

Educator Quality Legislation Frequently Asked Questions

This document is divided into four sections, each addressing frequently asked questions from Senate Bill 1664 (2013) and House Bill 7009 (2013), Section 5, and Chapters 2013-185 and 2013-250, Laws of Florida:

Section I. Personnel Evaluations, District Assessments and Performance Salary

Section II. Educator Certification

Section III. Teacher Preparation Programs

Section IV: Classroom Supply Assistance Program

Section I: Personnel Evaluations, District Assessments and Performance Salary Schedules

- 1) What changes were made to district personnel evaluation systems specifically impacting classroom teachers' and school administrators' performance evaluations?

Section 3 of SB 1664 states that the Performance of Students portion of a classroom teacher's performance evaluation shall be based on the teacher's students and, for school administrators, the performance of the students attending his or her school.

- 2) Does Section 3 of SB 1664 impact use of school-wide data?

Yes. For purposes of using instructional team data for teachers of courses not assessed with state assessments, a district can no longer define an instructional team as the whole school, unless the teacher is actually assigned to all students in the school. Educators most impacted by the previous use of whole school data are kindergarten through 2nd, 11th and 12th grade teachers.

- 3) What flexibility was provided in the law for non-classroom instructional personnel evaluations?

The student performance data used in the performance evaluation of non-classroom instructional personnel shall be based on student outcome data that reflect the actual contribution of such personnel to the performance of the students assigned to the individual in the individual's areas of responsibility.

Section 1012.34, F.S., indicates that the Performance of Students criteria comprises at least 50 percent of the evaluation, and may be reduced to no less than 40 percent when less than three years of an educator's student data are available. This applies to classroom teachers, school administrators and non-classroom instructional personnel (such as guidance counselors, library media specialists, school psychologists). For non-classroom instructional personnel, that overall percentage may be split between student learning growth data on statewide assessments for students assigned to them and other measureable student outcomes that are specific to the position's assignment, provided that the student learning growth data account for not less than 30 percent of the evaluation when three years of data are available and 20 percent when less than three years of data are available.

Under the language of SB 1664 (2013), the overall percentage of the evaluation that is based on Performance of Students is not changed for these personnel, but districts now have the flexibility within that overall percentage to determine all of the student outcome data that are used for this criterion and the proportion each data set comprises.

4) What specific parts of the law were reiterated?

- The percentage of a performance evaluation that is based on performance of students remains at least 50 percent when three years of an educator's data are available and may be reduced to no less than 40 percent if less than three years of data are available.
- Districts continue to have the option to use achievement measures in their evaluation systems rather than learning growth measures, if the district determines they are more appropriate for courses using local assessments or when the state has not selected a growth measure. The district must still request the use of an achievement measure through the evaluation system approval process.
- For purposes of the performance salary schedule, student assessment data used in a classroom teacher's performance evaluation must be based upon statewide assessments or district-determined assessments as required in s. 1008.22(6), F.S., in the subject areas taught.

5) What are the expectations for implementation of district evaluation systems during the 2013-14 school year under current law as amended by SB 1664?

- Districts are required to base the Performance of Students criteria for classroom teachers on data from assessments earned by their students, whether the assessments results are from district assessments, state assessments or learning targets.
- Districts determine the student outcome data for non-classroom instructional personnel that reflect their actual contributions to student achievement, based on the area of responsibility and based on “their” students (see question and answer #3). If a district determines that the best data are those data they have been using in their evaluation systems for non-classroom instructional personnel, the district may continue to use those data. As with all evaluation criteria, if the district determines in the future to change the data set used, that change can be requested through the evaluation system approval process at any time.
- Districts are required to use the statewide Algebra I Grade 9 model results based on the student learning growth model approved by Commissioner Bennett in May 2013. The district must set its own cut points for use of these results.

6) Did the bill change the timeline for districts to implement local assessments under s. 1008.22(6), F.S.?

No. (Please note that s. 1012.34(7)(b) and (e), F.S., refers to local assessments under s. 1008.22(8)F.S., because that was the subsection of law implementing local assessments at the time SB 736 was passed in 2011. Section 1008.22, F.S., has since been amended, and the correct current citation for local assessments is s. 1008.22(6), F.S.)

