

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  
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  
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  
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,

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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:

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.

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

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

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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  
399 whose score on the test indicates a need for developmental  
400 education must be advised of all the developmental education  
401 options offered at the institution and, after advisement, shall  
402 be allowed to enroll in the developmental education option of  
403 his 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  
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  
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  
444 System institution shall annually prepare an accountability  
445 report that includes student success data relating to each  
446 developmental education strategy implemented by the institution.  
447 The report shall be submitted to the Division of Florida  
448 Colleges by October 31 in a format determined by the Chancellor  
449 of the Florida College System. By December 31, the chancellor  
450 shall compile and submit the institutional reports to the  
451 Governor, the President of the Senate, the Speaker of the House  
452 of 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  
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  
 473 accountability system; legislative intent; mission, goals, and  
 474 systemwide measures; data quality improvements.-

475 (1) LEGISLATIVE INTENT.-It is the intent of the  
 476 Legislature 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  
 486 promoting 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  
 492 be established as a single, unified accountability system with  
 493 multiple components, including, but not limited to, student  
 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  
519 performance measures and set performance standards for  
520 individual public schools and Florida College System

521 institutions, with measures and standards based primarily on  
522 student achievement.

523 2. The Board of Governors of the State University System  
524 establish performance measures and set performance standards for  
525 individual state universities, including actual completion  
526 rates.

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

529 1008.311 Transition education accountability system.-

530 (1) LEGISLATIVE FINDINGS.-The Legislature finds that:

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

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

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

546 (d) This state's accountability system continues to be in

547 transition with the implementation of new salary schedules for  
548 teachers and performance pay for teachers and administrators;  
549 the administration of a new statewide, standardized assessment  
550 in spring 2015; and the issuance of school grades in fall 2015.

551 (e) The infrastructure of the accountability system is not  
552 yet in place, including appropriate professional development,  
553 availability of instructional materials tied to the standards,  
554 availability and mastery of technology for students to be  
555 successful on the new statewide assessment, and the capacity for  
556 districts to administer the assessment.

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

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

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

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

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

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

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

577 (f) A new accountability system shall be implemented  
578 during a 2-year transition period in order to ensure that the  
579 new standards are thoroughly incorporated in all grades and  
580 subject areas; that instructional materials are available and  
581 aligned to the standards; that technology is available for  
582 instruction in, and assessment on, the new standards; that  
583 teachers and administrators receive sufficient professional  
584 development in the new standards; and that the new assessment is  
585 aligned to the new standards. Student performance on the new  
586 assessment shall be reported and used to make decisions on  
587 graduation, promotion, and retention. However, performance on  
588 the new assessment may not be the sole determinant for  
589 graduation, promotion, or retention. A new performance  
590 accountability system shall be in place for the 2016-2017 school  
591 year.

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

598 (h) The teacher evaluation system shall be modified to

599 reflect the implementation of the new performance accountability  
600 system. The percentage of the evaluation based on student  
601 performance shall be modified. Performance pay requirements may  
602 be suspended, but school districts may continue or implement  
603 performance pay systems that have been adopted.

604 Section 6. Paragraphs (b) and (c) of subsection (1),  
605 paragraph (b) of subsection (3), and subsection (7) of section  
606 1008.34, Florida Statutes, are amended to read:

607 1008.34 School grading system; school report cards;  
608 district grade.—

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

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

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

622 (3) DESIGNATION OF SCHOOL GRADES.—

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



625 points:

626 a. The percentage of eligible students passing statewide,  
627 standardized assessments in English Language Arts under s.  
628 1008.22(3).

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

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

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

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

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

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

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

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

657

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

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

669 a. The 4-year high school graduation rate of the school as  
670 defined by state board rule.

671 b. The percentage of students who were eligible to earn  
672 college and career credit through College Board Advanced  
673 Placement examinations, International Baccalaureate  
674 examinations, dual enrollment courses, or Advanced International  
675 Certificate of Education examinations; or who, at any time  
676 during high school, earned national industry certification

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677 identified in the Industry Certification Funding List, pursuant  
678 to rules adopted by the state board.

679 (7) TRANSITION.—School grades and school improvement  
680 ratings pursuant to s. 1008.341 shall be held in abeyance for  
681 the 2014-2015 and 2015-2016 school years. Performance on the new  
682 statewide, standardized assessments administered pursuant to s.  
683 1008.22 shall serve as an informational baseline for diagnostic  
684 purposes in working toward improved performance in future years.  
685 School grades and school improvement ratings pursuant to s.  
686 1008.341 for the 2013-2014 school year shall be calculated based  
687 on statutes and rules in effect on June 30, 2014. ~~To assist in~~  
688 ~~the transition to 2014-2015 school grades, calculated based on~~  
689 ~~new statewide, standardized assessments administered pursuant to~~  
690 ~~s. 1008.22, the 2014-2015 school grades shall serve as an~~  
691 ~~informational baseline for schools to work toward improved~~  
692 ~~performance in future years.~~ Accordingly, notwithstanding any  
693 other provision of law:

694 (a) A school may not be required to select and implement a  
695 turnaround option pursuant to s. 1008.33 in the 2015-2016 or  
696 2016-2017 school year ~~school year based on the school's 2014-~~  
697 ~~2015 grade or school improvement rating under s. 1008.341, as~~  
698 ~~applicable.~~

699 (b)1. A school or approved provider under s. 1002.45 ~~that~~  
700 ~~receives the same or a lower school grade or school improvement~~  
701 ~~rating for the 2014-2015 school year compared to the 2013-2014~~  
702 ~~school year~~ is not subject to sanctions or penalties that would

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703 otherwise occur as a result of the 2014-2015 or 2015-2016 school  
704 grades or ratings ~~grade or rating~~. A charter school system or a  
705 school district designated as high performing may not lose the  
706 designation due to the school grades being held in abeyance for  
707 the 2014-2015 and 2015-2016 school years for ~~based on the 2014-~~  
708 ~~2015 school grades of~~ any of the schools within the charter  
709 school system or school district, as applicable.

