

CS/CS/HB 753

2026

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

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

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

1012.34 Personnel evaluation procedures and criteria.-

(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 system is not limited to basing unsatisfactory performance of instructional personnel and school administrators solely upon student performance, but may include other criteria to evaluate 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
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
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,
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. Subsection (6) of section 1012.55, Florida
93 Statutes, is renumbered as subsection (7), and a new subsection
94 (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

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101 condition of employment.

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