 system shall include:

949 1. Establishing, at the district level, a reports-control
950 and forms-control management system committee composed of school
951 administrators and classroom teachers. The district school board
952 shall appoint school administrator members and classroom teacher
953 members or, in school districts where appropriate, the classroom
954 teacher members shall be appointed by the bargaining agent.
955 Teachers shall constitute a majority of the committee
956 membership. The committee shall periodically recommend
957 procedures to the district school board for eliminating,

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958 reducing, revising, and consolidating paperwork and data
959 collection requirements and shall submit to the district school
960 board an annual report of its findings.

961 2. With assistance from the commissioner, developing
962 systems compatibility between the state management information
963 system and unique local systems.

964 3. Providing, with the assistance of the department,
965 inservice training dealing with management information system
966 purposes and scope, a method of transmitting input data, and the
967 use of output report information.

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

970 5. Advising the commissioner of all district management
971 information needs.

972 6. Transmitting required data input elements to the
973 appropriate processing locations in accordance with guidelines
974 established by the commissioner.

975 7. Determining required reports, comparisons, and
976 relationships to be provided to district school systems by the
977 system output reports, continuously reviewing these reports for
978 usefulness and meaningfulness, and submitting recommended
979 additions, deletions, and change requirements in accordance with
980 the guidelines established by the commissioner.

981 8. Being responsible for the accuracy of all data elements
982 transmitted to the department.

983 9. Implementing the technology requirements for
984 administering assessments online. Each district school
985 superintendent shall submit a report to the commissioner which
986 specifies whether the school district is in compliance with the

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987 technology requirements, outstanding implementation issues, and
988 funding requirements to implement and maintain the technology
989 requirements for instruction and administration of all
990 assessments. If a district school superintendent certifies that
991 the school district or schools within that district do not have
992 the required technology to administer the assessment, the
993 commissioner shall provide an alternative, nonelectronic option
994 to the school district for the successful and timely
995 administration of assessments and the reporting of such
996 assessment results to the department.

997 Section 9. Paragraph (a) of subsection (2), paragraph (a)
998 of subsection (3), and subsections (7) through (10) of section
999 1012.34, Florida Statutes, are amended to read:

1000 1012.34 Personnel evaluation procedures and criteria.—

1001 (2) EVALUATION SYSTEM REQUIREMENTS.—The evaluation systems
1002 for instructional personnel and school administrators must:

1003 (a) Be designed to support effective instruction and
1004 student learning ~~growth~~, and performance evaluation results must
1005 be used when developing district and school level improvement
1006 plans.

1007
1008 In addition, each district school board may establish a peer
1009 assistance process. This process may be a part of the regular
1010 evaluation system or used to assist employees placed on
1011 performance probation, newly hired classroom teachers, or
1012 employees who request assistance.

1013 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
1014 personnel and school administrator performance evaluations must
1015 be based upon the performance of students assigned to their

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1016 classrooms or schools, as provided in this section. Pursuant to
1017 this section, a school district's performance evaluation is not
1018 limited to basing unsatisfactory performance of instructional
1019 personnel and school administrators solely upon student
1020 performance, but may include other criteria approved to evaluate
1021 instructional personnel and school administrators' performance,
1022 or any combination of student performance and other approved
1023 criteria. Evaluation procedures and criteria must comply with,
1024 but are not limited to, the following:

1025 (a) A performance evaluation must be conducted for each
1026 employee at least once a year, except that a classroom teacher,
1027 as defined in s. 1012.01(2)(a), excluding substitute teachers,
1028 who is newly hired by the district school board must be observed
1029 and evaluated at least twice in the first year of teaching in
1030 the school district. The performance evaluation must be based
1031 upon sound educational principles and contemporary research in
1032 effective educational practices. The evaluation criteria must
1033 include:

1034 1. Performance of students.—~~Thirty~~ At least 50 percent of a
1035 performance evaluation must be based upon data and indicators of
1036 student learning ~~growth~~ assessed annually by statewide
1037 assessments or, for subjects and grade levels not measured by
1038 statewide assessments, by school district assessments as
1039 provided in s. 1008.22(6). School districts may use more than
1040 one assessment listed in s. 1008.22(6) to meet the 30 percent
1041 requirement for subjects and grade levels not measured by
1042 statewide assessments ~~Each school district must use the formula~~
1043 ~~adopted pursuant to paragraph (7)(a) for measuring student~~
1044 ~~learning growth in all courses associated with statewide~~

