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## DIGEST

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HB 337 Original

2019 Regular Session

Smith

**Abstract:** Provides relative to grievance procedures for teachers and administrators aggrieved by evaluation ratings including those portions of such ratings derived from the observation and value-added assessment model components.

Present law relative to teacher and administrator evaluations provides that the elements of evaluation and standards for effectiveness shall be defined by the State Bd. of Elementary and Secondary Education (BESE) and shall require that, at a minimum, local evaluation plans contain certain components including a job description, a professional growth plan, observation and conferencing, and classroom visitation. Also requires the use of a value-added assessment model as determined by BESE. Requires that 50% of such evaluations be based on evidence of growth in student achievement as determined by BESE. Provides that data derived from the value-added assessment model shall be a factor in determining evidence of student growth for grade levels and subjects for which value-added data is available and shall comprise 35% of the overall evaluation.

Present law requires BESE to develop and adopt grievance procedure requirements for teachers and administrators aggrieved by their evaluation ratings. Provides that such requirements, at a minimum, include that the teacher or administrator be provided a copy of the evaluation and related documentation and be entitled to respond as provided in present law, be assured of due process, and that the evaluation is administered in a fair, objective, and consistent manner.

Present law further provides that the employee has the right to initiate a written reaction or response to the evaluation which shall be part of the employee's official personnel file. Allows the employee to request a meeting with the appropriate local school board official to respond to the evaluation and amend or remove inaccurate or invalid information in the documentation.

Proposed law provides that present law grievance procedure minimum requirements apply to the portion of the evaluation derived pursuant to the observation and conferencing component. Adds the following minimum requirements as it relates to the portion derived pursuant to the measure of effectiveness (value-added assessment model):

- (1) That the state superintendent of education designate one or more individuals to hear and determine grievances.
- (2) That the teacher or administrator be provided access to the data used to derive the rating and any documentation related thereto and be entitled to respond as provided in present law.

- (3) That the teacher or administrator be assured of due process, including representation, in all aspects of the evaluation grievance process.
- (4) That the local superintendent and the individuals designated by the state superintendent ensure that the ratings received by teachers and administrators are fair, objective, and consistent.
- (5) That the individuals designated by the state superintendent comply with all rules and regulations adopted by BESE and that the failure to do so shall be a grievable matter.

Proposed law adds that a written reaction or response to the portion of the evaluation derived pursuant to observations and conferencing shall be presented to the local superintendent and a written reaction or response to the portion derived pursuant to the value-added assessment model shall be presented to the state superintendent of education. Allows the employee to request a meeting with the individual designated by the state superintendent of education for grievances related to the value-added assessment model and with the local superintendent for grievances related to observations and conferencing to respond to the evaluation.

Otherwise retains present law.

(Amends R.S. 17:3883(A)(5) and 3884(A))