

1                                   A bill to be entitled  
2           An act relating to school accountability; amending s.  
3           1008.34, F.S.; providing definitions for the  
4           statewide, standardized assessment program and school  
5           grading system; deleting annual reports; revising  
6           authority over allocation of a school's budget based  
7           on school grades; revising the basis for the  
8           calculation of school grades; deleting requirements  
9           for a school improvement rating; revising contents of  
10          the school report card; deleting provisions relating  
11          to performance-based funding policy; revising the  
12          basis for the calculation of district grades;  
13          requiring the Department of Education to develop a  
14          district report card; providing for transition to the  
15          revised school grading system; amending s. 1008.341,  
16          F.S.; revising the basis for the calculation of the  
17          school improvement rating for alternative schools;  
18          revising the rating designations and criteria upon  
19          which the ratings are determined; amending s.  
20          1008.3415, F.S.; correcting cross-references; amending  
21          s. 1001.42, F.S.; revising criteria that necessitate a  
22          school's improvement plan to include certain  
23          strategies for improving student performance; amending  
24          ss. 1002.33 and 1003.621, F.S.; revising cross-  
25          references; amending s. 1008.31, F.S.; revising  
26          legislative intent for the K-20 education performance

27 | accountability system; amending s. 1008.33, F.S.;

28 | conforming provisions relating to the state system of

29 | school improvement and education accountability;

30 | amending s. 1011.64, F.S.; correcting a cross-

31 | reference; amending s. 1008.22, F.S.; authorizing use

32 | of teacher-selected or principal-selected assessments

33 | as a form of local assessment; requiring a district

34 | school board to adopt policies relating to selection,

35 | development, administration, and scoring of local

36 | assessments; amending s. 1012.34, F.S.; providing

37 | information to be included in annual reports on the

38 | approval and implementation status of school district

39 | personnel evaluation systems; revising provisions

40 | relating to the measurement of student learning growth

41 | for purposes of personnel evaluation; conforming State

42 | Board of Education rulemaking relating to performance

43 | evaluations; providing for transition to new

44 | statewide, standardized assessments; authorizing bonus

45 | rewards to school districts for progress toward

46 | educator effectiveness; amending s. 1012.341, F.S.;

47 | removing rulemaking authority and establishing a

48 | compliance verification process for the exemption from

49 | performance evaluation system, compensation, and

50 | salary schedule requirements; providing an effective

51 | date.

52 |

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

54

55 Section 1. Section 1008.34, Florida Statutes, is amended  
56 to read:

57 1008.34 School grading system; school report cards;  
58 district grade.—

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

62 (a) "Achievement level," "student achievement," or  
63 "achievement" describes the level of content mastery a student  
64 has acquired in a particular subject as measured by a statewide,  
65 standardized assessment administered pursuant to s.  
66 1008.22(3)(a) and (b). There are five achievement levels. Level  
67 1 is the lowest achievement level, level 5 is the highest  
68 achievement level, and level 3 indicates satisfactory  
69 performance. A student passes an assessment if the student  
70 achieves a level 3, level 4, or level 5. For purposes of the  
71 Florida Alternate Assessment administered pursuant to s.  
72 1008.22(3)(c), the State Board of Education shall provide, in  
73 rule, the number of achievement levels and identify the  
74 achievement levels that are considered passing.

75 (b) "Learning Gains," "annual learning gains," or "student  
76 learning gains" means the degree of student learning growth  
77 occurring from one school year to the next as required by state  
78 board rule for purposes of calculating school grades under this

79 section.

80 (c) "Student performance," "student academic performance,"  
 81 or "academic performance" includes, but is not limited to,  
 82 student learning growth, achievement levels, and Learning Gains  
 83 on statewide, standardized assessments administered pursuant to  
 84 s. 1008.22.

85 ~~(1) ANNUAL REPORTS. The Commissioner of Education shall~~  
 86 ~~prepare annual reports of the results of the statewide~~  
 87 ~~assessment program which describe student achievement in the~~  
 88 ~~state, each district, and each school. The commissioner shall~~  
 89 ~~prescribe the design and content of these reports, which must~~  
 90 ~~include descriptions of the performance of all schools~~  
 91 ~~participating in the assessment program and all of their major~~  
 92 ~~student populations as determined by the commissioner. The~~  
 93 ~~report must also include the percent of students performing at~~  
 94 ~~or above grade level and making learning gains in reading and~~  
 95 ~~mathematics. The provisions of s. 1002.22 pertaining to student~~  
 96 ~~records apply to this section.~~

97 (2) SCHOOL GRADES. ~~The annual report shall identify~~  
 98 Schools shall be graded using as having one of the following  
 99 grades, defined according to rules of the State Board of  
 100 Education:

- 101 (a) "A," schools making excellent progress.
- 102 (b) "B," schools making above average progress.
- 103 (c) "C," schools making satisfactory progress.
- 104 (d) "D," schools making less than satisfactory progress.

105 (e) "F," schools failing to make adequate progress.

106

107 Each school that earns a grade of "A" or improves at least two  
 108 letter grades may ~~shall~~ have greater authority over the  
 109 allocation of the school's total budget generated from the FEFP,  
 110 state categoricals, lottery funds, grants, and local funds, ~~as~~  
 111 ~~specified in state board rule. The rule must provide that the~~  
 112 ~~increased budget authority shall remain in effect until the~~  
 113 ~~school's grade declines.~~

114 (3) DESIGNATION OF SCHOOL GRADES.—

115 (a) Each school must assess at least 95 percent of its  
 116 eligible students, except as provided under s. 1008.341 for  
 117 alternative schools. ~~Beginning with the 2013-2014 school year,~~  
 118 ~~Each school that has students who are tested and included in the~~  
 119 ~~school grading system shall receive a school grade based on the~~  
 120 ~~school's performance on the components listed in paragraph (b).~~  
 121 If a school does not have at least 10 students with complete  
 122 data for one or more of the components listed in paragraph (b),  
 123 those components may not be used in calculating the school's  
 124 grade. ~~if the number of its students tested on statewide~~  
 125 ~~assessments pursuant to s. 1008.22 meets or exceeds the minimum~~  
 126 ~~sample size of 10, except as follows:~~

127 1. An alternative school may choose to receive a school  
 128 grade under this section or a school improvement rating under s.  
 129 1008.341. For charter schools that meet the definition of an  
 130 alternative school pursuant to State Board of Education rule,

131 the decision to receive a school grade is the decision of the  
 132 charter school governing board.

133 2. A school that serves any combination of students in  
 134 kindergarten through grade 3 that ~~which~~ does not receive a  
 135 school grade because its students are not tested and included in  
 136 the school grading system shall receive the school grade  
 137 designation of a K-3 feeder pattern school identified by the  
 138 Department of Education and verified by the school district. A  
 139 school feeder pattern exists if at least 60 percent of the  
 140 students in the school serving a combination of students in  
 141 kindergarten through grade 3 are scheduled to be assigned to the  
 142 graded school.

143 3. If a collocated school does not earn a school grade or  
 144 school improvement rating for the performance of its students,  
 145 the student performance data of all schools operating at the  
 146 same facility must be aggregated to develop a school grade that  
 147 will be assigned to all schools at that location. A collocated  
 148 school is a school that has its own unique master school  
 149 identification number, provides for the education of each of its  
 150 enrolled students, and operates at the same facility as another  
 151 school that has its own unique master school identification  
 152 number and provides for the education of each of its enrolled  
 153 students.