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

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

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

727  
728 ~~This subsection is repealed July 1, 2017.~~

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729 Section 7. Subsection (1), paragraphs (a), (b), and (c) of  
730 subsection (5), and paragraph (d) of subsection (6) of section  
731 1008.345, Florida Statutes, are amended to read:

732 1008.345 Implementation of state system of school  
733 improvement and education accountability.-

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

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

753 (b) A program of school improvement that will analyze  
754 information to identify schools, including schools operating for

755 the purpose of providing educational services to youth in  
756 Department of Juvenile Justice programs, educational programs,  
757 or educational activities in need of improvement.

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

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

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

769 (a) For each school district:

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

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

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

780 (c) Intervention and support strategies used by school

781 boards whose schools provide educational services to youth in  
782 Department of Juvenile Justice programs that demonstrate  
783 learning ~~growth~~ in English Language Arts and mathematics that  
784 exceeds the statewide average learning ~~growth~~ for students in  
785 those subjects.

786

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

790 (6)

791 (d) The commissioner shall assign a community assessment  
792 team to each school district or governing board with a school  
793 that earned a grade of "F" or three consecutive grades of "D"  
794 pursuant to s. 1008.34 or that is determined to be low-  
795 performing by the commissioner during the transition period for  
796 implementing the new performance accountability system under s.  
797 1008.31(1) to review the school performance data and determine  
798 causes for the low performance, including the role of school,  
799 area, and district administrative personnel. The community  
800 assessment team shall review a high school's graduation rate  
801 calculated without high school equivalency diploma recipients  
802 for the past 3 years, disaggregated by student ethnicity. The  
803 team shall make recommendations to the school board or the  
804 governing board and to the State Board of Education which  
805 address the causes of the school's low performance and may be  
806 incorporated into the school improvement plan. The assessment

807 team shall include, but not be limited to, a department  
808 representative, parents, business representatives, educators,  
809 representatives of local governments, and community activists,  
810 and shall represent the demographics of the community from which  
811 they are appointed.

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

814 1008.385 Educational planning and information systems.—

815 (2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.—The  
816 Commissioner of Education shall develop and implement an  
817 integrated information system for educational management. The  
818 system must be designed to collect, via electronic transfer, all  
819 student and school performance data required to ascertain the  
820 degree to which schools and school districts are meeting state  
821 performance standards, and must be capable of producing data for  
822 a comprehensive annual report on school and district  
823 performance. In addition, the system shall support, as feasible,  
824 the management decisions to be made in each division of the  
825 department and at the individual school and district levels.  
826 Similar data elements among divisions and levels shall be  
827 compatible. The system shall be based on an overall conceptual  
828 design; the information needed for such decisions, including  
829 fiscal, student, program, personnel, facility, community,  
830 evaluation, and other relevant data; and the relationship  
831 between cost and effectiveness. The system shall be managed and  
832 administered by the commissioner and shall include a district



833 subsystem component to be administered at the district level,  
834 with input from the reports-and-forms control management  
835 committees. Each district school system with a unique management  
836 information system shall assure that compatibility exists  
837 between its unique system and the district component of the  
838 state system so that all data required as input to the state  
839 system is made available via electronic transfer and in the  
840 appropriate input format.

841 (a) The specific responsibilities of the commissioner  
842 shall include:

843 1. Consulting with school district representatives in the  
844 development of the system design model and implementation plans  
845 for the management information system for public school  
846 education management;

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

855 3. Determining the information and specific data elements  
856 required for the management decisions made at each educational  
857 level, recognizing that the primary unit for information input  
858 is the individual school and recognizing that time and effort of

859 instructional personnel expended in collection and compilation  
860 of data should be minimized;

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

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

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

869 7. Developing the necessary programs to provide  
870 statistical analysis of the integrated data provided in  
871 subparagraph 6. in such a way that required reports may be  
872 disseminated, comparisons may be made, and relationships may be  
873 determined in order to provide the necessary information for  
874 making management decisions at all levels;

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

878 9. Developing a phased plan for distributing computer  
879 services equitably among all public schools and school districts  
880 in the state as rapidly as possible. The plan shall describe  
881 alternatives available to the state in providing such computing  
882 services and shall contain estimates of the cost of each  
883 alternative, together with a recommendation for action. In  
884 developing the plan, the feasibility of shared use of computing

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885 hardware and software by school districts, Florida College  
886 System institutions, and universities shall be examined. Laws or  
887 administrative rules regulating procurement of data processing  
888 equipment, communication services, or data processing services  
889 by state agencies shall not be construed to apply to local  
890 agencies which share computing facilities with state agencies;

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

894 11. Establishing procedures for continuous evaluation of  
895 system efficiency and effectiveness;

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

903 13. Publishing minimum recommended technology requirements  
904 that include specifications for hardware, software, networking,  
905 security, and broadband capacity to facilitate all school  
906 districts' compliance with the requirement that assessments be  
907 administered online. Full implementation of online assessments  
908 for the statewide standards in English Language Arts and  
909 mathematics adopted pursuant to s. 1003.41 for all K-12 public  
910 school students shall occur only after the technology

911 infrastructure, connectivity, and capacity of all public schools  
912 and school districts are load tested, independently verified,  
913 and certified by the district school superintendents as ready  
914 for successful deployment and implementation. If a district  
915 school superintendent certifies that the school district or  
916 schools within that district are not ready, the commissioner  
917 shall provide an alternative, nonelectronic option to the school  
918 district for the successful and timely administration of  
919 assessments and the reporting of such assessment results to the  
920 department. The commissioner shall submit a report on the  
921 implementation of the technology requirements by school  
922 districts, including any implementation and funding issues  
923 reported by district school superintendents, to the Governor,  
924 the President of the Senate, and the Speaker of the House of  
925 Representatives by January 15 of each year;

