

1 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-101.10, is
2 amended to read as follows:

3 Section 6-101.10 A. Each school district board of education
4 shall maintain and annually review, following consultation with or
5 involvement of representatives selected by local teachers, a written
6 policy of evaluation for all teachers and administrators. In those
7 school districts in which there exists a professional negotiations
8 agreement made in accordance with Sections 509.1 et seq. of this
9 title, the procedure for evaluating members of the negotiations unit
10 and any standards of performance and conduct proposed for adoption
11 beyond those established by the State Board of Education shall be
12 negotiable items. Nothing in this section shall be construed to
13 annul, modify or to preclude the renewal or continuing of any
14 existing agreement heretofore entered into between any school
15 district and any organizational representative of its employees.
16 Every policy of evaluation adopted by a board of education shall:

17 1. Be based upon a set of minimum criteria developed by the
18 State Board of Education, which by no later than the ~~2013-14~~ 2014-
19 2015 school year, shall be revised and based upon the Oklahoma
20 Teacher and Leader Effectiveness Evaluation System (TLE) developed
21 by the State Board of Education as provided in Section 6 of this
22 act;

23 2. Be prescribed in writing at the time of adoption and at all
24 times when amendments to the policy are adopted. The original

1 policy and all amendments to the policy shall be promptly made
2 available to all persons subject to the policy;

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

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

9 5. Provide that every teacher be evaluated once every year,
10 except as otherwise provided by law; and

11 6. Provide that, except for superintendents of independent and
12 elementary school districts and superintendents of area school
13 districts, who shall be evaluated by the school district board of
14 education, all certified personnel shall be evaluated by a
15 principal, assistant principal, or other trained certified
16 individual designated by the school district board of education.

17 B. All individuals designated by the school district board of
18 education to conduct the personnel evaluations shall be required to
19 participate in training conducted by the State Department of
20 Education or training provided by the school district using
21 guidelines and materials developed by the State Department of
22 Education prior to conducting evaluations.

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1 C. The State Department of Education shall develop and conduct
2 workshops pursuant to statewide criteria which train individuals in
3 conducting evaluations.

4 D. The State Board of Education shall monitor compliance with
5 the provisions of this section by school districts.

6 E. Refusal by a school district to comply with the provisions
7 of this section shall be grounds for withholding State Aid funds
8 until compliance occurs.

9 SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-101.16, is
10 amended to read as follows:

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

15 B. The TLE shall include the following components:

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

- 17 a. superior,
- 18 b. highly effective,
- 19 c. effective,
- 20 d. needs improvement, and
- 21 e. ineffective;

22 2. Annual evaluations that provide feedback to improve student
23 learning and outcomes;

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

3 4. ~~Quantitative and qualitative assessment components measured~~
4 ~~as follows:~~

5 a. ~~fifty percent (50%) of the ratings of teachers and~~
6 ~~leaders shall be based on quantitative components~~
7 ~~which shall be divided as follows:~~

8 ~~(1) thirty-five percentage points based on student~~
9 ~~academic growth using multiple years of~~
10 ~~standardized test data, as available, and~~

11 ~~(2) fifteen percentage points based on other academic~~
12 ~~measurements, and~~

13 b. ~~fifty percent (50%) of the rating of teachers and~~
14 ~~leaders shall be based on rigorous and fair~~
15 ~~qualitative assessment components;~~

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

- 21 a. organizational and classroom management skills,
22 b. ability to provide effective instruction,
23 c. focus on continuous improvement and professional
24 growth,

1 d. interpersonal skills, and

2 e. leadership skills;

3 ~~6.~~ 5. An evidence-based qualitative assessment tool for the
4 leader qualitative portion of the TLE that will include observable
5 and measurable characteristics of personnel and site management
6 practices that are correlated to student performance success,
7 including, but not limited to:

8 a. organizational and school management, including
9 retention and development of effective teachers and
10 dismissal of ineffective teachers,

11 b. instructional leadership,

12 c. professional growth and responsibility,

13 d. interpersonal skills,

14 e. leadership skills, and

15 f. stakeholder perceptions; ~~and~~

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

1 C. The Teacher and Leader Effectiveness Commission shall
2 provide oversight and advise the State Board of Education on the
3 development and implementation of the TLE.

4 D. The State Department of Education shall provide to the
5 Oklahoma State Regents for Higher Education and the Oklahoma
6 Commission for Teacher Preparation timely electronic data linked to
7 teachers and leaders derived from the TLE for purposes of providing
8 a basis for the development of accountability and quality
9 improvements of the teacher preparation system. The data shall be
10 provided in a manner and at such times as agreed upon between the
11 Department, the State Regents and the Commission.

