

THE HOUSE OF REPRESENTATIVES  
Monday, March 1, 2010

Committee Substitute for  
House Bill No. 2928

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2928 - By: COODY AND MCDANIEL (JEANNIE) of the House.

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

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

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

3 Section 6-101.10 A. Each board of education shall adopt, maintain and annually  
4 review, following consultation with or involvement of representatives selected by local  
5 teachers, a written policy of evaluation for all teachers and administrators. Beginning  
6 with the 2013-2014 school year, each written policy of evaluation for all teachers and  
7 administrators shall be based upon measures of teacher and leader effectiveness that  
8 include quantitative data regarding growth of student learning and an evidence-based

1 performance rubric. In those school districts in which there exists a professional  
2 negotiations agreement made in accordance with Sections 509.1 et seq. of this title, the  
3 procedure for evaluating members of the negotiations unit and any standards of  
4 performance and conduct proposed for adoption beyond those established by the State  
5 Board of Education shall be negotiable items. Nothing in this act shall be construed to  
6 annul, modify or to preclude the renewal or continuing of any existing agreement  
7 heretofore entered into between any school district and any organizational representative  
8 of its employees. Every policy ~~se~~ adopted by a board of education shall:

9 1. ~~Be~~ Prior to the 2013-2014 school year, be based upon a set of minimum criteria  
10 developed by the State Board of Education;

11 2. Beginning with the 2013-2014 school year, be based upon teacher and principal  
12 competencies adopted by the State Board of Education for Oklahoma, which  
13 competencies shall be adopted with oversight from the commission created by the  
14 Governor through executive order which is charged to manage, coordinate, monitor and  
15 report on efforts to implement the federal "Race to the Top" program in the state or any  
16 other oversight group or committee which may be created to meet the funding  
17 requirements of the "Race to the Top" federal program. The teacher and principal  
18 competencies shall include but not be limited to measures of teacher and principal  
19 effectiveness that incorporate quantitative data regarding growth of student learning  
20 and an evidence-based performance rubric;

21 3. Beginning with the 2013-2014 school year, the evidence-based teacher  
22 performance rubric which is to be incorporated into the teacher competencies as set forth

1 in paragraph 2 of this subsection shall include the following general professional  
2 teaching competencies:

- 3 a. understands the central concepts and methods of inquiry of the subject  
4 matter and can create learning experiences that make these aspects of  
5 subject matter meaningful for students,
- 6 b. understands how students learn and develop, and can provide learning  
7 opportunities that support the intellectual, social and physical  
8 development of students at all grade levels including early childhood,  
9 elementary, middle level, and secondary,
- 10 c. understands that students vary in their approaches to learning and  
11 creates instructional opportunities that are adaptable to individual  
12 differences of learners,
- 13 d. understands the curriculum integration processes and uses a variety of  
14 instructional strategies to encourage development of critical thinking,  
15 problem solving, and performance skills by students and effective use  
16 of technology,
- 17 e. uses best practices related to motivation and behavior to create  
18 learning environments that encourage positive social interaction, self-  
19 motivation and active engagement learning, thus, providing  
20 opportunities for success,

- 1 f. develops a knowledge of and uses communication techniques to foster  
2 active inquiry, collaboration, and supportive interaction in the  
3 classroom,
- 4 g. plans instruction based upon curriculum goals, knowledge of the  
5 teaching and learning process, subject matter, abilities of students and  
6 differences, and the community, and adapts instruction based upon  
7 assessment and reflection,
- 8 h. understands and uses a variety of assessment strategies to evaluate  
9 and modify the teaching and learning process ensuring the continuous  
10 intellectual, social and physical development of the learner,
- 11 i. evaluates the effects of choices and actions on others, modifies those  
12 actions when needed, and actively seeks opportunities for continued  
13 professional growth,
- 14 j. fosters positive interaction with school colleagues, parents, families,  
15 and organizations in the community to actively engage them in  
16 support of the learning and well-being of students,
- 17 k. understands the importance of assisting students with career  
18 awareness and the application of career concepts to the academic  
19 curriculum,
- 20 l. understands the process of continuous lifelong learning, the concept of  
21 making learning enjoyable, and the need for a willingness to change  
22 when the change leads to greater student learning and development,

1            m. understands the legal aspects of teaching including the rights of  
2            students, parents and families, as well as the legal rights and  
3            responsibilities of the teacher, and

4            n. understands, and is able to develop instructional strategies and plans  
5            based on the Oklahoma core curriculum;

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

9            ~~3- 5.~~ 5. Provide that all evaluations be made in writing and that evaluation  
10 documents and responses ~~thereto~~ to the evaluation be maintained in a personnel file for  
11 each evaluated person;

12            ~~4. 6.~~ 6. Provide that every probationary teacher be evaluated at least two times per  
13 school year, once prior to November 15 and once prior to February 10 of each year;

14            ~~5- 7.~~ 7. Provide that every teacher be evaluated once every year, except as otherwise  
15 provided by law. Beginning with the 2013-2014 school year, evaluations shall consist, at  
16 a minimum, of:

17            a. two classroom observations by principals or assistant principals,

18            b. a completed evaluation form that measures the progress of the teacher  
19            toward meeting performance goals, based on the performance rubric,

20            and

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

1        ~~6. 8.~~ Provide that, except for superintendents of independent and elementary school  
2 districts and superintendents of area school districts, who shall be evaluated by the ~~local~~  
3 ~~school board~~ of education, all certified personnel, ~~including administrators~~, shall be  
4 evaluated by ~~certified administrative personnel~~ a principal, assistant principal, or other  
5 trained individual designated by the ~~local school~~ board of education.

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

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

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

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

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

20        COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02-25-10  
21 - DO PASS, As Amended and Coauthored.