154 (b)1. Beginning with the 2014-2015 school year, a school's  
 155 grade shall be based on the following components, each worth 100  
 156 points ~~a combination of:~~

157           a. The percentage of eligible students passing Student  
 158 achievement scores on statewide, standardized assessments in  
 159 English Language Arts administered pursuant to ~~under~~ s.  
 160 1008.22(3) 1008.22 and achievement scores for students seeking a  
 161 special diploma.

162           b. The percentage of eligible students passing statewide,  
 163 standardized assessments in mathematics administered pursuant to  
 164 s. 1008.22(3).

165           c. The percentage of eligible students passing statewide,  
 166 standardized assessments in science administered pursuant to s.  
 167 1008.22(3).

168           d. The percentage of eligible students passing statewide,  
 169 standardized assessments in social studies administered pursuant  
 170 to s. 1008.22(3).

171           ~~e.~~ b. The percentage of eligible students who make Student  
 172 Learning Gains in FCAT Reading or, upon transition to common  
 173 core assessments, the common core English Language Arts and  
 174 Mathematics assessments as measured by statewide, standardized  
 175 assessments administered pursuant to s. 1008.22(3) 1008.22,  
 176 including learning gains for students seeking a special diploma,  
 177 as measured by an alternate assessment.

178           f. The percentage of eligible students who make Learning  
 179 Gains in mathematics as measured by statewide, standardized  
 180 assessments administered pursuant to s. 1008.22(3).

181           ~~g.~~ e. The percentage of eligible students in Improvement of  
 182 the lowest 25 percent in English Language Arts, as identified by

183 prior year performance on statewide, standardized assessments,  
 184 who make Learning Gains in English Language Arts as measured by  
 185 statewide, standardized assessments administered pursuant to s.  
 186 1008.22(3) 25th percentile of students in the school in reading  
 187 or, upon transition to common core assessments, English Language  
 188 Arts and Mathematics assessments administered pursuant to s.  
 189 1008.22, unless these students are exhibiting satisfactory  
 190 performance.

191 h. The percentage of eligible students in the lowest 25  
 192 percent in mathematics, as identified by prior year performance  
 193 on statewide, standardized assessments, who make Learning Gains  
 194 in mathematics as measured by statewide, standardized  
 195 assessments administered pursuant to s. 1008.22(3).

196  
 197 In calculating Learning Gains for the components listed in sub-  
 198 subparagraphs e.-h., the State Board of Education shall require  
 199 that learning growth toward achievement levels 3, 4, and 5 is  
 200 demonstrated by students who scored below each of those levels  
 201 in the prior year.

202 ~~2. Beginning with the 2011-2012 school year, for schools~~  
 203 ~~comprised of middle grades 6 through 8 or grades 7 and 8, the~~  
 204 ~~school's grade shall include the performance and participation~~  
 205 ~~of its students enrolled in high school level courses with~~  
 206 ~~statewide, standardized assessments administered under s.~~  
 207 ~~1008.22. Performance and participation must be weighted equally.~~  
 208 ~~As valid data becomes available, the school grades shall include~~

209 ~~the students' attainment of national industry certification~~  
 210 ~~identified in the Industry Certification Funding List pursuant~~  
 211 ~~to rules adopted by the state board.~~

212 ~~2.3. Beginning with the 2009-2010 school year~~ For a school  
 213 ~~schools~~ comprised of ~~high school~~ grades 9, 10, 11, and 12, or  
 214 grades 10, 11, and 12, the school's grade at least 50 percent of  
 215 ~~the school grade~~ shall also be based on ~~a combination of the~~  
 216 ~~factors listed in sub-subparagraphs 1.a. c. and the remaining~~  
 217 ~~percentage on the following~~ components, each worth 100 points  
 218 ~~factors:~~

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

221 b. The percentage of students who were eligible to earn  
 222 college credit through ~~As valid data becomes available, the~~  
 223 ~~performance and participation of the school's students in~~  
 224 College Board Advanced Placement examinations ~~courses,~~  
 225 International Baccalaureate examinations ~~courses,~~ dual  
 226 enrollment courses, or ~~and~~ Advanced International Certificate of  
 227 Education examinations ~~courses;~~ or who, at any time during high  
 228 school, earned ~~and the students' achievement of national~~  
 229 industry certification for which there is a statewide  
 230 articulation agreement and that is identified in the Industry  
 231 Certification Funding List, pursuant to rules adopted by the  
 232 state board.

233 (c)1. The calculation of a school grade shall be based on  
 234 the percentage of points earned from the components listed in

235 subparagraph (b)1. and, if applicable, subparagraph (b)2. The  
 236 State Board of Education shall adopt in rule a school grading  
 237 scale that sets the percentage of points needed to earn each of  
 238 the school grades listed in subsection (2). There shall be at  
 239 least five percentage points separating the percentage  
 240 thresholds needed to earn each of the school grades. The state  
 241 board shall periodically review the school grading scale to  
 242 determine if the scale should be adjusted upward to meet raised  
 243 expectations and encourage increased student performance.

244 2. The calculation of school grades may not include any  
 245 provision that would raise or lower the school's grade beyond  
 246 the percentage of points earned. Extra weight may not be added  
 247 to the calculation of any components.

248 ~~e. Postsecondary readiness of all of the school's on-time~~  
 249 ~~graduates as measured by the SAT, the ACT, the Postsecondary~~  
 250 ~~Education Readiness Test, or the common placement test;~~

251 ~~d. The high school graduation rate of at-risk students,~~  
 252 ~~who score Level 1 or Level 2 on grade 8 FCAT Reading or the~~  
 253 ~~English Language Arts and mathematics assessments administered~~  
 254 ~~under s. 1008.22;~~

255 ~~e. As valid data becomes available, the performance of the~~  
 256 ~~school's students on statewide, standardized end-of-course~~  
 257 ~~assessments administered under s. 1008.22(3)(b)4. and 5.; and~~

258 ~~f. The growth or decline in the components listed in sub-~~  
 259 ~~paragraphs a.-e. from year to year.~~

260 ~~(c) Student assessment data used in determining school~~

261 ~~grades shall include:~~

262 ~~1. The aggregate scores of all eligible students enrolled~~  
 263 ~~in the school who have been assessed on statewide, standardized~~  
 264 ~~assessments in courses required for high school graduation,~~  
 265 ~~including, beginning with the 2011-2012 school year, the end-of-~~  
 266 ~~course assessment in Algebra I; and beginning with the 2012-2013~~  
 267 ~~school year, the end-of-course assessments in Geometry and~~  
 268 ~~Biology I; and beginning with the 2014-2015 school year, on the~~  
 269 ~~statewide, standardized end-of-course assessment in civics~~  
 270 ~~education at the middle grades level.~~

271 ~~2. The aggregate scores of all eligible students enrolled~~  
 272 ~~in the school who have been assessed on statewide, standardized~~  
 273 ~~assessments under s. 1008.22 and who have scored at or in the~~  
 274 ~~lowest 25th percentile of students in the school in reading and~~  
 275 ~~mathematics, unless these students are exhibiting satisfactory~~  
 276 ~~performance.~~

277 (d) The performance of students attending alternative  
 278 schools and students designated as hospital or homebound shall  
 279 be factored into a school grade as follows:

280 1.3. The student performance data for achievement scores  
 281 and learning gains of eligible students attending alternative  
 282 schools that provide dropout prevention and academic  
 283 intervention services pursuant to s. 1003.53 shall be included  
 284 in the calculation of the home school's grade. The term  
 285 "eligible students" in this subparagraph does not include  
 286 students attending an alternative school who are subject to

287 district school board policies for expulsion for repeated or  
 288 serious offenses, who are in dropout retrieval programs serving  
 289 students who have officially been designated as dropouts, or who  
 290 are in programs operated or contracted by the Department of  
 291 Juvenile Justice. ~~The student performance data for eligible~~  
 292 ~~students identified in this subparagraph shall be included in~~  
 293 ~~the calculation of the home school's grade.~~ As used in this  
 294 subparagraph and s. 1008.341, the term "home school" means the  
 295 school to which the student would be assigned if the student  
 296 were not assigned to an alternative school. If an alternative  
 297 school chooses to be graded under this section, student  
 298 performance data for eligible students identified in this  
 299 subparagraph shall not be included in the home school's grade  
 300 but shall be included only in the calculation of the alternative  
 301 school's grade. A school district that fails to assign  
 302 statewide, standardized end-of-course assessment scores of each  
 303 of its students to his or her home school or to the alternative  
 304 school that receives a grade shall forfeit Florida School  
 305 Recognition Program funds for 1 fiscal year. School districts  
 306 must require collaboration between the home school and the  
 307 alternative school in order to promote student success. This  
 308 collaboration must include an annual discussion between the  
 309 principal of the alternative school and the principal of each  
 310 student's home school concerning the most appropriate school  
 311 assignment of the student.