- 7) What are the timelines for district assessments to be used in student assessment programs specified in s. 1008.22(6), F.S.?
- By the 2014-15 school year, each school district must determine the assessments it will use for students' mastery of content for each course the district offers.
 - Each district makes the choice as to the assessment or assessments that best fit(s) each course based on the course description and the achievement goals for students in the course(s) for mastery of course content.
 - Such assessments may include: statewide assessments; other standardized assessments, including nationally recognized standardized assessments; industry certification examinations; and district-developed or district-selected end-of-course assessments.
- 8) How does the district assessment timeline in s. 1008.22(6), F.S., relate to the evaluation system timeline specified in s. 1012.34, F.S., for using district assessment data in personnel evaluations?

Section 1012.34(7), F.S., provides that for teachers of courses that are not assessed by a statewide assessment, when the district has not yet determined its official assessment for those courses under s. 1008.22, F.S., the district has several options available for evaluation purposes that may be implemented until July 1, 2015. Therefore, while the district must implement local assessments under s. 1008.22, F.S., by the 2014-15 school year, the district must make its selection from these assessments for evaluation purposes under s. 1012.34, F.S., by the 2015-16 school year.

The options for student assessment data for teachers of courses that are locally assessed include:

- State assessment results for students that are assigned to the teacher. State assessment results used under this paragraph do not need to be implemented using the state's adopted student learning growth formula (FCAT value-added model).
 - Individual learning targets for the course(s) taught that are approved by the principal and based upon the goals of the school improvement plan.
 - Instructional team data, provided that the students of the teachers on the instructional team are the students of all the team members (see question and answer #2).
- 9) What are some options to implement learning targets until July 1, 2015, for personnel evaluations of classroom teachers who teach courses where the district has not implemented its assessment under s. 1008.22(6), F.S.?

Options could include (but are not limited to):

- Student Learning Objectives (SLOs)
- Learning goals for the course
- Interim assessment data (which may also be considered as an assessment choice under s. 1008.22(6), F.S.)
- Assessments the district wishes to use for its official course assessment or assessments from the Florida Interim Assessment Item Bank and Test Platform that match the course

description, but are in their first year of implementation and no district-wide performance standards (cut scores) for students have been set

- Standardized assessments that are not uniformly implemented district-wide

In each of these instances, it is permissible for the learning targets to be set individually by each teacher and principal or the learning targets can be set by the district for teachers in the same grade level or subject or for a group of schools as a phase-in for implementing the assessment under s. 1008.22(6), F.S.

10) What are the expectations for implementation of district evaluation systems during the 2015-16 school year under current law as amended by SB 1664?

- Districts are required to use results from statewide assessments or district assessments selected under s. 1008.22(6), F.S., in personnel evaluations for all teachers based on the students and the subjects they teach. While the district must select local assessments that will be used for evaluation purposes from the assessments implemented under s. 1008.22(6), F.S., not every assessment implemented under s. 1008.22(6), F.S., must be used in evaluations. The district must determine the assessment data used in personnel evaluations based on the requirements of s. 1012.34, F.S., by the 2015-16 school year.
- Districts must have established equally appropriate learning growth models or achievement measures, as well as the performance standards (cut scores) for evaluating performance in locally-assessed courses.

11) Changes were made to s. 1012.2315(6), F.S., Assignment of teachers, based upon performance evaluations. What were these changes?

- If a high school or middle school student is currently taught by a classroom teacher who, during that school year, receives a performance evaluation rating of “needs improvement” or “unsatisfactory” under s. 1012.34, F.S., the student may not be assigned the following school year to a classroom teacher in the same subject area who received a performance evaluation rating of “needs improvement” or “unsatisfactory” in the preceding school year.
- If an elementary school student is currently taught by a classroom teacher who, during that school year, receives a performance evaluation rating of “needs improvement” or “unsatisfactory” under s. 1012.34, F.S., the student may not be assigned the following school year to a classroom teacher who received a performance evaluation rating of “needs improvement” or “unsatisfactory” in the preceding school year.
- For a student enrolling in an extracurricular course as defined in s. 1003.01(15), F.S., a parent may choose to have the student taught by a teacher who received a performance evaluation of “needs improvement” or “unsatisfactory” in the preceding school year if the student and the student’s parent receive an explanation of the impact of teacher effectiveness on student learning and the principal receives written consent from the parent.

- 12) Changes were made to s. 1008.22, F.S., regarding local assessments. How do these changes affect school districts?

The law states that school districts must establish schedules for all district-mandated tests and publish the schedules on their websites. Each district must also annually report the schedules to the department by October 1.

- 13) What change was made to requirements for individual professional development plans (IPDPs) in s. 1012.98, F.S.?

