

Regular Session, 2014

HOUSE BILL NO. 949

BY REPRESENTATIVE SCHRODER

TEACHERS/EVALUATION: Provides relative to evaluation of teachers and administrators

1 AN ACT

2 To amend and reenact R.S. 17:3902(B)(introductory paragraph), (3), and (5) and to enact  
3 R.S. 17:3902(E), relative to the evaluation of teachers and administrators; to provide  
4 for procedures for observation and evaluation; to provide for use of evidence of  
5 growth in student achievement in evaluations and for implementation thereof; to  
6 require the State Board of Elementary and Secondary Education, working with the  
7 Department of Education and the Accountability Commission, to assess the  
8 evaluation system and take certain actions relative to the system; and to provide for  
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:3902(B)(introductory paragraph), (3), and (5) are hereby  
12 amended and reenacted and R.S. 17:3902(E) is hereby enacted to read as follows:

13 §3902. Evaluation program; process

14 \* \* \*

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

19 \* \* \*

(3) Observation and conferencing. The evaluator or evaluators of each teacher or administrator shall conduct a pre-observation conference during which the teacher or administrator shall provide the evaluator or evaluators with relevant information. A teacher shall provide information concerning the planning of the lesson to be observed as well as any other information the teacher considers pertinent. The observation shall occur at a time and place established in advance, shall be of sufficient duration to provide meaningful data which, in the case of a teacher, shall be not less than the duration of one complete lesson. In the case of a teacher, the observation shall be conducted using the components of effective teaching, as well as any additional local board criteria included in the job description. In the case of an administrator, the observation may consist of the collection of prescribed performance documentation and shall be conducted using applicable components of effective teaching, elements prescribed by board rule, and any additional local board criteria included in the job description. The evaluation shall include the preparation and submission by each evaluator of a written statement of actual evidence observed during observation and conferencing that substantiates the evaluator's score for each component or criterium scored as part of the evaluation. A post-observation conference shall be conducted to discuss commendation and recommendations.

\* \* \*

(5) Measure of effectiveness. By the beginning of the ~~2012-2013~~ 2015-2016 school year, for grades three through eight ~~fifty~~ twenty-five percent of such evaluations shall be based ~~on~~ upon evidence of growth in student achievement using a value-added assessment model or models as determined by the state board, and twenty-five percent shall be based upon student learning targets. For grades kindergarten through two and nine through twelve, fifty percent of such evaluations shall be based upon student learning targets. For all grades, the remaining fifty percent of such evaluations shall be based upon professional practices. for grade levels and subjects for which value-added data is available. For grade levels and

1 ~~subjects for which value-added data is not available and for personnel for whom~~  
2 ~~value-added data is not available, the board shall establish measures of student~~  
3 ~~growth. The model~~ If more than one value-added model is used, the models shall be  
4 structured to assure that all teachers are equally accountable and all administrators  
5 are equally accountable. Any such model or models shall take into account  
6 important student factors, including but not limited to special education, eligibility  
7 for free or reduced price meals, student attendance, and student discipline. The state  
8 board shall develop and adopt a policy to invalidate such student growth data for any  
9 teacher for any school year in which there is a natural disaster or any other  
10 unexpected event that results in the temporary closure of the school.

11 \* \* \*

12 E.(1) The state board, working with the Department of Education and the  
13 Accountability Commission established by the state board, shall assess Louisiana's  
14 evaluation programs for teachers and school administrators and the school and  
15 district accountability system and shall take such steps as are necessary to align such  
16 programs and systems, including but not limited to the promulgation of rules and the  
17 identification of any statutory changes necessary to achieve greater alignment and  
18 consistency among school, district, administrator, and educator levels.

19 (2) The state board shall take such steps as are necessary, including but not  
20 limited to the promulgation of rules and the identification of any necessary statutory  
21 changes, to provide for school administrators to utilize a consistent method of  
22 evaluating teachers, regardless of grade or subject taught, considering all available  
23 information on student achievement, and to provide that all teachers are equally  
24 accountable and all administrators on comparable levels are equally accountable.