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1045 ~~assessments and must select an equally appropriate formula for~~
1046 ~~measuring student learning growth for all other grades and~~
1047 ~~subjects, except as otherwise provided in subsection (7).~~

1048 ~~a. For classroom teachers, as defined in s. 1012.01(2)(a),~~
1049 ~~excluding substitute teachers, the student learning growth~~
1050 ~~portion of the evaluation must include growth data for students~~
1051 ~~assigned to the teacher over the course of at least 3 years. If~~
1052 ~~less than 3 years of data are available, the years for which~~
1053 ~~data are available must be used and the percentage of the~~
1054 ~~evaluation based upon student learning growth may be reduced to~~
1055 ~~not less than 40 percent.~~

1056 ~~b. For instructional personnel who are not classroom~~
1057 ~~teachers, the student learning growth portion of the evaluation~~
1058 ~~must include growth data on statewide assessments for students~~
1059 ~~assigned to the instructional personnel over the course of at~~
1060 ~~least 3 years, or may include a combination of student learning~~
1061 ~~growth data and other measurable student outcomes that are~~
1062 ~~specific to the assigned position, provided that the student~~
1063 ~~learning growth data accounts for not less than 30 percent of~~
1064 ~~the evaluation. If less than 3 years of student growth data are~~
1065 ~~available, the years for which data are available must be used~~
1066 ~~and the percentage of the evaluation based upon student learning~~
1067 ~~growth may be reduced to not less than 20 percent.~~

1068 ~~e. For school administrators, the student learning growth~~
1069 ~~portion of the evaluation must include growth data for students~~
1070 ~~assigned to the school over the course of at least 3 years. If~~
1071 ~~less than 3 years of data are available, the years for which~~
1072 ~~data are available must be used and the percentage of the~~
1073 ~~evaluation based upon student learning growth may be reduced to~~

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1074 ~~not less than 40 percent.~~

1075 2. Instructional practice.—Evaluation criteria used when
1076 annually observing classroom teachers, as defined in s.
1077 1012.01(2)(a), excluding substitute teachers, must include
1078 indicators based upon each of the Florida Educator Accomplished
1079 Practices adopted by the State Board of Education. For
1080 instructional personnel who are not classroom teachers,
1081 evaluation criteria must be based upon indicators of the Florida
1082 Educator Accomplished Practices and may include specific job
1083 expectations related to student support.

1084 3. Instructional leadership.—For school administrators,
1085 evaluation criteria must include indicators based upon each of
1086 the leadership standards adopted by the State Board of Education
1087 under s. 1012.986, including performance measures related to the
1088 effectiveness of classroom teachers in the school, the
1089 administrator's appropriate use of evaluation criteria and
1090 procedures, recruitment and retention of effective and highly
1091 effective classroom teachers, improvement in the percentage of
1092 instructional personnel evaluated at the highly effective or
1093 effective level, and other leadership practices that result in
1094 student learning ~~growth~~. The system may include a means to give
1095 parents and instructional personnel an opportunity to provide
1096 input into the administrator's performance evaluation.

1097 4. Professional and job responsibilities.—For instructional
1098 personnel and school administrators, other professional and job
1099 responsibilities must be included as adopted by the State Board
1100 of Education. The district school board may identify additional
1101 professional and job responsibilities.

1102 (7) MEASUREMENT OF STUDENT LEARNING ~~GROWTH~~.—

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1103 (a) The Commissioner of Education may ~~shall~~ approve a
1104 formula to measure individual student learning ~~growth~~ on the
1105 statewide, standardized assessments in English Language Arts and
1106 mathematics administered under s. 1008.22. The formula must take
1107 into consideration each student's prior academic performance.
1108 The formula must not set different expectations for student
1109 learning ~~growth~~ based upon a student's gender, race, ethnicity,
1110 or socioeconomic status. In the development of the formula, the
1111 commissioner shall consider other factors such as a student's
1112 attendance record, disability status, or status as an English
1113 language learner. The commissioner shall select additional
1114 formulas as appropriate for the remainder of the statewide
1115 assessments included under s. 1008.22 and continue to select
1116 formulas as new assessments are implemented in the state system.
1117 After the commissioner approves the formula to measure
1118 individual student learning ~~growth~~, the State Board of Education
1119 shall adopt these formulas in rule.