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

15 SECTION 3. AMENDATORY 70 O.S. 2011, Section 6-101.17, is
16 amended to read as follows:

17 Section 6-101.17 A. There is hereby created to continue until
18 July 1, 2016, in accordance with the provisions of the Oklahoma
19 Sunset Law, the Teacher and Leader Effectiveness Commission.

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

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

22 2. A member of the Senate, appointed by the President Pro
23 Tempore of the Senate;

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1 3. A member of the House of Representatives, appointed by the
2 Speaker of the House of Representatives;

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

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

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

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

11 8. A representative of a technology center school district,
12 appointed by the Director of the Oklahoma Department of Career and
13 Technology Education;

14 9. A representative of an institution within The Oklahoma State
15 System of Higher Education, appointed by the Chancellor of Higher
16 Education;

17 10. A representative of a statewide organization representing
18 school district boards of education, appointed by the President Pro
19 Tempore of the Senate;

20 11. A representative of a statewide organization representing
21 public school superintendents, appointed by the Speaker of the House
22 of Representatives;

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

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

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

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

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

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

16 C. Initial appointments pursuant to the provisions of this
17 section shall be made no later than August 1, 2010. Members shall
18 serve at the pleasure of the appointing authority. Vacancies shall
19 be filled by the original appointing authority. The State
20 Superintendent of Public Instruction, or designee, shall serve as
21 chair of the Commission. Members of the Commission shall select a
22 vice-chair from the membership of the Commission. Meetings of the
23 Commission shall be held at the call of the chair. A majority of
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1 the members of the Commission shall constitute a quorum for the
2 transaction of any business.

3 D. Members of the Commission shall receive no compensation for
4 serving on the Commission, but shall receive travel reimbursement as
5 follows:

6 1. State employees who are members of the Commission shall be
7 reimbursed for travel expenses incurred in the performance of their
8 duties by their respective agencies in accordance with the State
9 Travel Reimbursement Act;

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

12 3. All other members of the Commission shall be reimbursed by
13 the State Department of Education for travel expenses incurred in
14 the performance of their duties in accordance with the State Travel
15 Reimbursement Act.

16 E. Staff support for the Commission shall be provided by the
17 State Department of Education and the Oklahoma Commission for
18 Teacher Preparation.

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

22 G. The Commission shall comply with the provisions of the
23 Oklahoma Open Meeting Act and the Oklahoma Open Records Act.
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1 H. The duties of the Commission, as specified in subsection I
2 of this section, shall not be contingent upon the state being
3 selected to receive or the state actually receiving any federal Race
4 to the Top funding.

5 I. The Commission shall provide oversight and advise the State
6 Board of Education on the development and implementation of the
7 Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as
8 created in Section 6-101.16 of this title, including:

9 1. Making recommendations to the State Board regarding the
10 development and implementation of the TLE prior to adoption of any
11 permanent rules or policies by the State Board;

12 2. Regularly reviewing progress toward development and
13 implementation of the ~~quantitative~~ and qualitative measures that
14 comprise the TLE;

15 3. Regularly reviewing progress toward timely access to student
16 growth data;

17 4. Regularly reviewing the correlation between the ~~quantitative~~
18 ~~and~~ qualitative scores and other data to ensure that the TLE is
19 being implemented with validity and that evaluations of individuals
20 conducted by school districts are meaningful and demonstrate that
21 reasonable distinctions are being made relating to performance;

22 5. Assuring input and participation from teachers and leaders
23 on the development and implementation of the TLE;

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1 6. Gathering public comment on the development and
2 effectiveness of the TLE; ~~and~~

3 7. Assuring that the TLE is based on research-based national
4 best practices and methodology; and

5 8. Making recommendations to the State Board regarding the
6 redevelopment and implementation of the TLE to reflect the removal
7 of the quantitative measures as directed pursuant to Section 4 of
8 this act.

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

13 SECTION 4. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 6-101.18 of Title 70, unless
15 there is created a duplication in numbering, reads as follows:

16 By December 31, 2013, the State Board of Education shall revise
17 the Oklahoma Teacher and Leader Effectiveness Evaluation System
18 (TLE) adopted pursuant to Section 6-101.16 of Title 70 of the
19 Oklahoma Statutes to remove the quantitative assessment components
20 of the system.

21 SECTION 5. Sections 2 and 3 of this act shall become effective
22 January 1, 2014.

23 SECTION 6. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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4 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/26/2013
5 - DO PASS, As Coauthored.

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