312 2.4. Student performance data for ~~The achievement scores~~

313 ~~and learning gains of~~ students designated as hospital or  
 314 homebound hospital ~~or homebound~~. Student assessment data for  
 315 ~~students designated as hospital or homebound~~ shall be assigned  
 316 to their home school for the purposes of school grades. As used  
 317 in this subparagraph, the term "home school" means the school to  
 318 which a student would be assigned if the student were not  
 319 assigned to a hospital or homebound ~~hospital or homebound~~  
 320 program.

321 ~~5. For schools comprised of high school grades 9, 10, 11,~~  
 322 ~~and 12, or grades 10, 11, and 12, the data listed in~~  
 323 ~~subparagraphs 1. 3. and the following data as the Department of~~  
 324 ~~Education determines such data are valid and available:~~

325 ~~a. The high school graduation rate of the school as~~  
 326 ~~calculated by the department;~~

327 ~~b. The participation rate of all eligible students~~  
 328 ~~enrolled in the school and enrolled in College Board Advanced~~  
 329 ~~Placement courses; International Baccalaureate courses; dual~~  
 330 ~~enrollment courses; Advanced International Certificate of~~  
 331 ~~Education courses; and courses or sequences of courses leading~~  
 332 ~~to national industry certification identified in the Industry~~  
 333 ~~Certification Funding List, pursuant to rules adopted by the~~  
 334 ~~State Board of Education;~~

335 ~~e. The aggregate scores of all eligible students enrolled~~  
 336 ~~in the school in College Board Advanced Placement courses,~~  
 337 ~~International Baccalaureate courses, and Advanced International~~  
 338 ~~Certificate of Education courses;~~

339 ~~d. Earning of college credit by all eligible students~~  
340 ~~enrolled in the school in dual enrollment programs under s.~~  
341 ~~1007.271;~~

342 ~~e. Earning of a national industry certification identified~~  
343 ~~in the Industry Certification Funding List, pursuant to rules~~  
344 ~~adopted by the State Board of Education;~~

345 ~~f. The aggregate scores of all eligible students enrolled~~  
346 ~~in the school in reading, mathematics, and other subjects as~~  
347 ~~measured by the SAT, the ACT, the Postsecondary Education~~  
348 ~~Readiness Test, and the common placement test for postsecondary~~  
349 ~~readiness;~~

350 ~~g. The high school graduation rate of all eligible at-risk~~  
351 ~~students enrolled in the school who scored Level 2 or lower on~~  
352 ~~grade 8 FCAT Reading and FCAT Mathematics;~~

353 ~~h. The performance of the school's students on statewide,~~  
354 ~~standardized end-of-course assessments administered under s.~~  
355 ~~1008.22(3)(b)4. and 5.; and~~

356 ~~i. The growth or decline in the data components listed in~~  
357 ~~sub-subparagraphs a. h. from year to year.~~

358  
359 ~~The State Board of Education shall adopt appropriate criteria~~  
360 ~~for each school grade. The criteria must also give added weight~~  
361 ~~to student achievement in reading. Schools earning a grade of~~  
362 ~~"C," making satisfactory progress, shall be required to~~  
363 ~~demonstrate that adequate progress has been made by students in~~  
364 ~~the school who are in the lowest 25th percentile in reading and~~

365 ~~mathematics on statewide, standardized assessments under s.~~  
 366 ~~1008.22, unless these students are exhibiting satisfactory~~  
 367 ~~performance. For schools comprised of high school grades 9, 10,~~  
 368 ~~11, and 12, or grades 10, 11, and 12, the criteria for school~~  
 369 ~~grades must also give added weight to the graduation rate of all~~  
 370 ~~eligible at risk students. In order for a high school to earn a~~  
 371 ~~grade of "A," the school must demonstrate that its at-risk~~  
 372 ~~students, as defined in this paragraph, are making adequate~~  
 373 ~~progress.~~

374 ~~(4) SCHOOL IMPROVEMENT RATINGS. The annual report shall~~  
 375 ~~identify each school's performance as having improved, remained~~  
 376 ~~the same, or declined. This school improvement rating shall be~~  
 377 ~~based on a comparison of the current year's and previous year's~~  
 378 ~~student and school performance data. A school that improves its~~  
 379 ~~rating by at least one level is eligible for school recognition~~  
 380 ~~awards pursuant to s. 1008.36.~~

381 ~~(4)~~ (5) SCHOOL REPORT CARD.—The Department of Education  
 382 shall annually develop, in collaboration with the school  
 383 districts, a school report card to be provided by the school  
 384 district to parents within the district. The report card shall  
 385 include the school's grade; student performance in English  
 386 Language Arts, mathematics, science, and social studies;  
 387 information regarding school improvement; an explanation of  
 388 school performance as evaluated by the federal Elementary and  
 389 Secondary Education Act (ESEA), 20 U.S.C. ss. 6301 et seq. ; and  
 390 indicators of return on investment. Each school's report card

391 shall be published annually by the department on its website  
 392 based upon the most recent data available.

393 ~~(6) PERFORMANCE-BASED FUNDING.—The Legislature may factor~~  
 394 ~~in the performance of schools in calculating any performance-~~  
 395 ~~based funding policy that is provided for annually in the~~  
 396 ~~General Appropriations Act.~~

397 (5)(7) DISTRICT GRADE.—The annual report required by  
 398 subsection (1) shall include the school district's grade.  
 399 Beginning with the 2014-2015 school year, a school district's  
 400 grade shall include a district-level calculation of the  
 401 components under paragraph (3) (b) be calculated using student  
 402 performance and learning gains data on statewide assessments  
 403 used for determining school grades under subparagraph (3) (b)1.  
 404 for each eligible student enrolled for a full school year in the  
 405 district. This calculation methodology captures each eligible  
 406 student in the district who may have transferred among schools  
 407 within the district or is enrolled in a school that does not  
 408 receive a grade. The department shall develop a district report  
 409 card that includes the district's grade; measures of the  
 410 district's progress in closing the achievement gap between  
 411 higher-performing student subgroups and lower-performing student  
 412 subgroups; measures of the district's progress in demonstrating  
 413 Learning Gains of its highest-performing students; measures of  
 414 the district's success in improving student attendance; the  
 415 district's grade-level promotion of students scoring achievement  
 416 levels 1 and 2 on statewide, standardized English Language Arts

417 and mathematics assessments; and measures of the district's  
 418 performance in preparing students for the transition from  
 419 elementary to middle school, middle to high school, and high  
 420 school to postsecondary institutions and careers.

421 (6)-(8) RULES.—The State Board of Education shall adopt  
 422 rules under ss. 120.536(1) and 120.54 to administer this  
 423 section.