1120 (b) Each school district may ~~shall~~ measure student learning
1121 ~~growth~~ using the formulas approved by the commissioner under
1122 paragraph (a) for courses associated with the statewide,
1123 standardized assessments administered under s. 1008.22 no later
1124 than the school year immediately following the year the formula
1125 is approved by the commissioner. For grades and subjects not
1126 assessed by statewide, standardized assessments but otherwise
1127 assessed as required under s. 1008.22(6), each school district
1128 may ~~shall~~ measure performance of students using a methodology
1129 determined by the district. The department shall provide models
1130 for measuring performance of students which school districts may
1131 adopt.

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1132 (c) For a course that is not measured by a statewide,
1133 standardized assessment, a school district may ~~request, through~~
1134 ~~the evaluation system approval process, to~~ use a student's
1135 achievement level rather than student learning ~~growth~~ if
1136 achievement is demonstrated to be a more appropriate measure of
1137 classroom teacher performance and is to be used as part of such
1138 evaluation. A school district may also ~~request to~~ use a
1139 combination of student learning ~~growth~~ and achievement, if
1140 appropriate.

1141 (d) For a course that is not measured by a statewide,
1142 standardized assessment, a school district may provide ~~request,~~
1143 ~~through the evaluation system approval process,~~ that the
1144 performance evaluation, if applicable, for the classroom teacher
1145 assigned to that course include the learning ~~growth~~ of his or
1146 her students on one or more of the assessments listed in s.
1147 1008.22(6) statewide, ~~standardized assessments. The request must~~
1148 ~~clearly explain the rationale supporting the request.~~

1149 (e) For purposes of this section ~~and only for the 2014-2015~~
1150 ~~school year,~~ a school district may use measurable learning
1151 targets on local assessments administered under s. 1008.22(6) to
1152 evaluate the performance of students portion of a classroom
1153 teacher's evaluation, if applicable, for courses that are not
1154 assessed by statewide, standardized assessments. Learning
1155 targets must be approved by the school principal. A district
1156 school superintendent may assign to instructional personnel in
1157 an instructional team the student learning ~~growth~~ of the
1158 instructional team's students on statewide, standardized
1159 assessments. ~~This paragraph expires July 1, 2015.~~

1160 (8) RULEMAKING.—The State Board of Education shall adopt

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1161 rules pursuant to ss. 120.536(1) and 120.54 which establish
1162 uniform procedures for the submission, review, and approval of
1163 district evaluation systems and reporting requirements for the
1164 annual evaluation of instructional personnel and school
1165 administrators; ~~specific, discrete standards for each~~
1166 ~~performance level required under subsection (2) to ensure clear~~
1167 ~~and sufficient differentiation in the performance levels and to~~
1168 ~~provide consistency in meaning across school districts; the~~
1169 ~~measurement of student learning growth and associated~~
1170 ~~implementation procedures required under subsection (7); and a~~
1171 ~~process for monitoring school district implementation of~~
1172 ~~evaluation systems in accordance with this section.~~
1173 Specifically, the rules shall establish student performance
1174 levels that if not met will result in the employee receiving an
1175 unsatisfactory performance evaluation rating. In like manner,
1176 the rules shall establish a student performance level that must
1177 be met in order for an employee to receive a highly effective
1178 rating and a student learning ~~growth~~ standard that must be met
1179 in order for an employee to receive an effective rating.

1180 (9) TRANSITION TO NEW STATEWIDE, STANDARDIZED ASSESSMENTS.—
1181 Standards for each performance level required under subsection
1182 (2) shall be established by the State Board of Education after
1183 the administration of the statewide, standardized assessment in
1184 spring 2016. The standards for each performance level must be
1185 implemented before the administration of the statewide,
1186 standardized assessment in spring 2017 ~~beginning with the 2015-~~
1187 ~~2016 school year.~~

1188 (10) DISTRICT BONUS REWARDS FOR PERFORMANCE PAY BASED ON
1189 EVALUATION PROGRESS.—School districts are eligible for bonus

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1190 rewards as provided for in the 2014 General Appropriations Act
1191 for making outstanding progress toward educator effectiveness,
1192 including implementation of instructional personnel salaries
1193 based on performance results under s. 1012.34 and the use of
1194 local assessment results in personnel evaluations when
1195 statewide, standardized assessments are not administered.

