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## DIGEST

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Johnson

HB No. 890

**Abstract:** Provides relative to the evaluation of teachers and administrators, including BESE's powers and duties with respect to rules and reports to the legislature, and provides for reappointing an advisory committee to make certain recommendations relative to such evaluations.

### Purpose & legislative intent

Present law provides that its purpose relative to the evaluation of teachers and administrators is to establish periodic evaluations of performance and effectiveness and continuous professional development as integral aspects of professional careers in education. Proposed law retains the purpose of establishing periodic evaluations of performance and effectiveness and otherwise deletes present law.

Present law provides that such evaluations shall be based in part on growth in student achievement using a value-added assessment model (commonly known as VAM) as determined by the State Board of Elementary and Secondary Education (BESE). Proposed law retains basing evaluations in part on such growth but instead provides for measurement using methods and statistical models proven valid and reliable through legitimate research. Adds that it is the legislature's intent that such measurements be calculated and determined in a manner that is fully demonstrated to the public including release of all statistical models used.

### BESE powers and duties

Present law requires BESE to establish the components of effective teaching, including measures of effectiveness, which are periodically reviewed and revised as necessary.

Proposed law deletes the requirement about periodic review and revision and further requires BESE to present the following to the House and Senate education committees, meeting jointly, at least 60 days before the beginning of each regular legislative session:

- (1) Any proposed changes to measures of effectiveness. (Also requires BESE to report to such committees prior to any BESE vote on the proposed changes.)
- (2) A report of the number of adjustments, amendments, or invalidations of effectiveness ratings and their corresponding reasons.

Present law requires BESE to develop, adopt, and promulgate rules for present law implementation. Proposed law specifically requires that these rules provide, at minimum, for the following:

- (1) A prohibition against any teacher or administrator being given a performance rating of effective or ineffective based solely on one portion of his evaluation.
- (2) The grievance procedure requirements provided in present law and proposed law.

Present law requires BESE to develop and adopt grievance procedure requirements for any teacher or administrator aggrieved by an effectiveness rating. Proposed law additionally requires that such procedures provide the following:

- (1) That there be a uniform system for receiving requests for score amendment, score adjustment, and invalidation of any part of the effectiveness rating system, including value-added data, other measurements of student growth, and on-site observation data. All data shall be preserved for use in considering further adjustments to calculation of scores and in considering whether due process has been provided. Requires a uniform method and time line for responding to such requests.
- (2) The right of the employee to receive proof of any item contained in the evaluation that he believes to be inaccurate, invalid, or misrepresented. Information proven to be inaccurate or invalid in the written documentation be removed and stricken from the employee's personnel file. Requires, if documentation is not presented, that such items be removed from the evaluation record and prohibits them from being the basis of decisions regarding certification or action taken against the employee.

Present law authorizes BESE to continue to develop, test, and improve the process and content of professional evaluation with input from appropriate educator groups. Proposed law also authorizes BESE to continue to recommend changes in order to improve such process and content.

### Educator Evaluation Advisory Committee

Present law provides for the appointment and convening by the state superintendent of an Educator Evaluation Advisory Committee to make recommendations to BESE and the House and Senate education committees by April 30, 2012, on the following:

- (1) Development of a value-added assessment model.
- (2) Identification of measures of student growth for grades, subjects, and personnel for which value-added data are not available.
- (3) Adoption of standards of effectiveness.

Proposed law provides for the reappointment and reconvening of this committee, the holding of its first meeting by Aug. 30, 2014, and its submission of recommendations to BESE and such committees by Feb. 28, 2015. Deletes present law recommendation requirements and instead requires recommendations regarding the proper method of setting student growth goals for grades and subjects for which value-added data are not available.

Present law provides for a committee membership of at least 50% practicing classroom educators; at least two parents of public school students; two members of each legislative education committee appointed by the respective chairmen; one member appointed by each BESE member; and one member appointed by the Assoc. Professional Educators of La., La. Assoc. of Educators, La. Federation of Teachers, La. Assoc. of School Superintendents, La. Assoc. of Principals, and La. Assoc. of Public Charter Schools. Provides that members serve without compensation. Proposed law retains present law and adds one member appointed by the La. School Boards Assoc.

(Amends R.S. 17:3881(A) and 3883(A)(1), (2), (6)(a)(intro. para.), (c), and (d) and (B)(3); Adds R.S. 17:3883(A)(5)(d) and (e) and (6)(a)(x))