424 (7) TRANSITION.—School grades and school improvement  
 425 ratings pursuant to s. 1008.341 for the 2013-2014 school year  
 426 shall be calculated based on statutes and rules in effect on  
 427 June 30, 2014. To assist in the transition to 2014-2015 school  
 428 grades and school improvement ratings pursuant to s. 1008.341  
 429 that are calculated based on new statewide, standardized  
 430 assessments administered pursuant to s. 1008.22, the 2014-2015  
 431 school grades shall serve as an informational baseline for  
 432 schools to work toward improved performance in future years.  
 433 Accordingly, notwithstanding any other provision of law:

434 (a) A school may not be required to select and implement a  
 435 turnaround option pursuant to s. 1008.33 in the 2015-2016 school  
 436 year based on the school's 2014-2015 grade or school improvement  
 437 rating under s. 1008.341, as applicable.

438 (b)1. A school or approved provider under s. 1002.45 that  
 439 receives the same or a lower school grade or school improvement  
 440 rating for the 2014-2015 school year compared to the 2013-2014  
 441 school year is not subject to sanctions or penalties that would  
 442 otherwise occur as a result of the 2014-2015 school grade or

443 rating. A charter school system or a school district designated  
 444 as high performing may not lose the designation based on the  
 445 2014-2015 school grades of any of the schools within the charter  
 446 school system or school district, as applicable.

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

450 (c) For purposes of determining grade 3 retention pursuant  
 451 to s. 1008.25(5) and high school graduation pursuant to s.  
 452 1003.4282, student performance on the 2014-2015 statewide,  
 453 standardized assessments shall be linked to 2013-2014 student  
 454 performance expectations.

455  
 456 This subsection is repealed July 1, 2017.

457 Section 2. Subsections (2), (3), and (4) of section  
 458 1008.341, Florida Statutes, are amended to read:

459 1008.341 School improvement rating for alternative  
 460 schools.—

461 (2) SCHOOL IMPROVEMENT RATING.—An alternative school is a  
 462 school that provides dropout prevention and academic  
 463 intervention services pursuant to s. 1003.53. An alternative  
 464 school shall receive a school improvement rating pursuant to  
 465 this section unless the school earns a school grade pursuant to  
 466 s. 1008.34. ~~An Beginning with the 2013-2014 school year, each~~  
 467 ~~alternative school that chooses to receive a school improvement~~  
 468 ~~rating shall receive a school improvement rating if the number~~

469 of its students for whom student performance data on statewide,  
470 standardized assessments pursuant to s. 1008.22 which is  
471 available for the current year and previous year meets or  
472 exceeds the minimum sample size of 10. If an alternative school  
473 does not have at least 10 students with complete data for a  
474 component listed in subsection (3), that component may not be  
475 used in calculating the school's improvement rating. The  
476 calculation of the school improvement rating shall be based on  
477 the percentage of points earned from the components listed in  
478 subsection (3). An alternative school that tests at least 80  
479 percent of its students may receive a school improvement rating.  
480 If an alternative school tests less than 90 percent of its  
481 students, the school may not earn a rating higher than  
482 "maintaining." Beginning with the 2016-2017 school year, if an  
483 alternative school does not meet the requirements for the  
484 issuance of a school improvement rating in the current year and  
485 has failed to receive a school improvement rating for the prior  
486 2 consecutive years, the school shall receive a rating for the  
487 current year based upon a compilation of all student Learning  
488 Gains for all grade levels for those 3 years. Likewise, if the  
489 school fails to meet the requirements for a rating the following  
490 year or any year thereafter, the school's rating shall be based  
491 on a compilation of student Learning Gains achieved during the  
492 current and prior 2 years. The school improvement rating shall  
493 identify an alternative school as having one of the following  
494 ratings defined according to rules of the State Board of

495 Education:

496 (a) "Commendable" ~~"Improving"~~ means a significant  
 497 percentage of the students attending the school are making  
 498 Learning Gains ~~more academic progress than when the students~~  
 499 ~~were served in their home schools.~~

500 (b) "Maintaining" means a sufficient percentage of the  
 501 students attending the school are making Learning Gains ~~progress~~  
 502 ~~equivalent to the progress made when the students were served in~~  
 503 ~~their home schools.~~

504 (c) "Unsatisfactory" ~~"Declining"~~ means an insufficient  
 505 percentage of the students attending the school are making  
 506 Learning Gains ~~less academic progress than when the students~~  
 507 ~~were served in their home schools.~~

508  
 509 ~~The school improvement rating shall be based on a comparison of~~  
 510 ~~student performance data for the current year and previous year.~~  
 511 Schools that improve at least one level or maintain a  
 512 "commendable" ~~an "improving"~~ rating pursuant to this section are  
 513 eligible for school recognition awards pursuant to s. 1008.36.

514 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING. ~~Student data~~  
 515 ~~used in determining an alternative school's school improvement~~  
 516 ~~rating shall include:~~

517 ~~(a)~~ Student Learning Gains ~~performance results~~ based on  
 518 statewide, standardized assessments, including retakes,  
 519 administered under s. 1008.22 for all eligible students who were  
 520 assigned to and enrolled in the school during the October or

521 February FTE count and who have assessment scores or comparable  
 522 scores for the preceding school year shall be used in  
 523 determining an alternative school's school improvement rating.

524 An alternative school's rating shall be based on the following  
 525 components:

526 (a) The percentage of eligible students who make Learning  
 527 Gains in English Language Arts as measured by statewide,  
 528 standardized assessments administered pursuant to s. 1008.22(3).

529 (b) The percentage of eligible students who make Learning  
 530 Gains in mathematics as measured by statewide, standardized  
 531 assessments administered pursuant to s. 1008.22(3).

532 ~~(b) Student performance results based on statewide,~~  
 533 ~~standardized assessments, including retakes, administered under~~  
 534 ~~s. 1008.22 for all eligible students who were assigned to and~~  
 535 ~~enrolled in the school during the October or February FTE count~~  
 536 ~~and who have scored in the lowest 25th percentile of students in~~  
 537 ~~the state on FCAT Reading.~~

538  
 539 Student performance results of students who are subject to  
 540 district school board policies for expulsion for repeated or  
 541 serious offenses, who are in dropout retrieval programs serving  
 542 students who have officially been designated as dropouts, or who  
 543 are in programs operated or contracted by the Department of  
 544 Juvenile Justice may not be included in an alternative school's  
 545 school improvement rating.

546 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.—For each

547 alternative school receiving a school improvement rating, the  
 548 Department of Education shall annually identify the percentage  
 549 of students making Learning Gains consistent with s. 1008.34(3)  
 550 ~~as compared to the percentage of the same students making~~  
 551 ~~learning gains in their home schools in the year prior to being~~  
 552 ~~assigned to the alternative school.~~

553 Section 3. Subsection (2) of section 1008.3415, Florida  
 554 Statutes, is amended to read:

555 1008.3415 School grade or school improvement rating for  
 556 exceptional student education centers.—

557 (2) Notwithstanding s. 1008.34 ~~1008.34(3)(e)3.~~, the  
 558 achievement levels ~~scores~~ and Learning Gains of a student with a  
 559 disability who attends an exceptional student education center  
 560 and has not been enrolled in or attended a public school other  
 561 than an exceptional student education center for grades K-12  
 562 within the school district shall not be included in the  
 563 calculation of the home school's grade if the student is  
 564 identified as an emergent student on the alternate assessment  
 565 tool described in s. 1008.22(3)(c) ~~1008.22(3)(e)13.~~