The revised law allows rather than requires each school principal to establish and maintain an individual professional development plan for each instructional employee assigned to the school.

Section II: Educator Certification

- 1) What changes were made to s. 1012.55(1)(d), F.S., Positions for which certificates required, that impact eligibility for an educator certificate in educational leadership?

The law requires the State Board of Education (SBE) to adopt rules to allow for issuance of a temporary certificate in educational leadership if the individual earns a passing score on the Florida Educational Leadership Examination (FELE), documents three (3) years of successful experience in an executive management or leadership position, and holds a bachelor's or higher degree from an accredited institution. This individual must also be mentored by a state-certified school administrator while holding the temporary certificate. Rule development workshops will be advertised and announced at a later date.

- 2) What additional changes were made to laws impacting educator certification?

Two revisions were made to s. 1012.56(2)(c), F.S., Educator certification requirements:

- Permits the SBE to adopt rules to provide for the acceptance of college course credits recommended on an official American Council on Education (ACE) transcript to satisfy specific certification requirements. ACE evaluates and recommends college course credits for individuals who complete postsecondary education via non-traditional pathways, including corporate training, industry certification, and military service training. Please see <http://www.acenet.edu/Pages/default.aspx>.
- Revisions were made s. 1012.56(9)(d), F.S., that impact the score verification process for the Florida Teacher Certification Exams (FTCE) and the FELE. The verification process was modified, changing eligibility criteria for examinees that will be able to review and challenge FTCE and FELE test items. This revision will limit examinees to reviewing test items in tests or subtests for which the examinees receive a non-passing score that is within a score range that will be established by SBE rule. Rule development for the FTCE score verification process was completed in September 2013, followed by FELE rule development and SBE review and approval in October 2013.

Section III: Teacher Preparation Programs

This section is divided into three areas that address changes in the laws impacting state-approved teacher preparation programs: (A) Initial Teacher Preparation Programs; (B) Educator Preparation Institutes; and (C) Professional Development Preparation Programs (formerly District Alternative Certification Programs)

A. **Initial Teacher Preparation Programs** – “traditional” preparation programs in colleges and universities as reflected in s. 1004.04, F.S., Public accountability and state approval for teacher preparation programs.

1) What changes were made to s. 1004.04(2)(b), F.S., that impact the uniform core curricula for initial state-approved teacher preparation programs?

The law streamlines the requirements regarding the uniform core curricula for each state-approved initial teacher preparation program. The core curricula must include the Florida Educator Accomplished Practices, state-adopted student content standards, scientifically researched reading instruction, content literacy and mathematical practices, strategies for the instruction of English language learners, strategies for the instruction of students with disabilities, and school safety.

2) What changes were made to requirements for admission into initial teacher preparation programs?

To demonstrate sufficient mastery of general knowledge as a prerequisite for admission into a graduate level program, s. 1004.04(3)(b), F.S., requires that the individual has obtained a baccalaureate degree from an accredited institution. For undergraduate programs, only the General Knowledge test of the FTCE is acceptable as a prerequisite for admission.

3) What changes were made to the qualifications for individuals who instruct or supervise candidates?

Section 1004.04(5)(a), F.S., requires that individuals who instruct or supervise preservice field experience courses or internships in which a candidate must demonstrate his/her impact on PK-12 student learning growth must meet all of the following criteria:

- Specialized training in clinical supervision;
- At least three (3) years of successful, relevant PK-12 teaching, student services or school administration experience; and
- An annual demonstration of experience in a relevant PK-12 school setting.

4) When do these changes take effect?

Changes to law became effective July 1, 2013. The department is offering three train-the-trainer sessions for Clinical Educator Training during fall 2013, with an additional session in spring 2014. Through the rule development process for 6A-5.066, F.A.C., Approval of Educator Preparation Programs, public input and feedback are being sought for further

clarification and definitions for “relevant PK-12 teaching” and “experience in a relevant PK-12 school setting.” Please visit <http://www.fldoe.org/profdev/rdep.asp> for more information.

- 5) What changes were made to s. 1004.04(5)(b), F.S., regarding the qualification requirements for school district and instructional personnel who supervise or direct candidates during field experience courses or internships in which candidates must demonstrate their impact on PK-12 student learning growth?

School district and instructional personnel must meet the following four (4) criteria:

- Evidence of clinical educator training;
- A valid professional teaching certificate issued pursuant to s. 1012.56, F.S.;
- At least three (3) years of teaching experience in PK-12; and
- Earn an effective or highly effective rating on the prior year’s performance evaluation under s. 1012.34, F.S., or be a peer evaluator under the district’s evaluation system approved under s. 1012.34, F.S.