926 14. Providing a nonelectronic option for the  
927 administration of the new ELA statewide, standardized  
928 assessment, including the Writing component, and the Mathematics  
929 statewide, standardized assessment until the 2016-2017 school  
930 year in order to ensure that students have the word processing  
931 and computer skills to take the new statewide, standardized  
932 assessments and districts have the capacity to administer the  
933 assessments as online assessments;

934 15. Recommending annually to the State Board of Education,  
935 the Governor, the President of the Senate, and the Speaker of  
936 the House of Representatives the level of funding needed by

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937 school districts to implement and maintain technology  
938 requirements based upon the technology plans submitted and  
939 updated annually by school districts; and

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

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

949 (b) The specific responsibilities of each district school  
950 system shall include:

- 951 1. Establishing, at the district level, a reports-control  
952 and forms-control management system committee composed of school  
953 administrators and classroom teachers. The district school board  
954 shall appoint school administrator members and classroom teacher  
955 members or, in school districts where appropriate, the classroom  
956 teacher members shall be appointed by the bargaining agent.  
957 Teachers shall constitute a majority of the committee  
958 membership. The committee shall periodically recommend  
959 procedures to the district school board for eliminating,  
960 reducing, revising, and consolidating paperwork and data  
961 collection requirements and shall submit to the district school  
962 board an annual report of its findings.

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

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

970           4. Establishing a plan for continuous review and  
971 evaluation of local management information system needs and  
972 procedures.

973           5. Advising the commissioner of all district management  
974 information needs.

975           6. Transmitting required data input elements to the  
976 appropriate processing locations in accordance with guidelines  
977 established by the commissioner.

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

984           8. Being responsible for the accuracy of all data elements  
985 transmitted to the department.

986           9. Implementing the technology requirements for  
987 administering assessments online. Each district school  
988 superintendent shall submit a report to the commissioner which

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

1000 Section 9. Paragraph (a) of subsection (2), paragraph (a)  
 1001 of subsection (3), and subsections (7) through (10) of section  
 1002 1012.34, Florida Statutes, are amended to read:

1003 1012.34 Personnel evaluation procedures and criteria.—

1004 (2) EVALUATION SYSTEM REQUIREMENTS.—The evaluation systems  
 1005 for instructional personnel and school administrators must:

1006 (a) Be designed to support effective instruction and  
 1007 student learning ~~growth~~, and performance evaluation results must  
 1008 be used when developing district and school level improvement  
 1009 plans.

1010  
 1011 In addition, each district school board may establish a peer  
 1012 assistance process. This process may be a part of the regular  
 1013 evaluation system or used to assist employees placed on  
 1014 performance probation, newly hired classroom teachers, or

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1015 employees who request assistance.

1016 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional  
1017 personnel and school administrator performance evaluations must  
1018 be based upon the performance of students assigned to their  
1019 classrooms or schools, as provided in this section. Pursuant to  
1020 this section, a school district's performance evaluation is not  
1021 limited to basing unsatisfactory performance of instructional  
1022 personnel and school administrators solely upon student  
1023 performance, but may include other criteria approved to evaluate  
1024 instructional personnel and school administrators' performance,  
1025 or any combination of student performance and other approved  
1026 criteria. Evaluation procedures and criteria must comply with,  
1027 but are not limited to, the following:

1028 (a) A performance evaluation must be conducted for each  
1029 employee at least once a year, except that a classroom teacher,  
1030 as defined in s. 1012.01(2)(a), excluding substitute teachers,  
1031 who is newly hired by the district school board must be observed  
1032 and evaluated at least twice in the first year of teaching in  
1033 the school district. The performance evaluation must be based  
1034 upon sound educational principles and contemporary research in  
1035 effective educational practices. The evaluation criteria must  
1036 include:

1037 1. Performance of students.—Thirty ~~At least 50~~ percent of  
1038 a performance evaluation must be based upon data and indicators  
1039 of student learning ~~growth~~ assessed annually by statewide  
1040 assessments or, for subjects and grade levels not measured by



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1041 statewide assessments, by school district assessments as  
1042 provided in s. 1008.22(6). School districts may use more than  
1043 one assessment listed in s. 1008.22(6) to meet the 30 percent  
1044 requirement for subjects and grade levels not measured by  
1045 statewide assessments ~~Each school district must use the formula~~  
1046 ~~adopted pursuant to paragraph (7)(a) for measuring student~~  
1047 ~~learning growth in all courses associated with statewide~~  
1048 ~~assessments and must select an equally appropriate formula for~~  
1049 ~~measuring student learning growth for all other grades and~~  
1050 ~~subjects, except as otherwise provided in subsection (7).~~

1051 ~~a. For classroom teachers, as defined in s. 1012.01(2)(a),~~  
1052 ~~excluding substitute teachers, the student learning growth~~  
1053 ~~portion of the evaluation must include growth data for students~~  
1054 ~~assigned to the teacher over the course of at least 3 years. If~~  
1055 ~~less than 3 years of data are available, the years for which~~  
1056 ~~data are available must be used and the percentage of the~~  
1057 ~~evaluation based upon student learning growth may be reduced to~~  
1058 ~~not less than 40 percent.~~

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

1067 ~~the evaluation. If less than 3 years of student growth data are~~  
1068 ~~available, the years for which data are available must be used~~  
1069 ~~and the percentage of the evaluation based upon student learning~~  
1070 ~~growth may be reduced to not less than 20 percent.~~

1071 ~~e. For school administrators, the student learning growth~~  
1072 ~~portion of the evaluation must include growth data for students~~  
1073 ~~assigned to the school over the course of at least 3 years. If~~  
1074 ~~less than 3 years of data are available, the years for which~~  
1075 ~~data are available must be used and the percentage of the~~  
1076 ~~evaluation based upon student learning growth may be reduced to~~  
1077 ~~not less than 40 percent.~~

1078 2. Instructional practice.—Evaluation criteria used when  
1079 annually observing classroom teachers, as defined in s.  
1080 1012.01(2)(a), excluding substitute teachers, must include  
1081 indicators based upon each of the Florida Educator Accomplished  
1082 Practices adopted by the State Board of Education. For  
1083 instructional personnel who are not classroom teachers,  
1084 evaluation criteria must be based upon indicators of the Florida  
1085 Educator Accomplished Practices and may include specific job  
1086 expectations related to student support.