1196 Section 10. Section 1012.3401, Florida Statutes, is amended
1197 to read:

1198 1012.3401 Requirements for measuring student performance in
1199 instructional personnel and school administrator performance
1200 evaluations; performance evaluation of personnel for purposes of
1201 performance salary schedule.—Notwithstanding any provision to
1202 the contrary in ss. 1012.22 and 1012.34 regarding the
1203 performance salary schedule and personnel evaluation procedures
1204 and criteria:

1205 (1) Thirty ~~At least 50~~ percent of a classroom teacher's or
1206 school administrator's performance evaluation, ~~or 40 percent if~~
1207 ~~less than 3 years of student performance data are available,~~
1208 shall be based upon learning ~~growth~~ or achievement of a
1209 significant number of the teacher's students for which a valid
1210 evaluation may be attained or, for a school administrator, the
1211 students attending that school; the remaining portion shall be
1212 based upon factors identified in district-determined, state-
1213 approved evaluation system plans. ~~Student achievement measures~~
1214 ~~for courses associated with statewide assessments may be used~~
1215 ~~only if a statewide growth formula has not been approved for~~
1216 ~~that assessment or, for courses associated with school district~~
1217 ~~assessments, if achievement is demonstrated to be a more~~
1218 ~~appropriate measure of teacher performance.~~

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1219 (2) The student performance data used in the performance
1220 evaluation of nonclassroom instructional personnel shall be
1221 based on student outcome data that reflects the actual
1222 contribution of such personnel to the performance of the
1223 students assigned to the individual in the individual's areas of
1224 responsibility.

1225 (3) For purposes of the performance salary schedule in s.
1226 1012.22, the student assessment data in the performance
1227 evaluation must be from the ~~statewide~~ assessments ~~or district-~~
1228 ~~determined assessments~~ as required in s. 1008.22(6) in the
1229 subject areas taught.

1230 Section 11. Subsection (10) of section 1001.03, Florida
1231 Statutes, is amended to read:

1232 1001.03 Specific powers of State Board of Education.—

1233 (10) ~~COMMON PLACEMENT~~ TESTING FOR PUBLIC POSTSECONDARY
1234 EDUCATION.—The State Board of Education, in conjunction with the
1235 Board of Governors, shall develop and implement a ~~common~~
1236 ~~placement~~ test to assess the basic computation and communication
1237 skills of students who intend to enter a degree program at any
1238 Florida College System institution or state university.

1239 Section 12. Paragraph (d) of subsection (2) of section
1240 1002.451, Florida Statutes, is amended to read:

1241 1002.451 District innovation school of technology program.—

1242 (2) GUIDING PRINCIPLES.—An innovation school of technology
1243 shall be guided by the following principles:

1244 (d) Measure student performance based on student learning
1245 ~~growth~~, or based on student achievement if student learning
1246 ~~growth~~ cannot be measured.

1247 Section 13. Paragraph (d) of subsection (2), paragraph (a)

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1248 of subsection (4), and paragraphs (a) and (b) of subsection (5)
1249 of section 1004.04, Florida Statutes, are amended to read:

1250 1004.04 Public accountability and state approval for
1251 teacher preparation programs.—

1252 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

1253 (d) Before program completion, each candidate must
1254 demonstrate his or her ability to positively impact student
1255 learning ~~growth~~ in the candidate's area or areas of program
1256 concentration during a prekindergarten through grade 12 field
1257 experience and must pass each portion of the Florida Teacher
1258 Certification Examination required for a professional
1259 certificate in the area or areas of program concentration.

1260 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a
1261 teacher preparation program shall be based upon evidence that
1262 the program continues to implement the requirements for initial
1263 approval and upon significant, objective, and quantifiable
1264 measures of the program and the performance of the program
1265 completers.

1266 (a) The criteria for continued approval must include each
1267 of the following:

1268 1. Documentation from the program that each program
1269 candidate met the admission requirements provided in subsection
1270 (3).

1271 2. Documentation from the program that the program and each
1272 program completer have met the requirements provided in
1273 subsection (2).

1274 3. Evidence of performance in each of the following areas:

1275 a. Placement rate of program completers into instructional
1276 positions in Florida public schools and private schools, if

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1277 available.

1278 b. Rate of retention for employed program completers in
1279 instructional positions in Florida public schools.

1280 c. Performance of students in prekindergarten through grade
1281 12 who are assigned to in-field program completers on statewide
1282 assessments using the results of the student learning ~~growth~~
1283 formula adopted under s. 1012.34.

