Appropriations Subcommittee on Education (Bullard) recommended the following:

Senate Amendment to Amendment (587488) (with title amendment)

Delete lines 398 - 534

and insert:

school improvement ratings pursuant to s. 1008.341 for the 2014-2015 and 2015-2016 school years shall be calculated based on statutes and rules in effect on June 30, 2014. To assist in the transition to 2014-2015 school grades, calculated based on new statewide, standardized assessments
administered pursuant to s. 1008.22, the 2014-2015 school grades
shall serve as an informational baseline for schools to work
toward improved performance in future years. Accordingly,
notwithstanding any other provision of law:

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

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

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

   (c) For purposes of determining grade 3 retention pursuant
to s. 1008.25(5) and high school graduation pursuant to s.
1003.4282, student performance on the 2014-2015 statewide,  
standardized assessments shall be linked to 2013-2014 student  
performance expectations. 

This subsection is repealed July 1, 2017.

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

1012.34 Personnel evaluation procedures and criteria.—  
(1) EVALUATION SYSTEM APPROVAL AND REPORTING.—  
(b) The department must approve each school district’s  
instructional personnel and school administrator evaluation  
systems. The department shall monitor each district’s  
implementation of its instructional personnel and school  
administrator evaluation systems for compliance with the  
requirements of this section and s. 1012.3401.  
(c) Annually, by December 1, the Commissioner of Education  
shall report to the Governor, the President of the Senate, and  
the Speaker of the House of Representatives the approval and  
implementation status of each school district’s instructional  
personnel and school administrator evaluation systems. The  
report shall include:

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

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

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

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

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

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

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

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

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

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

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

And the title is amended as follows:

Delete lines 1076 - 1085 and insert:

readiness evaluations; amending s. 1008.34, F.S.; revising the criteria that serve as an informational baseline for schools to work toward improved
performance; providing that school grades and school improvement ratings for specified school years shall serve as an informational baseline; revising the circumstances under which a school may not be required to implement a school turnaround option in specified school years; revising the circumstances under which a virtual instruction program will not be subject to sanctions or penalties based on certain school grades or improvement ratings; extending the period during which a charter school system or school district will not lose a designation as high performing based on certain school grades or improvement ratings; amending s. 1012.34, F.S.; revising requirements for the Commissioner of Education’s annual report to the Governor and the Legislature regarding personnel evaluation systems; revising the percentage thresholds for performance evaluation criteria for instructional personnel and school administrators; prohibiting the use of student learning growth in performance evaluations under certain circumstances; revising