1087 3. Instructional leadership.—For school administrators,  
1088 evaluation criteria must include indicators based upon each of  
1089 the leadership standards adopted by the State Board of Education  
1090 under s. 1012.986, including performance measures related to the  
1091 effectiveness of classroom teachers in the school, the  
1092 administrator's appropriate use of evaluation criteria and

1093 | procedures, recruitment and retention of effective and highly  
 1094 | effective classroom teachers, improvement in the percentage of  
 1095 | instructional personnel evaluated at the highly effective or  
 1096 | effective level, and other leadership practices that result in  
 1097 | student learning ~~growth~~. The system may include a means to give  
 1098 | parents and instructional personnel an opportunity to provide  
 1099 | input into the administrator's performance evaluation.

1100 |         4. Professional and job responsibilities.—For  
 1101 | instructional personnel and school administrators, other  
 1102 | professional and job responsibilities must be included as  
 1103 | adopted by the State Board of Education. The district school  
 1104 | board may identify additional professional and job  
 1105 | responsibilities.

1106 |         (7) MEASUREMENT OF STUDENT LEARNING ~~GROWTH~~.—

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

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1119 assessments included under s. 1008.22 and continue to select  
1120 formulas as new assessments are implemented in the state system.  
1121 After the commissioner approves the formula to measure  
1122 individual student learning ~~growth~~, the State Board of Education  
1123 shall adopt these formulas in rule.

1124 (b) Each school district may ~~shall~~ measure student  
1125 learning ~~growth~~ using the formulas approved by the commissioner  
1126 under paragraph (a) for courses associated with the statewide,  
1127 standardized assessments administered under s. 1008.22 no later  
1128 than the school year immediately following the year the formula  
1129 is approved by the commissioner. For grades and subjects not  
1130 assessed by statewide, standardized assessments but otherwise  
1131 assessed as required under s. 1008.22(6), each school district  
1132 may ~~shall~~ measure performance of students using a methodology  
1133 determined by the district. The department shall provide models  
1134 for measuring performance of students which school districts may  
1135 adopt.

1136 (c) For a course that is not measured by a statewide,  
1137 standardized assessment, a school district may ~~request, through~~  
1138 ~~the evaluation system approval process, to~~ use a student's  
1139 achievement level rather than student learning ~~growth~~ if  
1140 achievement is demonstrated to be a more appropriate measure of  
1141 classroom teacher performance and is to be used as part of such  
1142 evaluation. A school district may also ~~request to~~ use a  
1143 combination of student learning ~~growth~~ and achievement, if  
1144 appropriate.

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1145 (d) For a course that is not measured by a statewide,  
1146 standardized assessment, a school district may provide request,  
1147 ~~through the evaluation system approval process,~~ that the  
1148 performance evaluation, if applicable, for the classroom teacher  
1149 assigned to that course include the learning ~~growth~~ of his or  
1150 her students on one or more of the assessments listed in s.  
1151 1008.22(6) statewide, standardized assessments. ~~The request must~~  
1152 ~~clearly explain the rationale supporting the request.~~

1153 (e) For purposes of this section ~~and only for the 2014-~~  
1154 ~~2015 school year,~~ a school district may use measurable learning  
1155 targets on local assessments administered under s. 1008.22(6) to  
1156 evaluate the performance of students portion of a classroom  
1157 teacher's evaluation, if applicable, for courses that are not  
1158 assessed by statewide, standardized assessments. Learning  
1159 targets must be approved by the school principal. A district  
1160 school superintendent may assign to instructional personnel in  
1161 an instructional team the student learning ~~growth~~ of the  
1162 instructional team's students on statewide, standardized  
1163 ~~assessments. This paragraph expires July 1, 2015.~~

1164 (8) RULEMAKING.—The State Board of Education shall adopt  
1165 rules pursuant to ss. 120.536(1) and 120.54 which establish  
1166 uniform procedures for the submission, review, and approval of  
1167 district evaluation systems and reporting requirements for the  
1168 annual evaluation of instructional personnel and school  
1169 administrators; ~~specific, discrete standards for each~~  
1170 ~~performance level required under subsection (2) to ensure clear~~

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1171 ~~and sufficient differentiation in the performance levels and to~~  
1172 ~~provide consistency in meaning across school districts; the~~  
1173 ~~measurement of student learning growth and associated~~  
1174 ~~implementation procedures required under subsection (7); and a~~  
1175 ~~process for monitoring school district implementation of~~  
1176 ~~evaluation systems in accordance with this section.~~  
1177 ~~Specifically, the rules shall establish student performance~~  
1178 ~~levels that if not met will result in the employee receiving an~~  
1179 ~~unsatisfactory performance evaluation rating. In like manner,~~  
1180 the rules shall establish a student performance level that must  
1181 be met in order for an employee to receive a highly effective  
1182 rating and a student learning ~~growth~~ standard that must be met  
1183 in order for an employee to receive an effective rating.

1184 (9) TRANSITION TO NEW STATEWIDE, STANDARDIZED  
1185 ASSESSMENTS.—Standards for each performance level required under  
1186 subsection (2) shall be established by the State Board of  
1187 Education after the administration of the statewide,  
1188 standardized assessment in spring 2016. The standards for each  
1189 performance level must be implemented before the administration  
1190 of the statewide, standardized assessment in spring 2017  
1191 ~~beginning with the 2015-2016 school year.~~

1192 (10) DISTRICT BONUS REWARDS FOR PERFORMANCE PAY BASED ON  
1193 EVALUATION PROGRESS.—School districts are eligible for bonus  
1194 rewards as provided for in the 2014 General Appropriations Act  
1195 for making outstanding progress toward educator effectiveness,  
1196 including implementation of instructional personnel salaries

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1197 based on performance results under s. 1012.34 and the use of  
1198 local assessment results in personnel evaluations when  
1199 statewide, standardized assessments are not administered.

