

Rule 6B-4.010 is substantially rewritten as Rule 6A-5.030 to read (see Florida Administrative Code for present text):

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

Evaluation systems are to be designed and implemented to support continuous improvement of student learning growth by improving the quality of instructional, administrative, and supervisory services in the public schools of the state. This rule provides implementing procedures and criteria for the submission, review and approval of district evaluation systems, as well as monitoring of implementation and reporting on the impact of implementation of evaluation systems and associated professional development on student learning growth and instructional, administrative and supervisory services. This rule applies to all evaluation systems for instructional personnel and school administrators in the public school system.

(1) Submission Process.

(a) Evaluation systems shall be submitted to the Department's Division of Educator Quality for review and approval accompanied by the document entitled Review and Approval Checklist for Instructional Personnel and School Administrator Evaluation Systems, Form No. EQEVAL-2012, effective as of the date of this rule. This form is incorporated by reference and can be obtained on the Department's website at [www.fldoe.org/profdev/pa.asp](http://www.fldoe.org/profdev/pa.asp).

(b) The time period for submission shall be posted on [www.fldoe.org/profdev/pa.asp](http://www.fldoe.org/profdev/pa.asp) and shall allow a district a minimum of 60 days notice to submit the evaluation system.

(c) Districts shall submit an evaluation system for review and approval when an existing evaluation system is amended to address changes in statute or rule, or when a previously approved system is substantially modified as defined in subsection (5) of this rule. Submissions will comply with and include a completed Review and Approval Checklist for Instructional Personnel and School Administrator Evaluation Systems and the district's documentation, in digital form, establishing compliance with Section 1012.34, F.S., and this rule.

(d) When an evaluation system is modified in ways that are not substantial pursuant to subsection (5) of this rule, the district shall within 30 calendar days inform the Division of Educator Quality at an email address provided on the Department's website at [www.fldoe.org/profdev/pa.asp](http://www.fldoe.org/profdev/pa.asp).

(2) Content of Approved Evaluation Systems. In order to be approved by the Department, an evaluation system shall:

(a) Contain evidence of each of the elements as described in the Review and Approval Checklist for Instructional Personnel and School Administrator Evaluation Systems, Form No. EQEVAL-2012;

(b) Comply with the requirements for an evaluation system found in Section 1012.34, F.S.;

(c) Demonstrate that the evaluation system ensures continuous improvement of student learning growth and faculty and leadership development through quality feedback processes, procedures to ensure rater accuracy and reliability, training of employees on proficiency expectations, and monitoring of improvement results in student learning growth and instructional personnel and school leader proficiency on evaluation indicators.

(3) Initial Review Process.

(a) The Department shall review the documentation submitted by the district pursuant to subsection (1)(a) of this rule to determine whether the district has submitted a complete evaluation system that can be considered for approval.

(b) The Department shall provide each school district a written notice that identifies any omitted elements that must be submitted before review of the complete evaluation system can begin.

(4) Approval Process. The evaluation system approval process begins upon receipt of a district's complete evaluation system as determined through the initial review process. The Department shall provide written notification to the school district superintendent within 90 days of receipt of the complete evaluation system regarding the approval status of the school district's evaluation system(s). The approval status designation shall be one of the following:

(a) Approved. An approved system meets all criteria pursuant to subsection (2). A district may implement the evaluation system(s) as submitted after receiving notification of Department approval.

(b) Conditionally Approved. Evaluation systems shall be designated conditionally approved if the school district's evaluation system meets the requirements of elements I through VII of the Review and Approval Checklist for Instructional Personnel and School Administrator Evaluation Systems, but fails to satisfy one or more of the other requirements for the evaluation systems found on the Review and Approval Checklist, Section 1012.34, F.S., or subsection (2)(b) of this rule. The school district's system designated as conditionally approved shall be revised so that it is in full compliance with all requirements for evaluation systems, and resubmitted to the Department for review and approval. Notice of conditional approval shall contain the time period when the revised evaluation system shall be submitted and shall allow a district a minimum of 14 calendar days to submit. Upon receiving notice of conditional approval, the district may implement all approved portions of the evaluation system.

(c) Denied. A school district evaluation system shall be denied if the school district's evaluation system does not meet the requirements of subsection (2) of this rule. A school district's system designated as conditionally approved shall be denied, if the requirements for evaluation systems are not met within 60 days of the Department's written notice granting the conditionally approved status. A district may seek and the Commissioner may grant an extension of time if the district demonstrates that unforeseeable or uncontrollable circumstances caused the delay. The Commissioner may grant an extension of no more than 30 days. A district may not implement a denied evaluation system until at least conditional approval is granted.

(d) Rescinded. A district's evaluation system approval status may be rescinded pursuant to monitoring conducted under subsection (6)(c) of this rule. A system requiring modifications to implementation of elements I through VII of the Review and Approval Checklist for Instructional Personnel and School Administrator Evaluation Systems shall revert to an approval status of denied. A system requiring modifications to implementation of elements VIII through XII of the Review and Approval Checklist for Instructional Personnel and School Administrator Evaluation Systems shall revert to an approval status of conditionally approved.