566 Section 4. Subsection (18) of section 1001.42, Florida  
 567 Statutes, is amended to read:

568 1001.42 Powers and duties of district school board.—The  
 569 district school board, acting as a board, shall exercise all  
 570 powers and perform all duties listed below:

571 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—  
 572 Maintain a ~~state~~ system of school improvement and education

573 accountability as provided by statute and State Board of  
 574 Education rule. This system of school improvement and education  
 575 accountability shall be consistent with, and implemented  
 576 through, the district's continuing system of planning and  
 577 budgeting required by this section and ss. 1008.385, 1010.01,  
 578 and 1011.01. This system of school improvement and education  
 579 accountability shall comply with the provisions of ss. 1008.33,  
 580 1008.34, 1008.345, and 1008.385 and include the following:

581 (a) School improvement plans.—The district school board  
 582 shall annually approve and require implementation of a new,  
 583 amended, or continuation school improvement plan for each school  
 584 in the district. If a school has a significant gap in  
 585 achievement on statewide, standardized assessments administered  
 586 pursuant to s. 1008.22 ~~1008.34(3)(b)~~ by one or more student  
 587 subgroups, as defined in the federal Elementary and Secondary  
 588 Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II); has not  
 589 significantly increased ~~decreased~~ the percentage of students  
 590 passing scoring below satisfactory on statewide, standardized  
 591 assessments; has not significantly increased the percentage of  
 592 students demonstrating Learning Gains, as defined in s. 1008.34  
 593 and calculated under s. 1008.34(3)(b), who passed statewide,  
 594 standardized assessments; or has significantly lower graduation  
 595 rates for a subgroup when compared to the state's graduation  
 596 rate, that school's improvement plan shall include strategies  
 597 for improving these results. The state board shall adopt rules  
 598 establishing thresholds and for determining compliance with this

599 paragraph.

600 (b) Public disclosure.—The district school board shall  
 601 provide information regarding the performance of students and  
 602 educational programs as required pursuant to ss. 1008.22 and  
 603 1008.385 and implement a system of school reports as required by  
 604 statute and State Board of Education rule which shall include  
 605 schools operating for the purpose of providing educational  
 606 services to youth in Department of Juvenile Justice programs,  
 607 and for those schools, report on the elements specified in s.  
 608 1003.52(19). Annual public disclosure reports shall be in an  
 609 easy-to-read report card format and shall include the school's  
 610 grade, high school graduation rate calculated without GED tests,  
 611 disaggregated by student ethnicity, and performance data as  
 612 specified in state board rule.

613 (c) School improvement funds.—The district school board  
 614 shall provide funds to schools for developing and implementing  
 615 school improvement plans. Such funds shall include those funds  
 616 appropriated for the purpose of school improvement pursuant to  
 617 s. 24.121(5)(c).

618 Section 5. Paragraph (n) of subsection (9) and paragraph  
 619 (b) of subsection (21) of section 1002.33, Florida Statutes, are  
 620 amended to read:

621 1002.33 Charter schools.—

622 (9) CHARTER SCHOOL REQUIREMENTS.—

623 (n)1. The director and a representative of the governing  
 624 board of a charter school that has earned a grade of "D" or "F"

625 pursuant to s. 1008.34 ~~1008.34(2)~~ shall appear before the  
 626 sponsor to present information concerning each contract  
 627 component having noted deficiencies. The director and a  
 628 representative of the governing board shall submit to the  
 629 sponsor for approval a school improvement plan to raise student  
 630 performance ~~achievement~~. Upon approval by the sponsor, the  
 631 charter school shall begin implementation of the school  
 632 improvement plan. The department shall offer technical  
 633 assistance and training to the charter school and its governing  
 634 board and establish guidelines for developing, submitting, and  
 635 approving such plans.

636 2.a. If a charter school earns three consecutive grades of  
 637 "D," two consecutive grades of "D" followed by a grade of "F,"  
 638 or two nonconsecutive grades of "F" within a 3-year period, the  
 639 charter school governing board shall choose one of the following  
 640 corrective actions:

641 (I) Contract for educational services to be provided  
 642 directly to students, instructional personnel, and school  
 643 administrators, as prescribed in state board rule;

644 (II) Contract with an outside entity that has a  
 645 demonstrated record of effectiveness to operate the school;

646 (III) Reorganize the school under a new director or  
 647 principal who is authorized to hire new staff; or

648 (IV) Voluntarily close the charter school.

649 b. The charter school must implement the corrective action  
 650 in the school year following receipt of a third consecutive

651 grade of "D," a grade of "F" following two consecutive grades of  
652 "D," or a second nonconsecutive grade of "F" within a 3-year  
653 period.

654 c. The sponsor may annually waive a corrective action if  
655 it determines that the charter school is likely to improve a  
656 letter grade if additional time is provided to implement the  
657 intervention and support strategies prescribed by the school  
658 improvement plan. Notwithstanding this sub-subparagraph, a  
659 charter school that earns a second consecutive grade of "F" is  
660 subject to subparagraph 4.

661 d. A charter school is no longer required to implement a  
662 corrective action if it improves by at least one letter grade.  
663 However, the charter school must continue to implement  
664 strategies identified in the school improvement plan. The  
665 sponsor must annually review implementation of the school  
666 improvement plan to monitor the school's continued improvement  
667 pursuant to subparagraph 5.

668 e. A charter school implementing a corrective action that  
669 does not improve by at least one letter grade after 2 full  
670 school years of implementing the corrective action must select a  
671 different corrective action. Implementation of the new  
672 corrective action must begin in the school year following the  
673 implementation period of the existing corrective action, unless  
674 the sponsor determines that the charter school is likely to  
675 improve a letter grade if additional time is provided to  
676 implement the existing corrective action. Notwithstanding this

677 sub-subparagraph, a charter school that earns a second  
678 consecutive grade of "F" while implementing a corrective action  
679 is subject to subparagraph 4.

680 3. A charter school with a grade of "D" or "F" that  
681 improves by at least one letter grade must continue to implement  
682 the strategies identified in the school improvement plan. The  
683 sponsor must annually review implementation of the school  
684 improvement plan to monitor the school's continued improvement  
685 pursuant to subparagraph 5.

686 4. The sponsor shall terminate a charter if the charter  
687 school earns two consecutive grades of "F" unless:

688 a. The charter school is established to turn around the  
689 performance of a district public school pursuant to s.  
690 1008.33(4)(b)3. Such charter schools shall be governed by s.  
691 1008.33;

692 b. The charter school serves a student population the  
693 majority of which resides in a school zone served by a district  
694 public school that earned a grade of "F" in the year before the  
695 charter school opened and the charter school earns at least a  
696 grade of "D" in its third year of operation. The exception  
697 provided under this sub-subparagraph does not apply to a charter  
698 school in its fourth year of operation and thereafter; or

699 c. The state board grants the charter school a waiver of  
700 termination. The charter school must request the waiver within  
701 15 days after the department's official release of school  
702 grades. The state board may waive termination if the charter

703 school demonstrates that the Learning Gains of its students on  
 704 statewide assessments are comparable to or better than the  
 705 Learning Gains of similarly situated students enrolled in nearby  
 706 district public schools. The waiver is valid for 1 year and may  
 707 only be granted once. Charter schools that have been in  
 708 operation for more than 5 years are not eligible for a waiver  
 709 under this sub-subparagraph.

710 5. The director and a representative of the governing  
 711 board of a graded charter school that has implemented a school  
 712 improvement plan under this paragraph shall appear before the  
 713 sponsor at least once a year to present information regarding  
 714 the progress of intervention and support strategies implemented  
 715 by the school pursuant to the school improvement plan and  
 716 corrective actions, if applicable. The sponsor shall communicate  
 717 at the meeting, and in writing to the director, the services  
 718 provided to the school to help the school address its  
 719 deficiencies.

