

### **6A-5.030 District Instructional Personnel and School Administrator Evaluation Systems.**

(1) The purpose of this rule is to set forth the requirements for the annual evaluation of instructional personnel and school administrators pursuant to Section 1012.34, F.S., by establishing criteria and implementing procedures for the school district systems; delineating the responsibilities of the school district and Department of Education (Department); setting forth submission, review, and approval criteria; and prescribing reporting and monitoring requirements.

(2) Definitions. The following definitions, listed alphabetically, shall be used in this rule and incorporated documents:

(a) "Assessments" means the methods or tools used to evaluate, measure, and document student performance and growth.

(b) "Contemporary research" means professional research studies that provide evidence of the impact of instructional practice and instructional leadership. Research findings are considered "contemporary" when conducted within the last ten (10) years or where the continued validity of less recent findings is supported by research conducted within the last ten (10) years.

(c) "Florida Educator Accomplished Practices" or "FEAPs" means the six (6) practices, including the descriptors within, described in Rule 6A-5.065(2), F.A.C., which is hereby incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05726>). A copy of Rule 6A-5.065, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

(d) "Florida Principal Leadership Standards" or "FPLSs" means the practices, including all domains and descriptors, described in Rule 6A-5.080, F.A.C., which is hereby incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05727>). A copy of Rule 6A-5.080, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

(e) "Indicator" means a description of a specific behavior or strategy.

(f) "Instructional personnel" means instructional personnel as defined in Section 1012.01(2)(a)-(d), F.S., excluding substitute teachers.

(g) "Newly hired by the school district" means the first calendar year in which classroom teachers are employed by the school district in a full-time instructional position. Such personnel are "newly hired" for their first year of employment in a school district regardless of their prior work experience elsewhere or in the employing school district.

(h) "Observation" means the monitoring actions in evaluation systems that contribute evidence of performance or the impact of performance on others. Evidence collected through observation contributes to the summative evaluation rating and may be used for formative feedback. District evaluation systems may provide that observations are formal or informal; announced or unannounced; and conducted by supervisors, mentors, or peers who are trained in the evaluation system. The length of time of an observation event and the type of school activity observed may vary and is determined by the evidence of practice that is sought.

(i) "Performance standards" are the statements or cut points establishing how well individuals must perform on a given assessment to achieve a designated level.

(j) "Research-based framework" means an approach used in an evaluation system to assess and provide feedback on either instructional practice or instructional leadership. A research-based framework is based on contemporary research and includes implementation procedures designed to support the successful use of the framework for evaluation and continuous improvement.

(k) "Rubric" means a tool or set of indicators of practice used to distinguish among proficiency levels or classify performance.

(l) "School administrator" means school administrator as defined in Section 1012.01(3)(c), F.S.

(m) "Substantial revisions" means revisions that bring about large-scale or significant change to a previously approved system, such as revisions to the student performance data used, rating calculations, or evaluation procedures. Revisions such as editing for grammar, name changes, or year updates are not considered substantial.

(n) "Summative evaluation rating" means the combined rating resulting from a performance evaluation that includes student performance, instructional practice or leadership, and, if applicable, other indicators of performance. Pursuant to section 1012.34(2)(e), F.S., district evaluation systems must include the following four (4) performance levels: highly effective; effective; needs improvement, or, for teachers in the first three (3) years of employment, developing; and unsatisfactory.

(o) "Value-added model" or "VAM" means a statistical model used for the purpose of determining an individual teacher's or school administrator's contribution to student learning, as established in Rule 6A-5.0411, F.A.C., which is hereby incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05728>). A copy of Rule 6A-5.0411, F.A.C., may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

(3) Evaluation Systems Requirements. To receive approval of its evaluation systems, the school district must provide the following:

(a) Evaluation System Overview. For instructional personnel and school administrators, the purpose and a high-level summary of the evaluation system.

(b) Evaluation Procedures. For instructional personnel and school administrators, on an annual basis:

1. When and how personnel are informed of the criteria, data sources, methodologies, and procedures associated with the evaluation process;

2. When and how many observations take place; and

3. When and how many summative evaluations are conducted.

(c) Evaluation Criteria.

1. Performance of Students. For instructional personnel and school administrators:

a. Percentage of the evaluation based on student performance; and

b. Description of the step-by-step calculation for determining the student performance rating, including cut points for differentiating performance.

2. Instructional Practice. For instructional personnel:

a. Percentage of the evaluation based on instructional practice; and

b. Description of the step-by-step calculation for determining the instructional practice rating for classroom and non-classroom instructional personnel, including cut points for differentiating performance.