- 6) What significant change was made regarding the continued approval of initial teacher preparation programs?

Section 1004.04(4)(a), F.S., specifies that continued approval of a teacher preparation program is contingent upon specific performance measures for programs and completers, and authorizes the State Board of Education (SBE) to adopt rules for setting performance level targets.

- 7) What performance measures are specified in law for determining continued approval of a teacher preparation program?

- Placement rate of program completers into instructional positions in Florida public schools and private schools, if available;
- Rate of retention for employed program completers in instructional positions in Florida public schools;
- Performance of students in PK-12 who are assigned to in-field program completers on statewide assessments using the results of the student learning growth formula adopted under s. 1012.34, F.S.;
- Performance of students in PK-12 who are assigned to in-field program completers aggregated by student subgroup, as a measure of how well the program prepares teachers to work with a diverse population of students in a variety of settings in Florida public schools;
- Results of program completers’ annual evaluations; and
- Production of program completers in statewide critical teacher shortage areas as identified in s. 1012.07, F.S.

- 8) How will the performance targets be established for continued approval?

Public input and feedback are currently being sought through the rule development process for 6A-5.066, F.A.C., to set performance targets. Send your comments to

TeacherPrepRuleDev@fldoe.org. In the coming months, the revised rule based on public feedback will be presented to the SBE for consideration and possible adoption.

- 9) What changes were made to s. 1004.04(4)(f), F.S., regarding the department's required annual report to the Governor, Legislature, SBE, Board of Governors and other entities?

The annual report must include the results of each program's annual progress on the performance measures and the approval status of each program.

B. Educator Preparation Institutes – as reflected in s. 1004.85, F.S., Postsecondary educator preparation programs.

- 1) What changes were made to the types of entities that can apply to offer an educator preparation institute?

Section 1004.85(2)(b), F.S., allows private providers who are able to document history of delivering high-quality teacher preparation programs, to offer competency-based certification programs.

- 2) What changes were made in section 1004.85(3)(a), F.S., to the curriculum for competency-based certification program participants?

The law requires that program participants receive instruction and are assessed in the same areas as initial teacher preparation program candidates, which include the Florida Educator Accomplished Practices; the state-adopted student content standards; scientifically-researched reading instruction; content literacy and mathematical practices; strategies appropriate for instruction of English language learners; strategies appropriate for instruction of students with disabilities; and school safety.

- 3) What additional changes were made to educator preparation institute programs and program participant requirements?

- Require an educational plan for each participant to meet certification requirements and demonstrate his/her ability to teach the subject area for which the participant is seeking certification;
- Require field experiences appropriate to the certification subject specified in the educational plan with a diverse population of students in a variety of settings;
- Before program completion, fully demonstrate his/her ability to teach the certification subject area being sought by documenting a positive impact on PK-12 student learning growth in a PK-12 setting; and
- As a condition of program completion, achieve passing scores on the professional education competency exam, the basic skills exam, and the subject area exam for the subject area he/she is seeking certification. In the past, a passing score only on the professional education competency exam was required.
- Specify that continued approval of each institute's competency-based certification program be based on specific performance measures of program and program completer

performance, and just as in initial teacher preparation programs as noted in Section A, question 6, authorized the SBE to adopt rules for setting performance level targets.

- 4) What performance measures are specified in law for determining continued approval of an educator preparation institute?

Six performance measures were identified, identical to the ones established for initial teacher preparation programs.

- Placement rate of program completers into instructional positions in Florida public schools and private schools, if available;
- Rate of retention for employed program completers in instructional positions in Florida public schools;
- Performance of students in PK-12 who are assigned in-field program completers on statewide assessments using the results of the student learning growth formula adopted under s. 1012.34, F.S.;
- Performance of students in PK-12 who are assigned to in-field program completers aggregated by student subgroup, as a measure of how well the program prepares teachers to work with a diverse population of students in a variety of settings in Florida public schools;
- Results of program completers' annual evaluations; and
- Production of program completers in statewide critical teacher shortage areas as identified in s. 1012.07, F.S.

- 5) How will the performance targets be established for continued approval?

Public input and feedback are currently being sought through the rule development process for 6A-5.066, F.A.C., Approval of Educator Preparation Programs, to set performance targets. Send your comments to TeacherPrepRuleDev@fldoe.org. In the coming months, the revised rule based on public feedback will be presented to the SBE for consideration and possible adoption. Please visit <http://www.fldoe.org/profdev/rdep.asp> for more information.