1284 d. Performance of students in prekindergarten through grade
1285 12 who are assigned to in-field program completers aggregated by
1286 student subgroup, as defined in the federal Elementary and
1287 Secondary Education Act (ESEA), 20 U.S.C. s.
1288 6311(b)(2)(C)(v)(II), as a measure of how well the program
1289 prepares teachers to work with a diverse population of students
1290 in a variety of settings in Florida public schools.

1291 e. Results of program completers' annual evaluations in
1292 accordance with the timeline as set forth in s. 1012.34.

1293 f. Production of program completers in statewide critical
1294 teacher shortage areas as identified in s. 1012.07.

1295 (5) PRESERVICE FIELD EXPERIENCE.—All postsecondary
1296 instructors, school district personnel and instructional
1297 personnel, and school sites preparing instructional personnel
1298 through preservice field experience courses and internships
1299 shall meet special requirements. District school boards may pay
1300 student teachers during their internships.

1301 (a) All individuals in postsecondary teacher preparation
1302 programs who instruct or supervise preservice field experience
1303 courses or internships in which a candidate demonstrates his or
1304 her impact on student learning ~~growth~~ shall have the following:
1305 specialized training in clinical supervision; at least 3 years

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1306 of successful, relevant prekindergarten through grade 12
1307 teaching, student services, or school administration experience;
1308 and an annual demonstration of experience in a relevant
1309 prekindergarten through grade 12 school setting as defined by
1310 State Board of Education rule.

1311 (b)1. All school district personnel and instructional
1312 personnel who supervise or direct teacher preparation students
1313 during field experience courses or internships taking place in
1314 this state in which candidates demonstrate an impact on student
1315 learning ~~growth~~ must have evidence of "clinical educator"
1316 training, a valid professional certificate issued pursuant to s.
1317 1012.56, and at least 3 years of teaching experience in
1318 prekindergarten through grade 12 and must have earned an
1319 effective or highly effective rating on the prior year's
1320 performance evaluation under s. 1012.34 or be a peer evaluator
1321 under the district's evaluation system approved under s.
1322 1012.34. The State Board of Education shall approve the training
1323 requirements.

1324 2. All instructional personnel who supervise or direct
1325 teacher preparation students during field experience courses or
1326 internships in another state, in which a candidate demonstrates
1327 his or her impact on student learning ~~growth~~, through a Florida
1328 online or distance program must have received "clinical
1329 educator" training or its equivalent in that state, hold a valid
1330 professional certificate issued by the state in which the field
1331 experience takes place, and have at least 3 years of teaching
1332 experience in prekindergarten through grade 12.

1333 3. All instructional personnel who supervise or direct
1334 teacher preparation students during field experience courses or

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1335 internships, in which a candidate demonstrates his or her impact
1336 on student learning ~~growth~~, on a United States military base in
1337 another country through a Florida online or distance program
1338 must have received "clinical educator" training or its
1339 equivalent, hold a valid professional certificate issued by the
1340 United States Department of Defense or a state or territory of
1341 the United States, and have at least 3 years teaching experience
1342 in prekindergarten through grade 12.

1343 Section 14. Paragraph (b) of subsection (3), paragraph (b)
1344 of subsection (4), and subsection (6) of section 1004.85,
1345 Florida Statutes, are amended to read:

1346 1004.85 Postsecondary educator preparation institutes.—

1347 (3) Educator preparation institutes approved pursuant to
1348 this section may offer competency-based certification programs
1349 specifically designed for noneducation major baccalaureate
1350 degree holders to enable program participants to meet the
1351 educator certification requirements of s. 1012.56. An educator
1352 preparation institute choosing to offer a competency-based
1353 certification program pursuant to the provisions of this section
1354 must implement a program previously approved by the Department
1355 of Education for this purpose or a program developed by the
1356 institute and approved by the department for this purpose.
1357 Approved programs shall be available for use by other approved
1358 educator preparation institutes.

1359 (b) Each program participant must:

1360 1. Meet certification requirements pursuant to s.
1361 1012.56(1) by obtaining a statement of status of eligibility in
1362 the certification subject area of the educational plan and meet
1363 the requirements of s. 1012.56(2) (a)-(f).

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1364 2. Participate in coursework and field experiences that are
1365 appropriate to his or her educational plan prepared under
1366 paragraph (a).

1367 3. Before completion of the program, fully demonstrate his
1368 or her ability to teach the subject area for which he or she is
1369 seeking certification by documenting a positive impact on
1370 student learning ~~growth~~ in a prekindergarten through grade 12
1371 setting and achieving a passing score on the professional
1372 education competency examination, the basic skills examination,
1373 and the subject area examination for the subject area
1374 certification which is required by state board rule.