720 6. Notwithstanding any provision of this paragraph except  
 721 sub-subparagraphs 4.a.-c., the sponsor may terminate the charter  
 722 at any time pursuant to subsection (8).

723 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

724 (b)1. The Department of Education shall report to each  
 725 charter school receiving a school grade pursuant to s. 1008.34  
 726 or a school improvement rating pursuant to s. 1008.341 the  
 727 school's student assessment data pursuant to s. 1008.34(3)(c)  
 728 ~~which is reported to schools that receive a school grade or~~

729 ~~student assessment data pursuant to s. 1008.341(3) which is~~  
 730 ~~reported to alternative schools that receive a school~~  
 731 ~~improvement rating to each charter school that:~~

732 ~~a. Does not receive a school grade pursuant to s. 1008.34~~  
 733 ~~or a school improvement rating pursuant to s. 1008.341; and~~

734 ~~b. Serves at least 10 students who are tested on the~~  
 735 ~~statewide assessment test pursuant to s. 1008.22.~~

736 2. The charter school shall report the information in  
 737 subparagraph 1. to each parent of a student at the charter  
 738 school, the parent of a child on a waiting list for the charter  
 739 school, the district in which the charter school is located, and  
 740 the governing board of the charter school. This paragraph does  
 741 not abrogate the provisions of s. 1002.22, relating to student  
 742 records, or the requirements of 20 U.S.C. s. 1232g, the Family  
 743 Educational Rights and Privacy Act.

744 3.a. Pursuant to this paragraph, the Department of  
 745 Education shall compare the charter school student performance  
 746 data for each charter school in subparagraph 1. with the student  
 747 performance data in traditional public schools in the district  
 748 in which the charter school is located and other charter schools  
 749 in the state. For alternative charter schools, the department  
 750 shall compare the student performance data described in this  
 751 paragraph with all alternative schools in the state. The  
 752 comparative data shall be provided by the following grade  
 753 groupings:

754 (I) Grades 3 through 5;

755 (II) Grades 6 through 8; and

756 (III) Grades 9 through 11.

757 b. Each charter school shall provide the information  
 758 specified in this paragraph on its Internet website and also  
 759 provide notice to the public at large in a manner provided by  
 760 the rules of the State Board of Education. The State Board of  
 761 Education shall adopt rules to administer the notice  
 762 requirements of this subparagraph pursuant to ss. 120.536(1) and  
 763 120.54. The website shall include, through links or actual  
 764 content, other information related to school performance.

765 Section 6. Paragraphs (a) and (d) of subsection (1) of  
 766 section 1003.621, Florida Statutes, are amended to read:

767 1003.621 Academically high-performing school districts.—It  
 768 is the intent of the Legislature to recognize and reward school  
 769 districts that demonstrate the ability to consistently maintain  
 770 or improve their high-performing status. The purpose of this  
 771 section is to provide high-performing school districts with  
 772 flexibility in meeting the specific requirements in statute and  
 773 rules of the State Board of Education.

774 (1) ACADEMICALLY HIGH-PERFORMING SCHOOL DISTRICT.—

775 (a) A school district is an academically high-performing  
 776 school district if it meets the following criteria:

777 1.a. ~~Beginning with the 2004-2005 school year,~~ Earns a  
 778 grade of "A" under s. 1008.34 ~~1008.34(7)~~ for 2 consecutive  
 779 years; and

780 b. Has no district-operated school that earns a grade of

781 "F" under s. 1008.34;  
 782 2. Complies with all class size requirements in s. 1, Art.  
 783 IX of the State Constitution and s. 1003.03; and  
 784 3. Has no material weaknesses or instances of material  
 785 noncompliance noted in the annual financial audit conducted  
 786 pursuant to s. 11.45 or s. 218.39.  
 787 (d) In order to maintain the designation as an  
 788 academically high-performing school district pursuant to this  
 789 section, a school district must meet the following requirements:  
 790 1. Comply with the provisions of subparagraphs (a)2. and  
 791 3.; and  
 792 2. Earn a grade of "A" under s. 1008.34 ~~1008.34(7)~~ for 2  
 793 years within a 3-year period.

794  
 795 However, a district in which a district-operated school earns a  
 796 grade of "F" under s. 1008.34 during the 3-year period may not  
 797 continue to be designated as an academically high-performing  
 798 school district during the remainder of that 3-year period. The  
 799 district must meet the criteria in paragraph (a) in order to be  
 800 redesignated as an academically high-performing school district.

801 Section 7. Paragraph (b) of subsection (1) of section  
 802 1008.31, Florida Statutes, is amended to read:

803 1008.31 Florida's K-20 education performance  
 804 accountability system; legislative intent; mission, goals, and  
 805 systemwide measures; data quality improvements.-

806 (1) LEGISLATIVE INTENT.—It is the intent of the

807 Legislature that:

808 (b) The K-20 education performance accountability system  
 809 be established as a single, unified accountability system with  
 810 multiple components, including, but not limited to, ~~measures of~~  
 811 ~~adequate yearly progress, individual~~ student performance  
 812 ~~learning gains~~ in public schools and, school and district  
 813 ~~grades, and return on investment.~~

814 Section 8. Subsection (2) of section 1008.33, Florida  
 815 Statutes, is amended to read:

816 1008.33 Authority to enforce public school improvement.-

817 (2) (a) Pursuant to subsection (1) and ss. 1008.34,  
 818 1008.345, and 1008.385, the State Board of Education shall hold  
 819 all school districts and public schools accountable for student  
 820 performance. The state board is responsible for a state system  
 821 of school improvement and education accountability that assesses  
 822 student performance by school, identifies schools that ~~in which~~  
 823 ~~students~~ are not meeting accountability ~~making adequate progress~~  
 824 ~~toward state~~ standards, and institutes appropriate measures for  
 825 enforcing improvement.

826 (b) The state system of school improvement and education  
 827 accountability must provide for uniform accountability  
 828 standards, provide assistance of escalating intensity to ~~low-~~  
 829 ~~performing~~ schools not meeting accountability standards, direct  
 830 support to schools in order to improve and sustain performance,  
 831 focus on the performance of student subgroups, and enhance  
 832 student performance.

833 (c) School districts must be held accountable for  
 834 improving the academic performance ~~achievement~~ of all students  
 835 and for identifying and improving ~~turning around low-performing~~  
 836 schools that fail to meet the accountability standards.

837 Section 9. Paragraph (a) of subsection (2) of section  
 838 1011.64, Florida Statutes, is amended to read:

839 1011.64 School district minimum classroom expenditure  
 840 requirements.—

841 (2) For the purpose of implementing the provisions of this  
 842 section, the Legislature shall prescribe minimum academic  
 843 performance standards and minimum classroom expenditure  
 844 requirements for districts not meeting such minimum academic  
 845 performance standards in the General Appropriations Act.

846 (a) Minimum academic performance standards may be based  
 847 on, but are not limited to, district grades determined pursuant  
 848 to s. 1008.34 ~~1008.34(7)~~.

849 Section 10. Subsection (6) of section 1008.22, Florida  
 850 Statutes, is amended to read:

851 1008.22 Student assessment program for public schools.—

852 (6) LOCAL ASSESSMENTS.—

853 (a) Measurement of student performance ~~learning gains~~ in  
 854 all subjects and grade levels, except those subjects and grade  
 855 levels measured under the statewide, standardized assessment  
 856 program described in this section, is the responsibility of the  
 857 school districts.

