

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 HOUSE BILL NO. 1267

By: Sears of the House

and

Ford of the Senate

6  
7  
8  
9 COMMITTEE SUBSTITUTE

10 An Act relating schools; amending Section 6, Chapter  
11 291, O.L.S. 2010 (70 O.S. Supp. 2010, Section 6-  
12 101.16) and Section 7, Chapter 291, O.S.L. 2010 (70  
13 O.S. Supp. 2010, Section 6-101.17), which relate to  
14 the Oklahoma Teacher and Leader Effectiveness  
15 Evaluation System; updating name of certain  
16 commission; deleting certain duties of certain  
17 commission; updating certain references; providing an  
18 effective date; and declaring an emergency.

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

20 SECTION 1. AMENDATORY Section 6, Chapter 291, O.S.L.  
21 2010 (70 O.S. Supp. 2010, Section 6-101.16), is amended to read as  
22 follows:

23 Section 6-101.16 A. By December 15, 2011, the State Board of  
24 Education shall adopt a new statewide system of evaluation to be  
known as the Oklahoma Teacher and Leader Effectiveness Evaluation  
System (TLE).

1 B. The TLE shall include the following components:

2 1. A five-tier rating system as follows:

- 3 a. superior,
- 4 b. highly effective,
- 5 c. effective,
- 6 d. needs improvement, and
- 7 e. ineffective;

8 2. Annual evaluations that provide feedback to improve student  
9 learning and outcomes;

10 3. Comprehensive remediation plans and instructional coaching  
11 for all teachers rated as needs improvement or ineffective;

12 4. Quantitative and qualitative assessment components measured  
13 as follows:

- 14 a. fifty percent (50%) of the ratings of teachers and  
15 leaders shall be based on quantitative components  
16 which shall be divided as follows:

- 17 (1) thirty-five percentage points based on student  
18 academic growth using multiple years of  
19 standardized test data, as available, and

- 20 (2) fifteen percentage points based on other academic  
21 measurements, and

- 22 b. fifty percent (50%) of the rating of teachers and  
23 leaders shall be based on rigorous and fair  
24 qualitative assessment components;

1           5. An evidence-based qualitative assessment tool for the  
2 teacher qualitative portion of the TLE that will include observable  
3 and measurable characteristics of personnel and classroom practices  
4 that are correlated to student performance success, including, but  
5 not limited to:

- 6           a. organizational and classroom management skills,
- 7           b. ability to provide effective instruction,
- 8           c. focus on continuous improvement and professional  
9           growth,
- 10          d. interpersonal skills, and
- 11          e. leadership skills;

12          6. An evidence-based qualitative assessment tool for the leader  
13 qualitative portion of the TLE that will include observable and  
14 measurable characteristics of personnel and site management  
15 practices that are correlated to student performance success,  
16 including, but not limited to:

- 17          a. organizational and school management, including  
18             retention and development of effective teachers and  
19             dismissal of ineffective teachers,
- 20          b. instructional leadership,
- 21          c. professional growth and responsibility,
- 22          d. interpersonal skills,
- 23          e. leadership skills, and
- 24          f. stakeholder perceptions; and

1           7. For those teachers in grades and subjects for which there is  
2 no state-mandated testing measure to create a quantitative  
3 assessment for the quantitative portion of the TLE, an assessment  
4 using objective measures of teacher effectiveness including student  
5 performance on unit or end-of-year tests. Emphasis shall be placed  
6 on the observed qualitative assessment as well as contribution to  
7 the overall school academic growth.

8           C. ~~The Oklahoma Race to the Top~~ Teacher and Leader  
9 Effectiveness Commission ~~created in Section 7 of this act~~ shall  
10 provide oversight and advise the State Board of Education on the  
11 development and implementation of the TLE.

12           D. The State Department of Education shall provide to the  
13 Oklahoma State Regents for Higher Education and the Oklahoma  
14 Commission for Teacher Preparation timely electronic data linked to  
15 teachers and leaders derived from the TLE for purposes of providing  
16 a basis for the development of accountability and quality  
17 improvements of the teacher preparation system. The data shall be  
18 provided in a manner and at such times as agreed upon between the  
19 Department, the State Regents and the Commission.