1375 (4) Continued approval of each program approved pursuant to
1376 this section shall be determined by the Commissioner of
1377 Education based upon a periodic review of the following areas:

1378 (b) Evidence of performance in each of the following areas:

1379 1. Placement rate of program completers into instructional
1380 positions in Florida public schools and private schools, if
1381 available.

1382 2. Rate of retention for employed program completers in
1383 instructional positions in Florida public schools.

1384 3. Performance of students in prekindergarten through grade
1385 12 who are assigned to in-field program completers on statewide
1386 assessments using the results of the student learning ~~growth~~
1387 formula adopted under s. 1012.34.

1388 4. Performance of students in prekindergarten through grade
1389 12 who are assigned to in-field program completers aggregated by
1390 student subgroups, as defined in the federal Elementary and
1391 Secondary Education Act (ESEA), 20 U.S.C. s.

1392 6311(b)(2)(C)(v)(II), as a measure of how well the program

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1393 prepares teachers to work with a diverse population of students
1394 in a variety of settings in Florida public schools.

1395 5. Results of program completers' annual evaluations in
1396 accordance with the timeline as set forth in s. 1012.34.

1397 6. Production of program completers in statewide critical
1398 teacher shortage areas as identified in s. 1012.07.

1399 (6) Instructors and supervisors of field experiences in
1400 which participants demonstrate an impact on student learning
1401 ~~growth~~ for a certification program approved pursuant to this
1402 section must meet the same qualifications as those required in
1403 s. 1004.04(5).

1404 Section 15. Subsection (3) of section 1007.271, Florida
1405 Statutes, is amended to read:

1406 1007.271 Dual enrollment programs.—

1407 (3) Student eligibility requirements for initial enrollment
1408 in college credit dual enrollment courses must include a 3.0
1409 unweighted high school grade point average and the minimum score
1410 on a ~~common placement~~ test adopted by the State Board of
1411 Education which indicates that the student is ready for college-
1412 level coursework. Student eligibility requirements for continued
1413 enrollment in college credit dual enrollment courses must
1414 include the maintenance of a 3.0 unweighted high school grade
1415 point average and the minimum postsecondary grade point average
1416 established by the postsecondary institution. Regardless of
1417 meeting student eligibility requirements for continued
1418 enrollment, a student may lose the opportunity to participate in
1419 a dual enrollment course if the student is disruptive to the
1420 learning process such that the progress of other students or the
1421 efficient administration of the course is hindered. Student

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1422 eligibility requirements for initial and continued enrollment in
1423 career certificate dual enrollment courses must include a 2.0
1424 unweighted high school grade point average. Exceptions to the
1425 required grade point averages may be granted on an individual
1426 student basis if the educational entities agree and the terms of
1427 the agreement are contained within the dual enrollment
1428 articulation agreement established pursuant to subsection (21).
1429 Florida College System institution boards of trustees may
1430 establish additional initial student eligibility requirements,
1431 which shall be included in the dual enrollment articulation
1432 agreement, to ensure student readiness for postsecondary
1433 instruction. Additional requirements included in the agreement
1434 may not arbitrarily prohibit students who have demonstrated the
1435 ability to master advanced courses from participating in dual
1436 enrollment courses.

1437 Section 16. Subsection (2) of section 1008.37, Florida
1438 Statutes, is amended to read:

1439 1008.37 Postsecondary feedback of information to high
1440 schools.—

1441 (2) The Commissioner of Education shall report, by high
1442 school, to the State Board of Education, the Board of Governors,
1443 and the Legislature, no later than November 30 of each year, on
1444 the number of prior year Florida high school graduates who
1445 enrolled for the first time in public postsecondary education in
1446 this state during the previous summer, fall, or spring term,
1447 indicating the number of students whose scores on the ~~common~~
1448 ~~placement~~ test indicated the need for developmental education
1449 under s. 1008.30 or for applied academics for adult education
1450 under s. 1004.91.

