The Committee on Budget (Montford) recommended the following:

**Senate Amendment**

Delete lines 719 - 743

and insert:

(d) “Professional performance contract” means an employment contract for instructional personnel for a period of 3 school years, which shall be renewed for additional 3-year periods as long as the individual has not received two consecutive unsatisfactory evaluations under s. 1012.34, two unsatisfactory evaluations within a 3-year period under s. 1012.34, or three evaluations of needs improvement within any 5-year period under s. 1012.34.

(2) EMPLOYMENT
(a) Beginning on July 1, 2011, each individual newly hired as instructional personnel by a Florida school district shall receive a probationary contract.

(b) The district school board may issue an annual contract to instructional personnel who have successfully completed the probationary contract if the individual:

1. Holds a professional certificate or temporary certificate issued pursuant to s. 1012.56 and rules of the State Board of Education.

2. Has been recommended by the district school superintendent for the annual contract based upon the individual’s evaluation, as determined under s. 1012.34, and approved by the district school board.

(c) Upon completion of no less than 3 years of employment in the same school district within a 5-year period, except for leave duly authorized and granted, instructional personnel recommended for additional employment shall be awarded a professional performance contract. Instructional personnel may be required to serve a fourth year of employment before becoming eligible to receive a professional performance contract when prescribed by the district school board for good reason.

1. A professional performance contract may be offered by a district school board to instructional personnel only if the individual:

   a. Holds a professional certificate or temporary certificate as prescribed by s. 1012.56 and rules of the State Board of Education.

   b. Has been recommended by the district school superintendent for further employment and approved by the
district school board based on successful performance of duties and demonstration of professional competence under s. 1012.34.

   c. Has not received two consecutive unsatisfactory evaluations under s. 1012.34, two unsatisfactory evaluations within a 3-year period under s. 1012.34, or three evaluations of needs improvement within any 5-year period under s. 1012.34.

2. A district school board may issue a professional performance contract after July 1, 2011, to any instructional personnel staff member who has previously held a professional performance contract, a professional service contract, or a continuing contract in the same or another school district within this state. Any instructional personnel staff member who holds a professional service contract or a continuing contract may, but is not required to, exchange such contract for a professional performance contract in the same district.

3. If a professional performance contract is not renewed by the district school board based on performance of duties and demonstration of professional competence of the individual under s. 1012.34, upon the recommendation of the superintendent and upon the approval of the district school board, the individual may be appointed to up to three additional annual contracts or not be offered an additional contract. At the time of making such recommendation to the district school board, the superintendent shall state the performance-based reason for his or her recommendation and the district school board shall take final action on such recommendation.