20           E. For purposes of this section, "leader" means a principal,  
21 assistant principal or any other school administrator who is  
22 responsible for supervising classroom teachers.

1 SECTION 2. AMENDATORY Section 7, Chapter 291, O.S.L.  
2 2010 (70 O.S. Supp. 2010, Section 6-101.17), is amended to read as  
3 follows:

4 Section 6-101.17 A. There is hereby created to continue until  
5 July 1, 2016, in accordance with the provisions of the Oklahoma  
6 Sunset Law, the ~~Oklahoma Race to the Top~~ Teacher and Leader  
7 Effectiveness Commission.

8 B. The membership of the Commission shall consist of:

9 1. The Superintendent of Public Instruction, or designee;

10 2. A member of the Senate, appointed by the President Pro  
11 Tempore of the Senate;

12 3. A member of the House of Representatives, appointed by the  
13 Speaker of the House of Representatives;

14 4. A member of the Senate, appointed by the Minority Leader of  
15 the Senate;

16 5. A member of the House of Representatives, appointed by the  
17 Minority Leader of the House of Representatives;

18 6. A representative from the Office of the Governor or the  
19 executive cabinet, appointed by the Governor;

20 7. The Executive Director of the Oklahoma Commission for  
21 Teacher Preparation, or designee;

22 8. A representative of a technology center school district,  
23 appointed by the Director of the Oklahoma Department of Career and  
24 Technology Education;

1           9. A representative of an institution within The Oklahoma State  
2 System of Higher Education, appointed by the Chancellor of Higher  
3 Education;

4           10. A representative of a statewide organization representing  
5 school district boards of education, appointed by the President Pro  
6 Tempore of the Senate;

7           11. A representative of a statewide organization representing  
8 public school superintendents, appointed by the Speaker of the House  
9 of Representatives;

10           12. A representative of a statewide organization representing  
11 business and education, appointed by the President Pro Tempore of  
12 the Senate;

13           13. An individual employed by a business or company located in  
14 this state, appointed by the Speaker of the House of  
15 Representatives;

16           14. Three (3) representatives, one (1) from each of the three  
17 (3) largest statewide organizations representing active public  
18 school teachers, appointed by the Governor;

19           15. A representative of a statewide parent-teacher  
20 organization, appointed by the Governor;

21           16. A representative of a philanthropic organization involved  
22 in education, appointed by the Governor; and

23           17. An individual involved in Science, Technology, Engineering  
24 and Mathematics (STEM) education, appointed by the Governor.

1 C. Initial appointments pursuant to the provisions of this  
2 section shall be made no later than August 1, 2010. Members shall  
3 serve at the pleasure of the appointing authority. Vacancies shall  
4 be filled by the original appointing authority. The State  
5 Superintendent of Public Instruction, or designee, shall serve as  
6 chair of the Commission. Members of the Commission shall select a  
7 vice-chair from the membership of the Commission. Meetings of the  
8 Commission shall be held at the call of the chair. A majority of  
9 the members of the Commission shall constitute a quorum for the  
10 transaction of any business.

11 D. Members of the Commission shall receive no compensation for  
12 serving on the Commission, but shall receive travel reimbursement as  
13 follows:

14 1. State employees who are members of the Commission shall be  
15 reimbursed for travel expenses incurred in the performance of their  
16 duties by their respective agencies in accordance with the State  
17 Travel Reimbursement Act;

18 2. Legislative members shall be reimbursed in accordance with  
19 Section 456 of Title 74 of the Oklahoma Statutes; and

20 3. All other members of the Commission shall be reimbursed by  
21 the State Department of Education for travel expenses incurred in  
22 the performance of their duties in accordance with the State Travel  
23 Reimbursement Act.

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1 E. Staff support for the Commission shall be provided by the  
2 State Department of Education and the Oklahoma Commission for  
3 Teacher Preparation.

4 F. Members who serve on the Commission shall be exempt from the  
5 dual-office-holding prohibitions of Section 6 of Title 51 of the  
6 Oklahoma Statutes.