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1451 Section 17. Paragraph (c) of subsection (1) of section
1452 1012.22, Florida Statutes, is amended to read:

1453 1012.22 Public school personnel; powers and duties of the
1454 district school board.—The district school board shall:

1455 (1) Designate positions to be filled, prescribe
1456 qualifications for those positions, and provide for the
1457 appointment, compensation, promotion, suspension, and dismissal
1458 of employees as follows, subject to the requirements of this
1459 chapter:

1460 (c) *Compensation and salary schedules.*—

1461 1. Definitions.—As used in this paragraph, the term:

1462 a. "Adjustment" means an addition to the base salary
1463 schedule that is not a bonus and becomes part of the employee's
1464 permanent base salary and shall be considered compensation under
1465 s. 121.021(22).

1466 b. "Grandfathered salary schedule" means the salary
1467 schedule or schedules adopted by a district school board before
1468 July 1, 2014, pursuant to subparagraph 4.

1469 c. "Instructional personnel" means instructional personnel
1470 as defined in s. 1012.01(2)(a)-(d), excluding substitute
1471 teachers.

1472 d. "Performance salary schedule" means the salary schedule
1473 or schedules adopted by a district school board pursuant to
1474 subparagraph 5.

1475 e. "Salary schedule" means the schedule or schedules used
1476 to provide the base salary for district school board personnel.

1477 f. "School administrator" means a school administrator as
1478 defined in s. 1012.01(3)(c).

1479 g. "Supplement" means an annual addition to the base salary

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1480 for the term of the negotiated supplement as long as the
1481 employee continues his or her employment for the purpose of the
1482 supplement. A supplement does not become part of the employee's
1483 continuing base salary but shall be considered compensation
1484 under s. 121.021(22).

1485 2. Cost-of-living adjustment.—A district school board may
1486 provide a cost-of-living salary adjustment if the adjustment:

1487 a. Does not discriminate among comparable classes of
1488 employees based upon the salary schedule under which they are
1489 compensated.

1490 b. Does not exceed 50 percent of the annual adjustment
1491 provided to instructional personnel rated as effective.

1492 3. Advanced degrees.—A district school board may not use
1493 advanced degrees in setting a salary schedule for instructional
1494 personnel or school administrators hired on or after July 1,
1495 2011, unless the advanced degree is held in the individual's
1496 area of certification and is only a salary supplement.

1497 4. Grandfathered salary schedule.—

1498 a. The district school board shall adopt a salary schedule
1499 or salary schedules to be used as the basis for paying all
1500 school employees hired before July 1, 2014. Instructional
1501 personnel on annual contract as of July 1, 2014, shall be placed
1502 on the performance salary schedule adopted under subparagraph 5.
1503 Instructional personnel on continuing contract or professional
1504 service contract may opt into the performance salary schedule if
1505 the employee relinquishes such contract and agrees to be
1506 employed on an annual contract under s. 1012.335. Such an
1507 employee shall be placed on the performance salary schedule and
1508 may not return to continuing contract or professional service

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1509 contract status. Any employee who opts into the performance
1510 salary schedule may not return to the grandfathered salary
1511 schedule.

1512 b. In determining the grandfathered salary schedule for
1513 instructional personnel, a district school board must base a
1514 portion of each employee's compensation upon performance
1515 demonstrated under s. 1012.34 and shall provide differentiated
1516 pay for both instructional personnel and school administrators
1517 based upon district-determined factors, including, but not
1518 limited to, additional responsibilities, school demographics,
1519 critical shortage areas, and level of job performance
1520 difficulties.

1521 5. Performance salary schedule.—By July 1, 2014, the
1522 district school board shall adopt a performance salary schedule
1523 that provides annual salary adjustments for instructional
1524 personnel and school administrators based upon performance
1525 determined under s. 1012.34. Employees hired on or after July 1,
1526 2014, or employees who choose to move from the grandfathered
1527 salary schedule to the performance salary schedule shall be
1528 compensated pursuant to the performance salary schedule once
1529 they have received the appropriate performance evaluation for
1530 this purpose. However, a classroom teacher whose performance
1531 evaluation uses ~~utilizes~~ student learning ~~growth~~ measures
1532 established under s. 1012.34(7)(e) shall remain under the
1533 grandfathered salary schedule until his or her teaching
1534 assignment changes to a subject for which there is an assessment
1535 or the school district establishes equally appropriate measures
1536 of student learning ~~growth~~ as defined under s. 1012.34 and rules
1537 of the State Board of Education.

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1538 a. Base salary.—The base salary shall be established as
1539 follows:

1540 (I) The base salary for instructional personnel or school
1541 administrators who opt into the performance salary schedule
1542 shall be the salary paid in the prior year, including
1543 adjustments only.

