Regular Session, 2013

HOUSE BILL NO. 160

BY REPRESENTATIVES REYNOLDS, RICHARD, AND BARROW

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TEACHERS/EVALUATION: Delays implementation of certain teacher evaluation program requirements relative to termination proceedings and restricts use of evaluation results

AN ACT

To amend and reenact R.S. 17:3902(B)(5) and (C)(2)(b)(v), relative to teacher evaluations; to delay implementation of requirements for termination proceedings based on teacher evaluation determinations; to restrict the use of evaluation results; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3902(B)(5) and (C)(2)(b)(v) are hereby amended and reenacted to read as follows:

§3902. Evaluation program; process

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B. The elements of evaluation and standards for effectiveness shall be defined by the board pursuant to rules and regulations promulgated for such purpose. Such rules and regulations shall require that, at a minimum, local evaluation plans contain the following elements:

* * *

(5)<u>(a)</u> Measure of effectiveness. By the beginning of the 2012-2013 school year, fifty percent of such evaluations shall be based on evidence of growth in student achievement using a value-added assessment model as determined by the board for grade levels and subjects for which value-added data is available.

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(b) For grade levels and subjects for which value-added data is not available and for personnel for whom value-added data is not available, the board shall establish measures of student growth. The model shall take into account important student factors, including but not limited to special education, eligibility for free or reduced price meals, student attendance, and student discipline. The state board shall develop and adopt a policy to invalidate such student growth data for any teacher for any school year in which there is a natural disaster or any other unexpected event that results in the temporary closure of the school.

(c) For the 2012-2013 school year only, the results of an evaluation shall not be used for any purpose except that the results of the observation portion of the evaluation shall be used as a criterion in making reduction in force decisions.

C.

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(2)

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(b) Each intensive assistance program shall be designed for the individual teacher or administrator involving the evaluator or evaluators and the teacher or administrator and shall include at a minimum:

* * *

(v) ~~If~~ Beginning in the 2014-2015 school year, for teachers and administrators evaluated in the 2013-2014 school year and thereafter, if the intensive assistance program required pursuant to this Paragraph is not completed in conformity with its provisions or if the teacher or administrator is determined to be ineffective after a formal evaluation conducted immediately upon completion of the program, then the local board shall timely initiate termination proceedings pursuant to Part II of Chapter 2 of this Title.

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Section 2. This Act shall become effective on July 1, 2013; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2013, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Reynolds HB No. 160

Abstract: Delays implementation of certain requirements of the teacher evaluation program relative to termination proceedings until the 2014-2015 school year.

Present law requires annual evaluations by local public school boards of all teachers and administrators in accordance with State Board of Elementary and Secondary Education (BESE) rules and regulations. Provides that the elements of evaluation and standards for effectiveness shall be defined by BESE and further provides that by the 2012-2013 school year, 50% of each evaluation shall be based on evidence of growth in student achievement using a value-added assessment model as determined by BESE. Requires that at the conclusion of each year's evaluation, the evaluator shall determine whether the teacher or administrator is effective or ineffective and shall send such determination to the local board. Requires that any teacher or administrator who fails to meet the standard of performance with regard to effectiveness shall be placed in an intensive assistance program designed to address the complexity of the teacher's deficiencies and shall be formally re-evaluated. Provides that the expected time line for achieving the intensive assistance program objectives and the procedures for monitoring progress shall not exceed two years. Further provides that if the intensive assistance program is not completed in conformity with its provisions or if the teacher or administrator is determined to be ineffective after a formal evaluation conducted immediately upon completion of the program, then the local board shall timely initiate termination proceedings pursuant to present law.

Proposed law retains present law except delays implementation of present law requirements for termination proceedings until the 2014-2015 school year for teachers and administrators evaluated in 2013-2014 and thereafter. Proposed law provides that for the 2012-2013 school year, evaluation results shall not be used except that the observation portion shall be used for the purpose of making reduction in force decisions.

Effective July 1, 2013.

(Amends R.S. 17:3902(B)(5) and (C)(2)(b)(v))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Delays implementation of present law requiring for termination proceedings based on evaluation determinations until the 2014-2015 school year.

2. Adds that for the 2012-2013 school year, evaluation results may only be used for the purpose of making reduction in force decisions and in such case, only the results of the observation portion of the evaluation may be used.

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3. Deletes proposed law that would have required approval by the House and Senate education committees of the teacher evaluation value-added assessment model prior to its implementation.

4. Deletes proposed law that would have changed the initial reporting date for certain annual reports submitted by the State Board of Elementary and Secondary Education relative to the assessment model.

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