25 (3) The state board shall submit a report of its findings and any  
26 recommendations for legislative action to the House Committee on Education, the  
27 Senate Committee on Education, and the presiding officers of both houses of the  
28 Legislature of Louisiana no later than sixty days prior to the 2015 regular session.

1           Section 2. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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#### 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)]

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Schroder

HB No. 949

**Abstract:** Relative to the evaluation of teachers and administrators, provides for procedures for observation and evaluation and for use of evidence of growth in student achievement and for implementation thereof. Requires BESE to assess evaluation systems and accountability systems and take specified actions relative to them.

Present law provides for evaluation of teachers and administrators of local school systems and educators employed by the State Board of Elementary and Secondary Education (BESE). Defines "local board" as a city or parish school board or BESE as it relates to educators employed by BESE. Defines "board" to mean BESE. Requires BESE to define the elements of evaluation and standards for effectiveness. Requires at a minimum that evaluation plans contain: a job description; a professional growth plan; observation and conferencing; classroom visitation; and measure of effectiveness. Provides more specifically relative to each of these. Provides for an intensive assistance program to address deficiencies of an ineffective teacher.

Present law, relative to observation and conferencing, requires evaluators to conduct a pre-observation conference during which the teacher or administrator provides relevant information such as lesson planning and other pertinent information. Requires that observation be at least for one full lesson. Requires that for teachers the observation use components of effective teaching and any additional local board criteria included in the job description, and for administrators the observation may consist of collection of prescribed performance documentation and may use applicable components of effective teaching, elements prescribed by BESE rule, and any additional local board criteria included in the job description. Requires a post-observation conference.

Proposed law retains present law and additionally requires that the evaluation include preparation and submission by each evaluator of a written statement of actual evidence observed during observation and conferencing that substantiates the evaluator's score for each component or criterium scored as part of the evaluation.

Present law, relative to measure of effectiveness, requires that by the beginning of the 2012-2013 school year, 50% percent of an evaluation be based on evidence of growth in student achievement using a value-added assessment model (VAM) as determined by BESE for grade levels and subjects for which value-added data is available. Requires BESE to establish measures of student growth for grade levels and subjects and for personnel for which value-added data is not available. Requires that the model take into account important student factors, such as special education, eligibility for free or reduced price meals, student attendance, and student discipline.

Proposed law provides for implementation of a value-added model or models by the beginning of the 2015-2016 school year instead of the 2012-2013 school year. Requires that 25% percent instead of 50% of an evaluation be based on evidence of growth in student achievement using such a VAM model and makes this requirement applicable only to grades 3 - 8. Further provides that for grades 3 - 8, 25% of evaluations shall be based upon student learning targets. Provides that for grades K-2 and 9-12, 50% of evaluations shall be based upon student learning targets. Provides that for all grades, the remaining 50% of evaluations shall be based upon professional practices. Removes provision that such VAM model be as determined by BESE for grade levels and subjects for which value-added data is available, and that BESE establish measures of student growth for grade levels and subjects and for personnel for which value-added data is not available. Provides instead that evidence of growth in student achievement use a VAM model or models determined by BESE. Requires, if more than one VAM model is used, that the models shall be structured to assure that all teachers are equally accountable and all administrators are equally accountable.

Proposed law requires BESE, working with the Dept. of Education and the Accountability Commission established by BESE, to assess Louisiana's teacher and school administrator evaluation programs and the school and district accountability system and take action to align such programs and systems, including promulgation of rules and identification of statutory changes necessary to achieve greater alignment and consistency among school, district, administrator, and educator levels. Requires BESE to take steps, including rulemaking and identification of necessary statutory changes, to provide for school administrators to utilize a consistent method of evaluating teachers, regardless of grade or subject taught, considering all available information on student achievement and to provide that all teachers are equally accountable and all administrators on comparable levels are equally accountable. Requires BESE to report findings and recommendations for legislative action to the House Committee on Education, the Senate Committee on Education, and the presiding officers of both houses of the Legislature no later than 60 days prior to the 2015 R.S.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 17:3902(B)(intro. para.), (3), and (5); Adds R.S. 17:3902(E))