1200 Section 10. Section 1012.3401, Florida Statutes, is  
1201 amended to read:

1202 1012.3401 Requirements for measuring student performance  
1203 in instructional personnel and school administrator performance  
1204 evaluations; performance evaluation of personnel for purposes of  
1205 performance salary schedule.—Notwithstanding any provision to  
1206 the contrary in ss. 1012.22 and 1012.34 regarding the  
1207 performance salary schedule and personnel evaluation procedures  
1208 and criteria:

1209 (1) Thirty ~~At least 50~~ percent of a classroom teacher's or  
1210 school administrator's performance evaluation, ~~or 40 percent if~~  
1211 ~~less than 3 years of student performance data are available,~~  
1212 shall be based upon learning ~~growth~~ or achievement of a  
1213 significant number of the teacher's students for which a valid  
1214 evaluation may be attained or, for a school administrator, the  
1215 students attending that school; the remaining portion shall be  
1216 based upon factors identified in district-determined, state-  
1217 approved evaluation system plans. ~~Student achievement measures~~  
1218 ~~for courses associated with statewide assessments may be used~~  
1219 ~~only if a statewide growth formula has not been approved for~~  
1220 ~~that assessment or, for courses associated with school district~~  
1221 ~~assessments, if achievement is demonstrated to be a more~~  
1222 ~~appropriate measure of teacher performance.~~

1223 (2) The student performance data used in the performance  
 1224 evaluation of nonclassroom instructional personnel shall be  
 1225 based on student outcome data that reflects the actual  
 1226 contribution of such personnel to the performance of the  
 1227 students assigned to the individual in the individual's areas of  
 1228 responsibility.

1229 (3) For purposes of the performance salary schedule in s.  
 1230 1012.22, the student assessment data in the performance  
 1231 evaluation must be from the statewide assessments ~~or district-~~  
 1232 ~~determined assessments~~ as required in s. 1008.22(6) in the  
 1233 subject areas taught.

1234 Section 11. Subsection (10) of section 1001.03, Florida  
 1235 Statutes, is amended to read:

1236 1001.03 Specific powers of State Board of Education.—

1237 (10) ~~COMMON PLACEMENT~~ TESTING FOR PUBLIC POSTSECONDARY  
 1238 EDUCATION.—The State Board of Education, in conjunction with the  
 1239 Board of Governors, shall develop and implement a ~~common~~  
 1240 ~~placement~~ test to assess the basic computation and communication  
 1241 skills of students who intend to enter a degree program at any  
 1242 Florida College System institution or state university.

1243 Section 12. Paragraph (d) of subsection (2) of section  
 1244 1002.451, Florida Statutes, is amended to read:

1245 1002.451 District innovation school of technology  
 1246 program.—

1247 (2) GUIDING PRINCIPLES.—An innovation school of technology  
 1248 shall be guided by the following principles:



1249 (d) Measure student performance based on student learning  
 1250 ~~growth~~, or based on student achievement if student learning  
 1251 ~~growth~~ cannot be measured.

1252 Section 13. Paragraph (d) of subsection (2), paragraph (a)  
 1253 of subsection (4), and paragraphs (a) and (b) of subsection (5)  
 1254 of section 1004.04, Florida Statutes, are amended to read:

1255 1004.04 Public accountability and state approval for  
 1256 teacher preparation programs.—

1257 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

1258 (d) Before program completion, each candidate must  
 1259 demonstrate his or her ability to positively impact student  
 1260 learning ~~growth~~ in the candidate's area or areas of program  
 1261 concentration during a prekindergarten through grade 12 field  
 1262 experience and must pass each portion of the Florida Teacher  
 1263 Certification Examination required for a professional  
 1264 certificate in the area or areas of program concentration.

1265 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a  
 1266 teacher preparation program shall be based upon evidence that  
 1267 the program continues to implement the requirements for initial  
 1268 approval and upon significant, objective, and quantifiable  
 1269 measures of the program and the performance of the program  
 1270 completers.

1271 (a) The criteria for continued approval must include each  
 1272 of the following:

1273 1. Documentation from the program that each program  
 1274 candidate met the admission requirements provided in subsection

1275 (3).

1276 2. Documentation from the program that the program and

1277 each program completer have met the requirements provided in

1278 subsection (2).

1279 3. Evidence of performance in each of the following areas:

1280 a. Placement rate of program completers into instructional

1281 positions in Florida public schools and private schools, if

1282 available.

1283 b. Rate of retention for employed program completers in

1284 instructional positions in Florida public schools.

1285 c. Performance of students in prekindergarten through

1286 grade 12 who are assigned to in-field program completers on

1287 statewide assessments using the results of the student learning

1288 ~~growth~~ formula adopted under s. 1012.34.

1289 d. Performance of students in prekindergarten through

1290 grade 12 who are assigned to in-field program completers

1291 aggregated by student subgroup, as defined in the federal

1292 Elementary and Secondary Education Act (ESEA), 20 U.S.C. s.

1293 6311(b)(2)(C)(v)(II), as a measure of how well the program

1294 prepares teachers to work with a diverse population of students

1295 in a variety of settings in Florida public schools.

1296 e. Results of program completers' annual evaluations in

1297 accordance with the timeline as set forth in s. 1012.34.

1298 f. Production of program completers in statewide critical

1299 teacher shortage areas as identified in s. 1012.07.

1300 (5) PRESERVICE FIELD EXPERIENCE.—All postsecondary

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1301 instructors, school district personnel and instructional  
1302 personnel, and school sites preparing instructional personnel  
1303 through preservice field experience courses and internships  
1304 shall meet special requirements. District school boards may pay  
1305 student teachers during their internships.