3. Instructional Leadership. For school administrators:

a. Percentage of the evaluation based on instructional leadership; and

b. Description of the step-by-step calculation for determining the instructional leadership rating for school administrators, including cut points for differentiating performance.

4. Other Indicators of Performance. For instructional personnel and school administrators, if the school district chooses to include such additional indicators:

a. Percentage of the evaluation based on other indicators of performance;

b. Description of the additional performance indicators; and

c. Description of the step-by-step calculation for determining the other indicators of performance rating, including cut points for differentiating performance.

5. Summative Evaluation Rating. For instructional personnel and school administrators:

a. Description of the step-by-step calculation for determining the summative rating; and

b. Sample summative rating calculation.

(d) Additional requirements.

1. For instructional personnel and school administrators:

a. Confirmation that the evaluation system framework is based on sound educational principals and contemporary research in effective educational practices.

b. Confirmation that the school district provides training programs and has processes that ensure:

(I) Employees subject to an evaluation system are informed of the evaluation criteria, data sources, methodologies, and procedures associated with the evaluation before the evaluation takes place; and

(II) Individuals with evaluation responsibilities and those who provide input toward evaluations understand the proper use of the evaluation criteria and procedures;

c. Confirmation that the school district evaluation procedures comply with the following:

(I) The evaluator is the individual responsible for supervising the employee, and the evaluator may consider input from other personnel trained on the evaluation system;

(II) The evaluator provides timely feedback to the employee that supports the improvement of professional skills;

(III) The evaluator submits a written report to the employee no later than ten (10) days after the evaluation takes place;

(IV) The evaluator discusses the written evaluation report with the employee;

(V) The employee has the right to initiate a written response to the evaluation and the response becomes a permanent attachment to his or her personnel file;

(VI) The evaluator submits a written report of the evaluation to the district school superintendent for the purpose of reviewing the employee's contract; and

(VII) The evaluator may amend an evaluation based upon assessment data from the current school year if the data becomes available within ninety (90) days after the close of the school year.

d. Confirmation that the school district has procedures for how evaluation results will be used to inform the planning of professional development, and the development of school and district improvement plans.

e. Confirmation that the school district ensures personnel who have been evaluated as less than effective are required to participate in specific professional development programs.

f. Confirmation that the school district has procedures for the notification of unsatisfactory performance that comply with the requirements outlined in Section 1012.34(4), F.S.

g. Confirmation that the district school superintendent annually notifies the Department of Education of any personnel who receive two (2) consecutive unsatisfactory evaluation ratings, or are given written notice by the school district of intent to terminate or not renew their employment, as outlined in section 1012.34(5), F.S.

h. Confirmation that the school district has a process for annually monitoring its evaluation system that enables it to determine the following:

(I) Compliance with the requirements of section 1012.34, F.S., and this rule;

(II) Evaluators' understanding of the proper use of evaluation criteria and procedures, including evaluator accuracy and inter-rater reliability;

(III) Evaluators provide necessary and timely feedback to employees being evaluated;

(IV) Evaluators follow district policies and procedures in the implementation of evaluation system(s);

(V) Use of evaluation data to identify individual professional development; and,

(VI) Use of evaluation data to inform school and district improvement plans.

2. For instructional personnel:

a. Confirmation that the observation instrument(s) to be used for classroom teachers include indicators based on each of the FEAPs.

b. Confirmation that the observation instrument(s) to be used for non-classroom instructional personnel include indicators based on each of the FEAPs, and may include specific job expectations related to student support.

c. Confirmation that the school district provides instructional personnel the opportunity to review their class rosters for accuracy and to correct any mistakes.

d. Confirmation that the district school superintendent annually reports accurate class rosters for the purpose of calculating district and statewide student performance, and the evaluation results of instructional personnel.

e. Confirmation that the school district provides opportunities for parents to provide input into performance evaluations, when the school district determines such input is appropriate.

f. Confirmation that the school district ensures all instructional personnel, classroom and non-classroom, are evaluated at least once a year, and classroom teachers newly hired by the school district are observed and evaluated at least twice in the first year of teaching in the school district.

g. Confirmation that the district's system identifies teaching fields for which special evaluation procedures or criteria are necessary, if applicable.

3. For school administrators:

a. Confirmation that the observation instrument(s) to be used for school administrators include indicators based on each of the FPLSs.

b. Confirmation that the school district ensures all school administrators are evaluated at least once a year.

c. Confirmation that the school district provides opportunities for parents and instructional personnel to provide input into performance evaluations, when the school district determines such input is appropriate.

(e) Additional Documentation.

1. For instructional personnel:

a. Crosswalk from the school district's evaluation framework to each of the FEAPs; and

b. Observation rubric(s) to be used for classroom and non-classroom teachers that include indicators based on each of the FEAPs.