(5) Modifications to an Approved Evaluation System. Modifications to an approved evaluation system that are consistent with the purposes and requirements of Section 1012.34, F.S., may be made pursuant to the following:

(a) An evaluation system is "substantially modified" when:

1. A different research framework is adopted as the basis for the system.
2. Scoring and weighting methods are changed.
3. Rubrics defining performance levels or proficiency level expectations are changed.
4. Evaluation measures or metrics are added or deleted from the system.
5. Processes for observation or feedback are changed.
6. There are changes in processes for informing employees of performance expectations expressed in the evaluation system or in training and maintaining evaluators' proficiency in use of the system.
7. There are changes in the personnel who may contribute evidence to be used in evaluations.
8. The evaluation system is modified based on a collective bargaining agreement.

(b) A substantially modified evaluation system shall be submitted to the Department for approval and shall not be implemented prior to Department approval.

(c) An evaluation system that has been modified, but less than substantially, shall be submitted to the Department. These modifications shall not be implemented prior to receipt of written notice from the Department confirming that the evaluation system has not been substantially modified. The Department shall provide the district written notice within 14 days of receipt.

(6) Implementation Monitoring: Districts and the Department shall implement quality control monitoring that identifies the impact of evaluation systems on quality improvements in instructional, administrative, and supervisory services.

(a) The use of data from quality control monitoring will be used by districts to review and revise as necessary organizational policies, infrastructure, practices, procedures, and resource allocations to promote effective implementation and remove or mitigate barriers to success. The district monitoring elements shall include:

1. The effectiveness of evaluation system on improvement of student learning growth and faculty and leadership development;
2. The impact of professional development on instructional personnel and school administrators' proficiency;
3. Procedures to establish, monitor and sustain inter-rater accuracy and reliability;
4. Procedures to establish, monitor and sustain the accuracy of evaluators' feedback;
5. Frequency and effectiveness of feedback on proficiency on the indicators;
6. Implementation of evaluation system at school and district levels;
7. Use of evaluation data to inform individual, school, and district improvement planning consistent with the requirements of Section 1001.42(18), F.S.;
8. Use of evaluation data to identify professional development priorities consistent with the requirements of Section 1012.98, F.S., and Rule 6A-5.071, F.A.C.;
9. Appropriate implementation of assessments that are used to measure student growth and performance for evaluation purposes; and
10. Alignment of evaluation indicators with contemporary research-based practices associated with improving student performance and instructional personnel or school administrator proficiency; and

(b) The state monitoring elements shall include:

1. Coordination of Data Analysis. In order to assist the Department in monitoring implementation of district evaluation systems and their impact on student learning growth and the quality of instructional, administrative, and supervisory services, a district shall submit the following information:
  - a. Professional development provided on high effect size instructional and leadership strategies;
  - b. Data collection processes used to gather evidence of impact of professional development on high effect size instructional and leadership strategies;
  - c. Evidence of alignment of professional development and the district's evaluation indicators;
  - d. Data elements included in the district's Local Instructional Improvement System (LIIS) that align professional development proficiencies with evaluation indicators;
  - e. Data collection processes used to gather evidence on the quality of school level implementation of state approved initiatives related to student learning growth on Common Core and New Generation Sunshine State Standards;
  - f. District data collection processes that track the impact of evaluation system implementation on student learning growth and instructional and administrative proficiency on evaluation indicators; and
  - g. District use of impact data to modify and improve instructional and administrative evaluation systems.

2. Five Year Continuous Improvement Cycle.

a. The Department shall publish a schedule for review of district evaluation systems for instructional personnel and school administrators in five-year cycles on the Department's website at [www.fldoe.org/profdev/pa.asp](http://www.fldoe.org/profdev/pa.asp). The cycle of review shall commence in the 2013-14 school year.

b. Such reviews shall include the results of annual quality control monitoring and systemic change actions taken based on those results, the issues in subsection (6)(b)1. of this rule, and the implementation status of the requirements for evaluation systems specified in subsection (2) of this rule.

c. Such reviews shall include a joint Department and district assessment of the alignment of district evaluation practices for instructional personnel and school administrators on student growth, faculty and leadership development, and professional development on the core standards and expectations.

d. Where a review identifies barriers to quality implementation of the evaluation system the district shall develop an action plan to eliminate or mitigate any identified barriers.

e. The reviews shall result in continued approval of a district's evaluation systems or modifications to the system based on the monitoring criteria.

(c) Where the Department's monitoring of a district's compliance with the purposes or provisions of statute or rule results in a determination by the Commissioner of Education that a district's evaluation system is not being implemented in a manner that fulfills the purpose of the statute or rule, modifications

shall be required and approval of the district's evaluation system may be rescinded as per subsection (4)(d) of this rule.

(7) Reporting.

(a) To support understanding of current evaluation practices and promote continuous improvement of evaluation processes, all evaluation systems approved pursuant to this rule shall be posted online by the submitting organization on a district website to enable employees, the Department, and other districts to access current evaluation documentation. The current URL of the district's posted documentation shall be provided to the Department and included on the Department's website, [www.fldoe.org/profdev/pa.asp](http://www.fldoe.org/profdev/pa.asp). The district website postings shall provide access to the approved evaluation criteria, including rating rubrics, cut scores, and weighting formulas, evaluation system indicators, feedback processes and forms, summative evaluation performance levels, and evidence of the district's compliance with the requirements of Section 1012.34, F.S. Approved modifications to an evaluation system shall be posted within 30 days of approval.

(b) The District's annual report on the status of evaluation system implementation required by Section 1012.34, F.S., shall address the monitoring results listed in subsection (6) of this rule.

*Rulemaking Authority 1001.02, 1012.34 FS. Law Implemented 1001.42(18), 1006.281, 1012.12(1) (c), 1012.34, 1012.98 FS. History—New 6-19-01*