1306 (a) All individuals in postsecondary teacher preparation  
1307 programs who instruct or supervise preservice field experience  
1308 courses or internships in which a candidate demonstrates his or  
1309 her impact on student learning ~~growth~~ shall have the following:  
1310 specialized training in clinical supervision; at least 3 years  
1311 of successful, relevant prekindergarten through grade 12  
1312 teaching, student services, or school administration experience;  
1313 and an annual demonstration of experience in a relevant  
1314 prekindergarten through grade 12 school setting as defined by  
1315 State Board of Education rule.

1316 (b)1. All school district personnel and instructional  
1317 personnel who supervise or direct teacher preparation students  
1318 during field experience courses or internships taking place in  
1319 this state in which candidates demonstrate an impact on student  
1320 learning ~~growth~~ must have evidence of "clinical educator"  
1321 training, a valid professional certificate issued pursuant to s.  
1322 1012.56, and at least 3 years of teaching experience in  
1323 prekindergarten through grade 12 and must have earned an  
1324 effective or highly effective rating on the prior year's  
1325 performance evaluation under s. 1012.34 or be a peer evaluator  
1326 under the district's evaluation system approved under s.

1327 1012.34. The State Board of Education shall approve the training  
 1328 requirements.

1329 2. All instructional personnel who supervise or direct  
 1330 teacher preparation students during field experience courses or  
 1331 internships in another state, in which a candidate demonstrates  
 1332 his or her impact on student learning ~~growth~~, through a Florida  
 1333 online or distance program must have received "clinical  
 1334 educator" training or its equivalent in that state, hold a valid  
 1335 professional certificate issued by the state in which the field  
 1336 experience takes place, and have at least 3 years of teaching  
 1337 experience in prekindergarten through grade 12.

1338 3. All instructional personnel who supervise or direct  
 1339 teacher preparation students during field experience courses or  
 1340 internships, in which a candidate demonstrates his or her impact  
 1341 on student learning ~~growth~~, on a United States military base in  
 1342 another country through a Florida online or distance program  
 1343 must have received "clinical educator" training or its  
 1344 equivalent, hold a valid professional certificate issued by the  
 1345 United States Department of Defense or a state or territory of  
 1346 the United States, and have at least 3 years teaching experience  
 1347 in prekindergarten through grade 12.

1348 Section 14. Paragraph (b) of subsection (3), paragraph (b)  
 1349 of subsection (4), and subsection (6) of section 1004.85,  
 1350 Florida Statutes, are amended to read:

1351 1004.85 Postsecondary educator preparation institutes.—

1352 (3) Educator preparation institutes approved pursuant to

1353 | this section may offer competency-based certification programs  
1354 | specifically designed for noneducation major baccalaureate  
1355 | degree holders to enable program participants to meet the  
1356 | educator certification requirements of s. 1012.56. An educator  
1357 | preparation institute choosing to offer a competency-based  
1358 | certification program pursuant to the provisions of this section  
1359 | must implement a program previously approved by the Department  
1360 | of Education for this purpose or a program developed by the  
1361 | institute and approved by the department for this purpose.  
1362 | Approved programs shall be available for use by other approved  
1363 | educator preparation institutes.

1364 | (b) Each program participant must:

1365 | 1. Meet certification requirements pursuant to s.  
1366 | 1012.56(1) by obtaining a statement of status of eligibility in  
1367 | the certification subject area of the educational plan and meet  
1368 | the requirements of s. 1012.56(2)(a)-(f).

1369 | 2. Participate in coursework and field experiences that  
1370 | are appropriate to his or her educational plan prepared under  
1371 | paragraph (a).

1372 | 3. Before completion of the program, fully demonstrate his  
1373 | or her ability to teach the subject area for which he or she is  
1374 | seeking certification by documenting a positive impact on  
1375 | student learning ~~growth~~ in a prekindergarten through grade 12  
1376 | setting and achieving a passing score on the professional  
1377 | education competency examination, the basic skills examination,  
1378 | and the subject area examination for the subject area

1379 certification which is required by state board rule.

1380 (4) Continued approval of each program approved pursuant

1381 to this section shall be determined by the Commissioner of

1382 Education based upon a periodic review of the following areas:

1383 (b) Evidence of performance in each of the following

1384 areas:

1385 1. Placement rate of program completers into instructional

1386 positions in Florida public schools and private schools, if

1387 available.

1388 2. Rate of retention for employed program completers in

1389 instructional positions in Florida public schools.

1390 3. Performance of students in prekindergarten through

1391 grade 12 who are assigned to in-field program completers on

1392 statewide assessments using the results of the student learning

1393 ~~growth~~ formula adopted under s. 1012.34.

1394 4. Performance of students in prekindergarten through

1395 grade 12 who are assigned to in-field program completers

1396 aggregated by student subgroups, as defined in the federal

1397 Elementary and Secondary Education Act (ESEA), 20 U.S.C. s.

1398 6311(b) (2) (C) (v) (II), as a measure of how well the program

1399 prepares teachers to work with a diverse population of students

1400 in a variety of settings in Florida public schools.

1401 5. Results of program completers' annual evaluations in

1402 accordance with the timeline as set forth in s. 1012.34.

1403 6. Production of program completers in statewide critical

1404 teacher shortage areas as identified in s. 1012.07.

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1405 (6) Instructors and supervisors of field experiences in  
1406 which participants demonstrate an impact on student learning  
1407 ~~growth~~ for a certification program approved pursuant to this  
1408 section must meet the same qualifications as those required in  
1409 s. 1004.04(5).