858 (b) Except for those subjects and grade levels measured

859 under the statewide, standardized assessment program, beginning  
 860 with the 2014-2015 school year, each school district shall  
 861 administer for each course offered in the district a local  
 862 ~~student~~ assessment that measures student mastery of course the  
 863 ~~content, as described in the state-adopted course description,~~  
 864 at the necessary level of rigor for the course. As adopted  
 865 pursuant to State Board of Education rule, course content is set  
 866 forth in the state standards required by s. 1003.41 and in the  
 867 course description. Local ~~Such~~ assessments may include:

- 868 1. Statewide assessments.
- 869 2. Other standardized assessments, including nationally  
 870 recognized standardized assessments.
- 871 3. Industry certification assessments ~~examinations~~.
- 872 4. District-developed or district-selected end-of-course  
 873 assessments.
- 874 5. Teacher-selected or principal-selected assessments.

875 (c) Each district school board must adopt policies for  
 876 selection, development, administration, and scoring of local  
 877 assessments and for collection of assessment results. Local  
 878 assessments implemented under subparagraphs (b)4. and 5. may  
 879 include a variety of assessment formats, including, but not  
 880 limited to, project-based assessments, adjudicated performances,  
 881 and practical application assignments. For all English Language  
 882 Arts, mathematics, science, and social studies courses offered  
 883 in the district that are used to meet graduation requirements  
 884 under s. 1002.3105, s. 1003.4281, or s. 1003.4282 and that are

885 not otherwise assessed by statewide, standardized assessments,  
 886 the district school board must select the assessments described  
 887 in subparagraphs (b)1.-4.

888 (d)~~(e)~~ The Commissioner of Education shall identify  
 889 methods to assist and support districts in the development and  
 890 acquisition of assessments required under this subsection.  
 891 Methods may include developing item banks, facilitating the  
 892 sharing of developed tests among school districts, acquiring  
 893 assessments from state and national curriculum-area  
 894 organizations, and providing technical assistance in best  
 895 professional practices of test development based upon state-  
 896 adopted curriculum standards, administration, and security.

897 (e)~~(d)~~ Each school district shall establish schedules for  
 898 the administration of any district-mandated assessment and  
 899 approve the schedules as an agenda item at a district school  
 900 board meeting. The school district shall publish the testing  
 901 schedules on its website, clearly specifying the district-  
 902 mandated assessments, and report the schedules to the Department  
 903 of Education by October 1 of each year.

904 Section 11. Subsections (1), (7), and (8) of section  
 905 1012.34, Florida Statutes, are amended, and subsections (9) and  
 906 (10) are added to that section, to read:

907 1012.34 Personnel evaluation procedures and criteria.—

908 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

909 (a) For the purpose of increasing student academic  
 910 performance ~~learning growth~~ by improving the quality of

911 instructional, administrative, and supervisory services in the  
 912 public schools of the state, the district school superintendent  
 913 shall establish procedures for evaluating the performance of  
 914 duties and responsibilities of all instructional,  
 915 administrative, and supervisory personnel employed by the school  
 916 district. The district school superintendent shall ~~annually~~  
 917 report accurate student rosters for the purpose of calculating  
 918 district and statewide student performance and annually report  
 919 the evaluation results of instructional personnel and school  
 920 administrators to the Department of Education in addition to the  
 921 information required under subsection (5).

922 (b) The department must approve each school district's  
 923 instructional personnel and school administrator evaluation  
 924 systems. The department shall monitor each district's  
 925 implementation of its instructional personnel and school  
 926 administrator evaluation systems for compliance with the  
 927 requirements of this section.

928 (c) Annually, by December 1, ~~2012,~~ the Commissioner of  
 929 Education shall report to the Governor, the President of the  
 930 Senate, and the Speaker of the House of Representatives the  
 931 approval and implementation status of each school district's  
 932 instructional personnel and school administrator evaluation  
 933 systems. The report shall include performance evaluation results  
 934 for the prior school year for instructional personnel and school  
 935 administrators using the four levels of performance specified in  
 936 paragraph (2) (e). The performance evaluation results for

937 instructional personnel shall be disaggregated by classroom  
 938 teachers, as defined in s. 1012.01(2)(a), excluding substitute  
 939 teachers, and all other instructional personnel, as defined in  
 940 s. 1012.01(2)(b)-(d). The commissioner shall include in the  
 941 report each district's performance-level standards established  
 942 under subsection (7), a comparative analysis of the district's  
 943 student academic performance results and evaluation results,  
 944 data reported under s. 1012.341, ~~continue to report, by December~~  
 945 1 each year thereafter, each school district's performance  
 946 evaluation results and the status of any evaluation system  
 947 revisions requested by a school district pursuant to subsection  
 948 (6).

949 (7) MEASUREMENT OF STUDENT LEARNING GROWTH.—

950 (a) ~~By June 1, 2011,~~ The Commissioner of Education shall  
 951 approve a formula to measure individual student learning growth  
 952 on the statewide, standardized assessments in English Language  
 953 Arts and mathematics on the Florida Comprehensive Assessment  
 954 Test (FCAT) administered under s. 1008.22 ~~1008.22(3)(c)~~1. The  
 955 formula must take into consideration each student's prior  
 956 academic performance. The formula must not set different  
 957 expectations for student learning growth based upon a student's  
 958 gender, race, ethnicity, or socioeconomic status. In the  
 959 development of the formula, the commissioner shall consider  
 960 other factors such as a student's attendance record, disability  
 961 status, or status as an English language learner. The  
 962 commissioner shall select additional formulas as appropriate for

963 the remainder of the statewide assessments included under s.  
 964 1008.22 and continue to select formulas as new assessments are  
 965 implemented in the state system. After the commissioner approves  
 966 the formula to measure individual student learning growth ~~on the~~  
 967 ~~FCAT and as additional formulas are selected by the commissioner~~  
 968 ~~for new assessments implemented in the state system,~~ the State  
 969 Board of Education shall adopt these formulas in ~~by~~ rule.

970 (b) ~~Beginning in the 2011-2012 school year,~~ Each school  
 971 district shall measure student learning growth using the  
 972 formulas ~~formula~~ approved by the commissioner under paragraph  
 973 (a) for courses associated with the statewide, standardized  
 974 assessments administered FCAT. ~~Each school district shall~~  
 975 ~~implement the additional student learning growth measures~~  
 976 ~~selected by the commissioner under paragraph (a) for the~~  
 977 ~~remainder of the statewide assessments included under s. 1008.22~~  
 978 no later than the school year immediately following the year the  
 979 formula is approved by the commissioner as they become  
 980 available. ~~Beginning in the 2014-2015 school year,~~ For grades  
 981 and subjects not assessed by statewide, standardized assessments  
 982 but otherwise assessed as required under s. 1008.22(6)  
 983 ~~1008.22(8),~~ each school district shall measure performance of  
 984 students ~~student learning growth~~ using a methodology determined  
 985 by the district ~~an equally appropriate formula.~~ The department  
 986 shall provide models for measuring performance of students  
 987 ~~student learning growth~~ which school districts may adopt.

988 (c) For a course that is not measured by a statewide,

989 standardized assessment, a school district may request, through  
 990 the evaluation system approval process, to use a student's  
 991 ~~student~~ achievement level ~~measure~~ rather than a student learning  
 992 growth ~~measure~~ if achievement is demonstrated to be a more  
 993 appropriate measure of classroom teacher performance. A school  
 994 district may also request to use a combination of student  
 995 learning growth and achievement, if appropriate.

