

**By** the Committees on Rules; and Education Pre-K - 12; and  
Senator Calatayud

595-02934-26

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1                   A bill to be entitled  
2           An act relating to school counselors; amending s.  
3           1012.34, F.S.; requiring that evaluation criteria for  
4           certified school counselors be based on specified  
5           standards; amending s. 1012.55, F.S.; providing that  
6           persons seeking employment as school counselors are  
7           exempt from specified educator certification  
8           requirements; authorizing school districts to require  
9           such persons to meet certain requirements as a  
10          condition of employment; providing an effective date.

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

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14           Section 1. Paragraph (a) of subsection (3) of section  
15           1012.34, Florida Statutes, is amended to read:

16           1012.34 Personnel evaluation procedures and criteria.—

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

29           (a) A performance evaluation must be conducted for each

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

38 1. Performance of students.—At least one-third of a  
39 performance evaluation must be based upon data and indicators of  
40 student performance, as determined by each school district. This  
41 portion of the evaluation must include growth or achievement  
42 data of the teacher's students or, for a school administrator,  
43 the students attending the school over the course of at least 3  
44 years. If less than 3 years of data are available, the years for  
45 which data are available must be used. The proportion of growth  
46 or achievement data may be determined by instructional  
47 assignment.

48 2. Instructional practice.—For instructional personnel, at  
49 least one-third of the performance evaluation must be based upon  
50 instructional practice. Evaluation criteria used when annually  
51 observing classroom teachers, as defined in s. 1012.01(2)(a),  
52 excluding substitute teachers, must include indicators based  
53 upon each of the Florida Educator Accomplished Practices adopted  
54 by the State Board of Education.

55 a. For instructional personnel who are not classroom  
56 teachers or certified school counselors, evaluation criteria  
57 must be based upon indicators of the Florida Educator  
58 Accomplished Practices and may include specific job expectations

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59 related to student support.

60 b. For certified school counselors, evaluation criteria  
61 must be based upon indicators of the Florida School Counseling  
62 Standards adopted by the State Board of Education.

63 c. This section does not preclude a school administrator  
64 from visiting and observing classroom teachers throughout the  
65 school year for purposes of providing mentorship, training,  
66 instructional feedback, or professional learning.

67 3. Instructional leadership.—For school administrators, at  
68 least one-third of the performance evaluation must be based on  
69 instructional leadership. Evaluation criteria for instructional  
70 leadership must include indicators based upon each of the  
71 leadership standards adopted by the State Board of Education  
72 under s. 1012.986, including performance measures related to the  
73 effectiveness of classroom teachers in the school, the  
74 administrator's appropriate use of evaluation criteria and  
75 procedures, recruitment and retention of effective and highly  
76 effective classroom teachers, improvement in the percentage of  
77 instructional personnel evaluated at the highly effective or  
78 effective level, and other leadership practices that result in  
79 student learning growth. The system may include a means to give  
80 parents and instructional personnel an opportunity to provide  
81 input into the administrator's performance evaluation.

82 4. Other indicators of performance.—For instructional  
83 personnel and school administrators, the remainder of a  
84 performance evaluation may include, but is not limited to,  
85 professional and job responsibilities as recommended by the  
86 State Board of Education or identified by the district school  
87 board and, for instructional personnel, peer reviews,

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88 objectively reliable survey information from students and  
89 parents based on teaching practices that are consistently  
90 associated with higher student achievement, and other valid and  
91 reliable measures of instructional practice.

92 Section 2. Present subsection (6) of section 1012.55,  
93 Florida Statutes, is redesignated as subsection (7), and a new  
94 subsection (6) is added to that section, to read:

95 1012.55 Positions for which certificates required.—

96 (6) A person who is seeking employment as a school  
97 counselor is exempt from the educator certification requirements  
98 in s. 1012.56(2)(g) and (i). Such exemption does not preclude a  
99 school district from requiring a certified school counselor to  
100 satisfy the requirements of s. 1012.56(2)(g) and (i) as a  
101 condition of employment.

102 Section 3. This act shall take effect July 1, 2026.