1544 (II) Beginning July 1, 2014, instructional personnel or
1545 school administrators new to the district, returning to the
1546 district after a break in service without an authorized leave of
1547 absence, or appointed for the first time to a position in the
1548 district in the capacity of instructional personnel or school
1549 administrator shall be placed on the performance salary
1550 schedule.

1551 b. Salary adjustments.—Salary adjustments for highly
1552 effective or effective performance shall be established as
1553 follows:

1554 (I) The annual salary adjustment under the performance
1555 salary schedule for an employee rated as highly effective must
1556 be greater than the highest annual salary adjustment available
1557 to an employee of the same classification through any other
1558 salary schedule adopted by the district.

1559 (II) The annual salary adjustment under the performance
1560 salary schedule for an employee rated as effective must be equal
1561 to at least 50 percent and no more than 75 percent of the annual
1562 adjustment provided for a highly effective employee of the same
1563 classification.

1564 (III) The performance salary schedule may ~~shall~~ not provide
1565 an annual salary adjustment for an employee who receives a
1566 rating other than highly effective or effective for the year.

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1567 c. Salary supplements.—In addition to the salary
1568 adjustments, each district school board shall provide for salary
1569 supplements for activities that must include, but are not
1570 limited to:

1571 (I) Assignment to a Title I eligible school.

1572 (II) Assignment to a school that earned a grade of "F" or
1573 three consecutive grades of "D" pursuant to s. 1008.34 such that
1574 the supplement remains in force for at least 1 year following
1575 improved performance in that school.

1576 (III) Certification and teaching in critical teacher
1577 shortage areas. Statewide critical teacher shortage areas shall
1578 be identified by the State Board of Education under s. 1012.07.
1579 However, the district school board may identify other areas of
1580 critical shortage within the school district for purposes of
1581 this sub-sub-subparagraph and may remove areas identified by the
1582 state board which do not apply within the school district.

1583 (IV) Assignment of additional academic responsibilities.

1584

1585 If budget constraints in any given year limit a district school
1586 board's ability to fully fund all adopted salary schedules, the
1587 performance salary schedule shall not be reduced on the basis of
1588 total cost or the value of individual awards in a manner that is
1589 proportionally greater than reductions to any other salary
1590 schedules adopted by the district.

1591 Section 18. Paragraph (b) of subsection (2) of section
1592 1012.341, Florida Statutes, is amended to read:

1593 1012.341 Exemption from performance evaluation system and
1594 compensation and salary schedule requirements.—

1595 (2) By October 1, 2014, and by October 1 annually

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1596 thereafter, the superintendent of Hillsborough County School
1597 District shall attest, in writing, to the Commissioner of
1598 Education that:

1599 (b) The instructional personnel and school administrator
1600 evaluation systems adopt the Commissioner of Education's student
1601 learning ~~growth~~ formula for statewide assessments as provided
1602 under s. 1012.34(7).

1603

1604 This section is repealed August 1, 2017, unless reviewed and
1605 reenacted by the Legislature.

1606 Section 19. Paragraph (c) of subsection (8) of section
1607 1012.56, Florida Statutes, is amended to read:

1608 1012.56 Educator certification requirements.—

1609 (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION
1610 COMPETENCY PROGRAM.—

1611 (c) The Commissioner of Education shall determine the
1612 continued approval of programs implemented under paragraph (a)
1613 based upon the department's periodic review of the following:

1614 1. Evidence that the requirements in paragraph (a) are
1615 consistently met; and

1616 2. Evidence of performance in each of the following areas:

1617 a. Rate of retention for employed program completers in
1618 instructional positions in Florida public schools.

1619 b. Performance of students in prekindergarten through grade
1620 12 who are assigned to in-field program completers on statewide
1621 assessments using the results of the student learning ~~growth~~
1622 formula adopted under s. 1012.34.

1623 c. Performance of students in prekindergarten through grade
1624 12 who are assigned to in-field program completers aggregated by

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1625 student subgroups, as defined in the federal Elementary and
1626 Secondary Education Act (ESEA), 20 U.S.C. s.
1627 6311(b) (2) (C) (v) (II), as a measure of how well the program
1628 prepares teachers to work with a variety of students in Florida
1629 public schools.

1630 d. Results of program completers' annual evaluations in
1631 accordance with the timeline as set forth in s. 1012.34.

1632 e. Production of program completers in statewide critical
1633 teacher shortage areas as defined in s. 1012.07.

1634 Section 20. This act shall take effect upon becoming a law.