- 6) What additional changes were made to the qualifications/requirements for both instructors and supervisors of field experiences?

Instructors and supervisors of field experiences in which program participants demonstrate an impact on student learning growth must meet the same qualifications as those required for initial teacher preparation programs (as noted in Section A, question 3). These are:

- Specialized training in clinical supervision;
- At least three (3) years of successful, relevant PK-12 teaching, student services or school administration experience; and
- An annual demonstration of experience in a relevant PK-12 school setting.

- 7) When do these changes take effect?

The law became effective July 1, 2013. The department is offering three train-the-trainer sessions for Clinical Educator Training in fall 2013, with an additional session in spring

2014. Through the rule development process for 6A-5.066, F.A.C., public input and feedback are being sought for further clarification and definitions for “relevant PK-12 teaching” and “experience in a relevant PK-12 school setting.” Please visit <http://www.fldoe.org/profdev/rdep.asp> for more information.

C. Professional Development Certification Programs (formerly called District Alternative Certification Programs/DACPs) – as reflected in s. 1012.56(8), F.S.

1) What change was made to these programs?

Section 1012.56(8)(a), F.S., allows, rather than requires each school district to provide a competency-based professional development certification program.

2) What should a district do if it no longer wishes to offer a state-approved district professional development certification program?

District superintendents or their designees should notify the department if the district will no longer offer the program and the effective date for terminating the program.

3) What changes were made to the curriculum for professional development certification programs?

Section 1012.56(8)(a), F.S., requires that program participants receive instruction and be assessed for each subject identified on the temporary certificate in comparable areas to the two other state-approved teacher preparation programs (initial teacher preparation programs and educator preparation institutes), including the Florida Educator Accomplished Practices; the state-adopted student content standards; content literacy and mathematical practices; strategies appropriate for instruction of English language learners; strategies appropriate for instruction of students with disabilities; and school safety.

4) What additional requirements were established for professional development certification programs?

The law further clarifies other program requirements:

- Each program must be aligned to the district’s personnel evaluation system;
- As a condition of program completion, program participants must earn passing scores on the subject area exam and professional education competency exam, and demonstration of mastery of general knowledge as described in s. 1012.56(3), F.S.
- Peer mentors must hold a valid Florida professional certificate, must have earned at least three (3) years of teaching experience in PK-12, and must have earned an effective or highly effective rating on the prior year’s performance evaluation under s. 1012.34, F.S., or be a peer evaluator under the district’s state-approved evaluation system.
- Requires the Commissioner of Education to determine the continued approval of each district’s program based on performance measures for programs, as well as program completers.

5) What specific evidence of performance was established by the changes in law?

The law states the continued approval of programs will be based upon the department's periodic review of not only the requirements as specified in questions three (3) and four (4) above, but evidence of performance in the following areas:

- Rate of retention for employed program completers in instructional positions in Florida public schools;
- Performance of students in PK-12 who are assigned to in-field program completers on statewide assessments using the results of the student learning growth formula adopted under s. 1012.34, F.S.;
- Performance of students in PK-12 who are assigned to in-field program completers aggregated by student subgroup, as a measure of how well the program prepares teachers to work with a diverse population of students in a variety of settings in Florida public schools;
- Results of program completers' annual evaluations; and
- Production of program completers in statewide critical teacher shortage areas as identified in s. 1012.07, F.S.

Note that the only performance measure not specified for professional development certification programs, as it is for initial teacher preparation programs and educator preparation institutes, is *placement rate of program completers into instructional positions in Florida public schools and private schools, if available*. As indicated for both initial teacher preparation programs and educator preparation institutes, public input and feedback are currently being sought through the rule development process for 6A-5.066, F.A.C., to set performance targets. Send your comments to TeacherPrepRuleDev@fldoe.org. The revised rule, based on public feedback, will be presented to the SBE for consideration and possible adoption in the coming months. Please visit <http://www.fldoe.org/profdev/rdep.asp> for more information.

Section IV: Classroom Supply Assistance Program

1) What changes were made to s. 1012.71, F.S., regarding the Florida Teachers Classroom Supply Assistance Program, formerly titled the Florida Teachers Lead Program?

Changes to the Classroom Supply Assistance Program are outlined in a "Frequently Asked Questions" document located at <http://www.fldoe.org/pdf/edconsumexemptFAQ.pdf>.