996 (d) ~~For If the student learning growth in a course that is~~  
 997 ~~not measured by a statewide, standardized assessment but is~~  
 998 ~~measured by a school district assessment,~~ a school district may  
 999 request, through the evaluation system approval process, that  
 1000 the performance evaluation for the classroom teacher assigned to  
 1001 that course include the learning growth of his or her students  
 1002 on one or more statewide, standardized assessments ~~FCAT Reading~~  
 1003 ~~or FCAT Mathematics~~. The request must clearly explain the  
 1004 rationale supporting the request. ~~However, the classroom~~  
 1005 ~~teacher's performance evaluation must give greater weight to~~  
 1006 ~~student learning growth on the district assessment.~~

1007 (e) For purposes of this section and only for the 2014-  
 1008 2015 school year, a school district may use measurable learning  
 1009 targets on local assessments administered under s. 1008.22(6) to  
 1010 evaluate the performance of students portion of a classroom  
 1011 teacher's evaluation for courses that are not assessed by  
 1012 statewide, standardized assessments. ~~classroom teachers of~~  
 1013 ~~courses for which the district has not implemented appropriate~~  
 1014 ~~assessments under s. 1008.22(8) or for which the school district~~

1015 ~~has not adopted an equally appropriate measure of student~~  
 1016 ~~learning growth under paragraphs (b)-(d), student learning~~  
 1017 ~~growth must be measured by the growth in learning of the~~  
 1018 ~~classroom teacher's students on statewide assessments, or, for~~  
 1019 ~~courses in which enrolled students do not take the statewide~~  
 1020 ~~assessments, measurable Learning targets must be established~~  
 1021 ~~based upon the goals of the school improvement plan and approved~~  
 1022 ~~by the school principal. A district school superintendent may~~  
 1023 ~~assign to instructional personnel in an instructional team the~~  
 1024 ~~student learning growth of the instructional team's students on~~  
 1025 ~~statewide assessments. This paragraph expires July 1, 2015.~~

1026 (8) RULEMAKING.—The State Board of Education shall adopt  
 1027 rules pursuant to ss. 120.536(1) and 120.54 which establish  
 1028 uniform procedures for the submission, review, and approval of  
 1029 district evaluation systems and reporting requirements for the  
 1030 annual evaluation of instructional personnel and school  
 1031 administrators; specific, discrete standards for each  
 1032 performance level required under subsection (2) to ensure clear  
 1033 and sufficient differentiation in the performance levels and to  
 1034 provide consistency in meaning across school districts; the  
 1035 measurement of student learning growth and associated  
 1036 implementation procedures required under subsection (7); ~~a~~  
 1037 ~~process to permit instructional personnel to review the class~~  
 1038 ~~roster for accuracy and to correct any mistakes relating to the~~  
 1039 ~~identity of students for whom the individual is responsible; and~~  
 1040 a process for monitoring school district implementation of

1041 evaluation systems in accordance with this section.  
 1042 Specifically, the rules shall establish a student performance  
 1043 levels ~~learning growth standard~~ that if not met will result in  
 1044 the employee receiving an unsatisfactory performance evaluation  
 1045 rating. In like manner, the rules shall establish a student  
 1046 performance level ~~learning growth standard~~ that must be met in  
 1047 order for an employee to receive a highly effective rating and a  
 1048 student learning growth standard that must be met in order for  
 1049 an employee to receive an effective rating.

1050 (9) TRANSITION TO NEW STATEWIDE, STANDARDIZED  
 1051 ASSESSMENTS.—Standards for each performance level required under  
 1052 subsection (2) shall be established by the State Board of  
 1053 Education beginning with the 2015-2016 school year.

1054 (10) DISTRICT BONUS REWARDS FOR PERFORMANCE PAY BASED ON  
 1055 EVALUATION PROGRESS.—School districts are eligible for bonus  
 1056 rewards as provided for in the 2014 General Appropriations Act  
 1057 for making outstanding progress toward educator effectiveness,  
 1058 including implementation of instructional personnel salaries  
 1059 based on performance results under s. 1012.34 and the use of  
 1060 local assessment results in personnel evaluations when  
 1061 statewide, standardized assessments are not administered.

1062 Section 12. Section 1012.341, Florida Statutes, is amended  
 1063 to read:

1064 1012.341 Exemption from performance evaluation system and  
 1065 compensation and salary schedule requirements.—

1066 (1) Hillsborough County ~~Notwithstanding any other~~

1067 ~~provision of this act,~~ a School District ~~that~~ received an  
 1068 exemption under Florida's Race to the Top Memorandum of  
 1069 Understanding for Phase 2, as provided in s. (D)(2)(ii) of the  
 1070 memorandum. Accordingly, notwithstanding any other provision of  
 1071 law, Hillsborough County School District, is allowed to base 40  
 1072 percent, instead of 50 percent, of instructional personnel and  
 1073 school administrator performance evaluations upon student  
 1074 performance learning growth under s. 1012.34, ~~as amended by this~~  
 1075 ~~act.~~ The school district is also exempt from the amendments to  
 1076 s. 1012.22(1)(c) made by chapter 2011-1, Laws of Florida ~~this~~  
 1077 ~~act.~~ The exemptions described in this subsection are effective  
 1078 beginning with ~~for~~ the 2011-2012 school year and until the  
 1079 expiration of this section ~~are effective for each school year~~  
 1080 ~~thereafter if the school district receives annual approval by~~  
 1081 ~~the State Board of Education.~~

1082 (2) By October 1, 2014, and by October 1 annually  
 1083 thereafter, the superintendent of Hillsborough County School  
 1084 District shall attest, in writing, to the Commissioner of  
 1085 Education that ~~The State Board of Education shall base its~~  
 1086 ~~approval upon demonstration by the school district of the~~  
 1087 ~~following:~~

1088 (a) The instructional personnel and school administrator  
 1089 evaluation systems base at least 40 percent of an employee's  
 1090 performance evaluation upon student performance and that student  
 1091 performance is the single greatest component of an employee's  
 1092 evaluation.

1093 (b) The instructional personnel and school administrator  
 1094 evaluation systems adopt the Commissioner of Education's student  
 1095 learning growth formula for statewide assessments as provided  
 1096 under s. 1012.34(7).

1097 (c) The school district's instructional personnel and  
 1098 school administrator compensation system awards salary increases  
 1099 based upon sustained student performance.

1100 (d) The school district's contract system awards  
 1101 instructional personnel and school administrators based upon  
 1102 student performance and removes ineffective employees.

1103 ~~(e) Beginning with the 2014-2015 school year and each~~  
 1104 ~~school year thereafter, student learning growth based upon~~  
 1105 ~~performance on statewide assessments under s. 1008.22 must have~~  
 1106 ~~significantly improved compared to student learning growth in~~  
 1107 ~~the district in 2011-2012 and significantly improved compared to~~  
 1108 ~~other school districts.~~

1109 (3) Failure to comply with subsection (2) is grounds for  
 1110 the State Board of Education, at a public hearing, to revoke the  
 1111 exemption ~~The State Board of Education shall annually renew a~~  
 1112 ~~school district's exemptions if the school district demonstrates~~  
 1113 ~~that it meets the requirements of subsection (2). If the~~  
 1114 ~~exemptions are not renewed, the school district must comply with~~  
 1115 ~~the requirements and laws described in subsection (1) by the~~  
 1116 ~~beginning of the next school year immediately following the loss~~  
 1117 ~~of the exemptions.~~

1118 ~~(4) The State Board of Education shall adopt rules~~

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1119 | ~~pursuant to ss. 120.536(1) and 120.54 to establish the~~  
1120 | ~~procedures for applying for the exemptions and the criteria for~~  
1121 | ~~renewing the exemptions.~~

1122 |  
1123 | This section is ~~shall be~~ repealed August 1, 2017, unless  
1124 | reviewed and reenacted by the Legislature.

1125 | Section 13. This act shall take effect July 1, 2014.