7 G. The Commission shall comply with the provisions of the  
8 Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

9 H. The duties of the Commission, as specified in ~~paragraphs 6~~  
10 ~~and 7~~ paragraph 1 of subsection I of this section, shall not be  
11 contingent upon the state being selected to receive or the state  
12 actually receiving any federal Race to the Top funding.

13 I. The Commission shall:

14 ~~1. Coordinate and report on the effort of the state to~~  
15 ~~implement the federal Race to the Top program;~~

16 ~~2. Work closely with members of the executive cabinet, the~~  
17 ~~State Board of Education, executives of state agencies, and~~  
18 ~~legislative leaders to determine the requirements imposed on and~~  
19 ~~opportunities afforded to the state by the federal Race to the Top~~  
20 ~~program, as well as the most efficient and productive use of Race to~~  
21 ~~the Top funding;~~

22 ~~3. Monitor the flow of federal Race to the Top program funds to~~  
23 ~~ensure compliance with all requirements of the law and transparency~~  
24 ~~of the process;~~

1       ~~4. Ensure that adequate reporting and compliance mechanisms and~~  
2 ~~safeguards regarding the federal Race to the Top program are in~~  
3 ~~place;~~

4       ~~5. Ensure full, thorough and easily accessible public~~  
5 ~~disclosure of the use of all funds received under the federal Race~~  
6 ~~to the Top program;~~

7       ~~6. Monitor progress of results in areas described in the state~~  
8 ~~Race to the Top plan, including:~~

9           ~~a. raising student achievement overall and by subgroup~~  
10           ~~and closing gaps in achievement,~~

11           ~~b. adopting common high quality curricular standards,~~

12           ~~c. supporting the transition to enhanced standards and~~  
13           ~~high quality assessments,~~

14           ~~d. accessing and using state education data,~~

15           ~~e. using data to improve instruction,~~

16           ~~f. providing high quality pathways for aspiring teachers~~  
17           ~~and administrators,~~

18           ~~g. development of effectiveness measures for teachers and~~  
19           ~~administrators,~~

20           ~~h. improving teacher and administrator effectiveness~~  
21           ~~based on performance,~~

22           ~~i. ensuring equitable distribution of effective teachers~~  
23           ~~and administrators,~~

- ~~j. improving the effectiveness of teacher and administrator preparation programs,~~
- ~~k. providing effective support to teachers and administrators,~~
- ~~l. turning around the lowest achieving schools, and~~
- ~~m. ensuring successful conditions for high performing charter school and other innovative schools; and~~

7. 1. Provide oversight and advise the State Board of Education on the development and implementation of the Oklahoma Teacher and Leader Effectiveness and Evaluation System (TLE) as created in Section 6 of this act, including:

- a. making recommendations to the State Board regarding the development and implementation of the TLE prior to adoption of any permanent rules or policies by the State Board,
- b. regularly reviewing progress toward development and implementation of the quantitative and qualitative measures that comprise the TLE,
- c. regularly reviewing progress toward timely access to student growth data,
- d. regularly reviewing the correlation between the quantitative and qualitative scores and other data to ensure that the TLE is being implemented with validity and that evaluations of individuals conducted by

1 school districts are meaningful and demonstrate that  
2 reasonable distinctions are being made relating to  
3 performance,

4 e. assuring input and participation from teachers and  
5 leaders on the development and implementation of the  
6 TLE,

7 f. gathering public comment on the development and  
8 effectiveness of the TLE, and

9 g. assuring that the TLE is based on research-based  
10 national best practices and methodology.

11 J. The Commission shall issue a report by December 31 of each  
12 year and submit a copy of the report to the Governor, the Speaker of  
13 the House of Representatives and the President Pro Tempore of the  
14 Senate.

15 SECTION 3. This act shall become effective July 1, 2011.

16 SECTION 4. It being immediately necessary for the preservation  
17 of the public peace, health and safety, an emergency is hereby  
18 declared to exist, by reason whereof this act shall take effect and  
19 be in full force from and after its passage and approval.

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