1410 Section 15. Subsection (3) of section 1007.271, Florida  
1411 Statutes, is amended to read:

1412 1007.271 Dual enrollment programs.—

1413 (3) Student eligibility requirements for initial  
1414 enrollment in college credit dual enrollment courses must  
1415 include a 3.0 unweighted high school grade point average and the  
1416 minimum score on a ~~common placement~~ test adopted by the State  
1417 Board of Education which indicates that the student is ready for  
1418 college-level coursework. Student eligibility requirements for  
1419 continued enrollment in college credit dual enrollment courses  
1420 must include the maintenance of a 3.0 unweighted high school  
1421 grade point average and the minimum postsecondary grade point  
1422 average established by the postsecondary institution. Regardless  
1423 of meeting student eligibility requirements for continued  
1424 enrollment, a student may lose the opportunity to participate in  
1425 a dual enrollment course if the student is disruptive to the  
1426 learning process such that the progress of other students or the  
1427 efficient administration of the course is hindered. Student  
1428 eligibility requirements for initial and continued enrollment in  
1429 career certificate dual enrollment courses must include a 2.0  
1430 unweighted high school grade point average. Exceptions to the

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1431 required grade point averages may be granted on an individual  
1432 student basis if the educational entities agree and the terms of  
1433 the agreement are contained within the dual enrollment  
1434 articulation agreement established pursuant to subsection (21).  
1435 Florida College System institution boards of trustees may  
1436 establish additional initial student eligibility requirements,  
1437 which shall be included in the dual enrollment articulation  
1438 agreement, to ensure student readiness for postsecondary  
1439 instruction. Additional requirements included in the agreement  
1440 may not arbitrarily prohibit students who have demonstrated the  
1441 ability to master advanced courses from participating in dual  
1442 enrollment courses.

1443 Section 16. Subsection (2) of section 1008.37, Florida  
1444 Statutes, is amended to read:

1445 1008.37 Postsecondary feedback of information to high  
1446 schools.—

1447 (2) The Commissioner of Education shall report, by high  
1448 school, to the State Board of Education, the Board of Governors,  
1449 and the Legislature, no later than November 30 of each year, on  
1450 the number of prior year Florida high school graduates who  
1451 enrolled for the first time in public postsecondary education in  
1452 this state during the previous summer, fall, or spring term,  
1453 indicating the number of students whose scores on the ~~common~~  
1454 ~~placement~~ test indicated the need for developmental education  
1455 under s. 1008.30 or for applied academics for adult education  
1456 under s. 1004.91.



1457 Section 17. Paragraph (c) of subsection (1) of section  
 1458 1012.22, Florida Statutes, is amended to read:

1459 1012.22 Public school personnel; powers and duties of the  
 1460 district school board.—The district school board shall:

1461 (1) Designate positions to be filled, prescribe  
 1462 qualifications for those positions, and provide for the  
 1463 appointment, compensation, promotion, suspension, and dismissal  
 1464 of employees as follows, subject to the requirements of this  
 1465 chapter:

1466 (c) *Compensation and salary schedules.*—

1467 1. Definitions.—As used in this paragraph, the term:

1468 a. "Adjustment" means an addition to the base salary  
 1469 schedule that is not a bonus and becomes part of the employee's  
 1470 permanent base salary and shall be considered compensation under  
 1471 s. 121.021(22).

1472 b. "Grandfathered salary schedule" means the salary  
 1473 schedule or schedules adopted by a district school board before  
 1474 July 1, 2014, pursuant to subparagraph 4.

1475 c. "Instructional personnel" means instructional personnel  
 1476 as defined in s. 1012.01(2)(a)-(d), excluding substitute  
 1477 teachers.

1478 d. "Performance salary schedule" means the salary schedule  
 1479 or schedules adopted by a district school board pursuant to  
 1480 subparagraph 5.

1481 e. "Salary schedule" means the schedule or schedules used  
 1482 to provide the base salary for district school board personnel.

1483 f. "School administrator" means a school administrator as  
 1484 defined in s. 1012.01(3)(c).

1485 g. "Supplement" means an annual addition to the base  
 1486 salary for the term of the negotiated supplement as long as the  
 1487 employee continues his or her employment for the purpose of the  
 1488 supplement. A supplement does not become part of the employee's  
 1489 continuing base salary but shall be considered compensation  
 1490 under s. 121.021(22).

1491 2. Cost-of-living adjustment.—A district school board may  
 1492 provide a cost-of-living salary adjustment if the adjustment:

1493 a. Does not discriminate among comparable classes of  
 1494 employees based upon the salary schedule under which they are  
 1495 compensated.

1496 b. Does not exceed 50 percent of the annual adjustment  
 1497 provided to instructional personnel rated as effective.

1498 3. Advanced degrees.—A district school board may not use  
 1499 advanced degrees in setting a salary schedule for instructional  
 1500 personnel or school administrators hired on or after July 1,  
 1501 2011, unless the advanced degree is held in the individual's  
 1502 area of certification and is only a salary supplement.

1503 4. Grandfathered salary schedule.—

1504 a. The district school board shall adopt a salary schedule  
 1505 or salary schedules to be used as the basis for paying all  
 1506 school employees hired before July 1, 2014. Instructional  
 1507 personnel on annual contract as of July 1, 2014, shall be placed  
 1508 on the performance salary schedule adopted under subparagraph 5.

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1509 Instructional personnel on continuing contract or professional  
1510 service contract may opt into the performance salary schedule if  
1511 the employee relinquishes such contract and agrees to be  
1512 employed on an annual contract under s. 1012.335. Such an  
1513 employee shall be placed on the performance salary schedule and  
1514 may not return to continuing contract or professional service  
1515 contract status. Any employee who opts into the performance  
1516 salary schedule may not return to the grandfathered salary  
1517 schedule.

1518       b. In determining the grandfathered salary schedule for  
1519 instructional personnel, a district school board must base a  
1520 portion of each employee's compensation upon performance  
1521 demonstrated under s. 1012.34 and shall provide differentiated  
1522 pay for both instructional personnel and school administrators  
1523 based upon district-determined factors, including, but not  
1524 limited to, additional responsibilities, school demographics,  
1525 critical shortage areas, and level of job performance  
1526 difficulties.

