

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 2928

6 By: Coody

7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; amending 70 O.S. 2001,
9 Section 6-101.10, which relates to the establishment
10 of a written policy of evaluation; updating statutory
11 language; specifying basis of the evaluation policy;
12 requiring certain teacher competencies to be adopted
13 with certain oversight; requiring inclusion of
14 certain measures; listing certain rating levels to be
15 included in each competency; requiring the inclusion
16 of certain general professional teaching competencies
17 in evaluation criteria adopted by the State Board of
18 Education; modifying certain requirements of an
19 evaluation policy; adding certain requirements of an
20 evaluation policy; modifying certain training
21 requirements; and declaring an emergency.

22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. AMENDATORY 70 O.S. 2001, Section 6-101.10, is
24 amended to read as follows:

25 Section 6-101.10 A. Each board of education shall adopt,
26 maintain and annually review, following consultation with or
27 involvement of representatives selected by local teachers, a written
28 policy of evaluation for all teachers and administrators. Beginning

1 with the 2013-2014 school year, each written policy of evaluation
2 for all teachers and administrators shall be based upon measures of
3 teacher and leader effectiveness that include quantitative data
4 regarding growth of student learning and an evidence-based
5 performance rubric. In those school districts in which there exists
6 a professional negotiations agreement made in accordance with
7 Sections 509.1 et seq. of this title, the procedure for evaluating
8 members of the negotiations unit and any standards of performance
9 and conduct proposed for adoption beyond those established by the
10 State Board of Education shall be negotiable items. Nothing in this
11 act shall be construed to annul, modify or to preclude the renewal
12 or continuing of any existing agreement heretofore entered into
13 between any school district and any organizational representative of
14 its employees. Every policy ~~se~~ adopted by a board of education
15 shall:

- 16 1. Be Prior to the 2013-2014 school year, be based upon a set
17 of minimum criteria developed by the State Board of Education;
- 18 2. Beginning with the 2013-2014 school year, be based upon
19 teacher and principal competencies adopted by the State Board of
20 Education for Oklahoma, which competencies shall be adopted with
21 oversight from the commission created by the Governor through
22 executive order which is charged to manage, coordinate, monitor and
23 report on efforts to implement the federal "Race to the Top" program
24 in the state or any other oversight group or committee which may be

1 created to meet the funding requirements of the "Race to the Top"
2 federal program. The teacher and principal competencies shall
3 include but not be limited to measures of teacher and principal
4 effectiveness that incorporate quantitative data regarding growth of
5 student learning and an evidence-based performance rubric;

6 3. Beginning with the 2013-2014 school year, the evidence-based
7 teacher performance rubric which is to be incorporated into the
8 teacher competencies as set forth in paragraph 2 of this subsection
9 shall include the following general professional teaching
10 competencies:

11 a. understands the central concepts and methods of
12 inquiry of the subject matter and can create learning
13 experiences that make these aspects of subject matter
14 meaningful for students,

15 b. understands how students learn and develop, and can
16 provide learning opportunities that support the
17 intellectual, social and physical development of
18 students at all grade levels including early
19 childhood, elementary, middle level, and secondary,

20 c. understands that students vary in their approaches to
21 learning and creates instructional opportunities that
22 are adaptable to individual differences of learners,

23 d. understands the curriculum integration processes and
24 uses a variety of instructional strategies to

1 encourage development of critical thinking, problem
2 solving, and performance skills by students and
3 effective use of technology,

4 e. uses best practices related to motivation and behavior
5 to create learning environments that encourage
6 positive social interaction, self-motivation and
7 active engagement learning, thus, providing
8 opportunities for success,

9 f. develops a knowledge of and uses communication
10 techniques to foster active inquiry, collaboration,
11 and supportive interaction in the classroom,

12 g. plans instruction based upon curriculum goals,
13 knowledge of the teaching and learning process,
14 subject matter, abilities of students and differences,
15 and the community, and adapts instruction based upon
16 assessment and reflection,

17 h. understands and uses a variety of assessment
18 strategies to evaluate and modify the teaching and
19 learning process ensuring the continuous intellectual,
20 social and physical development of the learner,

21 i. evaluates the effects of choices and actions on
22 others, modifies those actions when needed, and
23 actively seeks opportunities for continued
24 professional growth,

- 1 j. fosters positive interaction with school colleagues,
2 parents, families, and organizations in the community
3 to actively engage them in support of the learning and
4 well-being of students,
- 5 k. understands the importance of assisting students with
6 career awareness and the application of career
7 concepts to the academic curriculum,
- 8 l. understands the process of continuous lifelong
9 learning, the concept of making learning enjoyable,
10 and the need for a willingness to change when the
11 change leads to greater student learning and
12 development,
- 13 m. understands the legal aspects of teaching including
14 the rights of students, parents and families, as well
15 as the legal rights and responsibilities of the
16 teacher, and
- 17 n. understands, and is able to develop instructional
18 strategies and plans based on the Oklahoma core
19 curriculum;

20 4. Be prescribed in writing at the time of adoption and at all
21 times when amendments ~~thereto~~ to the policy are adopted. The
22 original policy and all amendments to the policy shall be promptly
23 made available to all persons subject to the policy;

1 ~~3.~~ 5. Provide that all evaluations be made in writing and that
2 evaluation documents and responses ~~thereto~~ to the evaluation be
3 maintained in a personnel file for each evaluated person;

4 ~~4.~~ 6. Provide that every probationary teacher be evaluated at
5 least two times per school year, once prior to November 15 and once
6 prior to February 10 of each year;

7 ~~5.~~ 7. Provide that every teacher be evaluated once every year,
8 except as otherwise provided by law. Beginning with the 2013-2014
9 school year, evaluations shall consist, at a minimum, of:

10 a. two classroom observations by principals or assistant
11 principals,

12 b. a completed evaluation form that measures the progress
13 of the teacher toward meeting performance goals, based
14 on the performance rubric, and

15 c. a plan for continuous improvement, to be agreed upon
16 by the teacher and evaluator; and

17 ~~6.~~ 8. Provide that, except for superintendents of independent
18 and elementary school districts and superintendents of area school
19 districts, who shall be evaluated by the ~~local school~~ board of
20 education, all certified personnel, ~~including administrators,~~ shall
21 be evaluated by ~~certified administrative personnel~~ a principal,
22 assistant principal, or other trained individual designated by the
23 ~~local school~~ board of education.

1 B. All personnel designated by the local board to conduct the
2 personnel evaluations shall be required to participate in either
3 training conducted by the State Department of Education or training
4 provided by the local school district using guidelines and materials
5 developed by the State Department of Education prior to conducting
6 ~~such~~ evaluations.

7 C. The State Department of Education shall develop and conduct
8 workshops pursuant to statewide criteria which train ~~such~~
9 ~~administrative~~ personnel in conducting evaluations.

10 D. The State Board of Education shall monitor compliance with
11 the provisions of this section by local school districts.

12 E. Refusal by a local school district to comply with the
13 provisions of this section shall be grounds for withholding State
14 Aid funds until ~~such~~ compliance occurs.

15 SECTION 2. It being immediately necessary for the preservation
16 of the public peace, health and safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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