2. For school administrators:

a. Crosswalk from the school district's evaluation framework to each of the FPLSs; and

b. Observation rubric(s) to be used for school administrators that include indicators based on each of the FPLSs and other leadership practices that result in student learning growth, as identified by the school district;

3. For instructional personnel and school administrators:
- a. List of the assessments and performance standards that will apply to the assessment results to be used for calculating the performance of students; and
  - b. Summative evaluation form(s).

(4) Submission Process. School districts shall submit an evaluation system to the Department for review and approval at any time when a new system is established or an existing system is revised. Beginning in the 2018-19 school year, school districts shall submit a revised system on the forms outlined in paragraph (4)(a) of this rule.

(a) Instructional personnel evaluation systems shall be completed using Form IEST-2018, Instructional Evaluation System Template, and school administrator evaluation systems shall be completed using Form AEST-2018, Administrative Evaluation System Template.

(b) Evaluation systems shall be submitted electronically, along with all required supporting documentation, to DistrictEvalSysEQ@fldoe.org.

(5) Review and Approval Process. Following the submission of an evaluation system:

(a) The Department shall review the form and documentation to determine whether the school district has submitted a complete evaluation system on the forms required by subsection (4) of this rule and with the content required by subsection (3) of this rule.

(b) The Department shall, within thirty (30) days from the receipt of the evaluation system, provide written notification to the school district that identifies omitted elements or, if there are no omitted elements, that the submission is complete.

(c) The school district shall, within thirty (30) days from the notification provided in paragraph (4)(b) of this rule, address the omitted elements and resubmit the evaluation system to the Department.

(d) The Department shall, within thirty (30) days from the resubmission of the evaluation system, provide written notification to the district school superintendent of the evaluation system approval status. The approval status designations and effect of these designations are as follows:

1. Approved. An evaluation system shall be approved, if the system meets the requirements outlined in subsection (6) of this rule. A school district may implement the evaluation system(s) after receiving notification of Department approval.

2. Denied. An evaluation system shall be denied, if the system does not meet the requirements outlined in subsection (6) of this rule. The school district shall make revisions to the system, based in part on feedback from the Department, and resubmit the plan to the Department for review and approval; a school district may not implement a denied evaluation system. Upon request by the school district, the Department shall provide assistance in developing or improving an evaluation system.

(e) Submission and notification timeframes may be amended, if mutually agreed upon by the school district and Department.

(6) Approval Criteria.

(a) An evaluation system shall be approved when the system:

1. Is submitted to DistrictEvalSysEQ@fldoe.org;
2. Fulfills the requirements of the form required by paragraph (4)(a) of this rule; and,
3. Is found by the Department to create the conditions necessary to increase student academic performance and learning growth by improving the quality of instructional, administrative, and supervisory services in the school district.

(b) An evaluation system shall maintain its approval designation if it continues to comply with the requirements listed in Section 1012.34, F.S., and this rule; the school district is implementing the evaluation system as intended; and any areas of noncompliance identified through the monitoring process outline in subsection (7) of this rule are addressed within the Department's prescribed timeline.

(7) Implementation Monitoring. The Department shall monitor the school district's implementation of its approved evaluation systems, pursuant to Section 1012.34(1)(b), F.S.

(a) The Department shall annually select no less than ten (10) percent of school districts to monitor, prioritized based on factors such as the district percentage of schools receiving a grade of "D" or "F" pursuant to Section 1008.34, F.S., and the distribution of personnel in each of the four (4) performance levels provided in Section 1012.34(2)(e), F.S.

(b) The Department shall provide a school district with no less than sixty (60) days' notice of a monitoring event.

(c) The school district shall, within thirty (30) days of the receipt of the notification of monitoring, submit a report to the

Department of the results of its annual self-monitoring during the preceding five (5) years. The report shall include any improvements the school district has made to its evaluation processes as a result of its own monitoring.

(d) The Department shall conduct monitoring of the school district, documenting evidence that the school district is in compliance with the evaluation system requirements listed in Section 1012.34, F.S., and this rule, and implementing its system as approved.

(e) The Department shall, upon completion of monitoring, provide the school district with a report of the results that identifies any strengths and areas of noncompliance.

(f) The school district shall, upon receipt of the monitoring report, implement corrective actions to address areas of noncompliance and submit documentation of compliance within a timeline prescribed by the Department.

(8) Forms. The following forms are hereby incorporated by reference: Form IEST-2018, Instructional Evaluation System Template (February 2018) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05729>), and Form AEST-2018, Administrative Evaluation System Template (February 2018) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05730>).

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