1527       5. Performance salary schedule.—By July 1, 2014, the  
1528 district school board shall adopt a performance salary schedule  
1529 that provides annual salary adjustments for instructional  
1530 personnel and school administrators based upon performance  
1531 determined under s. 1012.34. Employees hired on or after July 1,  
1532 2014, or employees who choose to move from the grandfathered  
1533 salary schedule to the performance salary schedule shall be  
1534 compensated pursuant to the performance salary schedule once

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1535 they have received the appropriate performance evaluation for  
1536 this purpose. However, a classroom teacher whose performance  
1537 evaluation uses ~~utilizes~~ student learning ~~growth~~ measures  
1538 established under s. 1012.34(7)(e) shall remain under the  
1539 grandfathered salary schedule until his or her teaching  
1540 assignment changes to a subject for which there is an assessment  
1541 or the school district establishes equally appropriate measures  
1542 of student learning ~~growth~~ as defined under s. 1012.34 and rules  
1543 of the State Board of Education.

1544 a. Base salary.—The base salary shall be established as  
1545 follows:

1546 (I) The base salary for instructional personnel or school  
1547 administrators who opt into the performance salary schedule  
1548 shall be the salary paid in the prior year, including  
1549 adjustments only.

1550 (II) Beginning July 1, 2014, instructional personnel or  
1551 school administrators new to the district, returning to the  
1552 district after a break in service without an authorized leave of  
1553 absence, or appointed for the first time to a position in the  
1554 district in the capacity of instructional personnel or school  
1555 administrator shall be placed on the performance salary  
1556 schedule.

1557 b. Salary adjustments.—Salary adjustments for highly  
1558 effective or effective performance shall be established as  
1559 follows:

1560 (I) The annual salary adjustment under the performance

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1561 salary schedule for an employee rated as highly effective must  
1562 be greater than the highest annual salary adjustment available  
1563 to an employee of the same classification through any other  
1564 salary schedule adopted by the district.

1565 (II) The annual salary adjustment under the performance  
1566 salary schedule for an employee rated as effective must be equal  
1567 to at least 50 percent and no more than 75 percent of the annual  
1568 adjustment provided for a highly effective employee of the same  
1569 classification.

1570 (III) The performance salary schedule may ~~shall~~ not  
1571 provide an annual salary adjustment for an employee who receives  
1572 a rating other than highly effective or effective for the year.

1573 c. Salary supplements.—In addition to the salary  
1574 adjustments, each district school board shall provide for salary  
1575 supplements for activities that must include, but are not  
1576 limited to:

1577 (I) Assignment to a Title I eligible school.

1578 (II) Assignment to a school that earned a grade of "F" or  
1579 three consecutive grades of "D" pursuant to s. 1008.34 such that  
1580 the supplement remains in force for at least 1 year following  
1581 improved performance in that school.

1582 (III) Certification and teaching in critical teacher  
1583 shortage areas. Statewide critical teacher shortage areas shall  
1584 be identified by the State Board of Education under s. 1012.07.  
1585 However, the district school board may identify other areas of  
1586 critical shortage within the school district for purposes of

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1587 | this sub-sub-subparagraph and may remove areas identified by the  
 1588 | state board which do not apply within the school district.

1589 | (IV) Assignment of additional academic responsibilities.

1590 |

1591 | If budget constraints in any given year limit a district school  
 1592 | board's ability to fully fund all adopted salary schedules, the  
 1593 | performance salary schedule shall not be reduced on the basis of  
 1594 | total cost or the value of individual awards in a manner that is  
 1595 | proportionally greater than reductions to any other salary  
 1596 | schedules adopted by the district.

1597 | Section 18. Paragraph (b) of subsection (2) of section  
 1598 | 1012.341, Florida Statutes, is amended to read:

1599 | 1012.341 Exemption from performance evaluation system and  
 1600 | compensation and salary schedule requirements.—

1601 | (2) By October 1, 2014, and by October 1 annually  
 1602 | thereafter, the superintendent of Hillsborough County School  
 1603 | District shall attest, in writing, to the Commissioner of  
 1604 | Education that:

1605 | (b) The instructional personnel and school administrator  
 1606 | evaluation systems adopt the Commissioner of Education's student  
 1607 | learning ~~growth~~ formula for statewide assessments as provided  
 1608 | under s. 1012.34(7).

1609 |

1610 | This section is repealed August 1, 2017, unless reviewed and  
 1611 | reenacted by the Legislature.

1612 | Section 19. Paragraph (c) of subsection (8) of section

1613 1012.56, Florida Statutes, is amended to read:  
 1614 1012.56 Educator certification requirements.—  
 1615 (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION  
 1616 COMPETENCY PROGRAM.—  
 1617 (c) The Commissioner of Education shall determine the  
 1618 continued approval of programs implemented under paragraph (a)  
 1619 based upon the department's periodic review of the following:  
 1620 1. Evidence that the requirements in paragraph (a) are  
 1621 consistently met; and  
 1622 2. Evidence of performance in each of the following areas:  
 1623 a. Rate of retention for employed program completers in  
 1624 instructional positions in Florida public schools.  
 1625 b. Performance of students in prekindergarten through  
 1626 grade 12 who are assigned to in-field program completers on  
 1627 statewide assessments using the results of the student learning  
 1628 ~~growth~~ formula adopted under s. 1012.34.  
 1629 c. Performance of students in prekindergarten through  
 1630 grade 12 who are assigned to in-field program completers  
 1631 aggregated by student subgroups, as defined in the federal  
 1632 Elementary and Secondary Education Act (ESEA), 20 U.S.C. s.  
 1633 6311(b) (2) (C) (v) (II), as a measure of how well the program  
 1634 prepares teachers to work with a variety of students in Florida  
 1635 public schools.  
 1636 d. Results of program completers' annual evaluations in  
 1637 accordance with the timeline as set forth in s. 1012.34.  
 1638 e. Production of program completers in statewide critical

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1639 | teacher shortage areas as defined in s. 1012.07.

1640 |       Section 20. This act shall take effect upon becoming a

1641 | law.