

1 **SENATE FLOOR VERSION**

2 February 25, 2013

3 SENATE BILL NO. 426

By: Ford of the Senate

4 and

5 Sears of the House

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7  
8 An Act relating to teacher evaluations; amending 70  
9 O.S. 2011, Sections 6-101.10 and 6-101.16, which  
10 relate to Oklahoma Teacher and Leader Effectiveness  
11 Evaluation System; providing a timeline for  
12 establishment of evaluation criteria; clarifying  
13 deadlines for evaluations of probationary teachers;  
14 allowing the State Board of Education to adopt  
15 certain alternative percentages; directing the State  
16 Department of Education to keep certain records  
17 confidential; providing an effective date; and  
18 declaring an emergency.

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1 title, the procedure for evaluating members of the negotiations unit  
2 and any standards of performance and conduct proposed for adoption  
3 beyond those established by the State Board of Education shall be  
4 negotiable items. Nothing in this section shall be construed to  
5 annul, modify or to preclude the renewal or continuing of any  
6 existing agreement heretofore entered into between any school  
7 district and any organizational representative of its employees.  
8 Every policy of evaluation adopted by a board of education shall:

9 1. Be based upon a set of minimum criteria developed by the  
10 State Board of Education, which by no later than the ~~2013-14~~ 2014-15  
11 school year, shall be revised and based upon the qualitative and  
12 quantitative components of the Oklahoma Teacher and Leader  
13 Effectiveness Evaluation System (TLE) developed by the State Board  
14 of Education as provided in Section ~~6~~ 6-101.16 of this ~~act~~ title,  
15 provided that policies of evaluation shall incorporate the  
16 qualitative component by the 2013-14 school year;

17 2. Be prescribed in writing at the time of adoption and at all  
18 times when amendments to the policy are adopted. The original  
19 policy and all amendments to the policy shall be promptly made  
20 available to all persons subject to the policy;

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

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1 4. Provide that every probationary teacher ~~be evaluated~~ receive  
2 formative feedback from the evaluation process at least two times  
3 per school year, once ~~prior to November 15~~ during the fall semester  
4 and once ~~prior to February 10~~ during the spring semester of each  
5 school year;

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

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

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

20 C. The State Department of Education shall develop and conduct  
21 workshops pursuant to statewide criteria which train individuals in  
22 conducting evaluations.

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

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

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

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

10 B. The TLE shall include the following components:

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

- 12 a. superior,
- 13 b. highly effective,
- 14 c. effective,
- 15 d. needs improvement, and
- 16 e. ineffective;

17 2. Annual evaluations that provide feedback to improve student  
18 learning and outcomes;

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

21 4. Quantitative and qualitative assessment components measured  
22 as follows:

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1 a. fifty percent (50%) of the ratings of teachers and  
2 leaders shall be based on quantitative components  
3 which shall be divided as follows:

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

7 (2) fifteen percentage points based on other academic  
8 measurements, and

9 b. fifty percent (50%) of the rating of teachers and  
10 leaders shall be based on rigorous and fair  
11 qualitative assessment components;

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

- 17 a. organizational and classroom management skills,
- 18 b. ability to provide effective instruction,
- 19 c. focus on continuous improvement and professional  
20 growth,
- 21 d. interpersonal skills, and
- 22 e. leadership skills;

23 6. An evidence-based qualitative assessment tool for the leader  
24 qualitative portion of the TLE that will include observable and

1 measurable characteristics of personnel and site management  
2 practices that are correlated to student performance success,  
3 including, but not limited to:

- 4 a. organizational and school management, including
- 5 retention and development of effective teachers and
- 6 dismissal of ineffective teachers,
- 7 b. instructional leadership,
- 8 c. professional growth and responsibility,
- 9 d. interpersonal skills,
- 10 e. leadership skills, and
- 11 f. stakeholder perceptions; ~~and~~

12 7. For those teachers in grades and subjects for which there is  
13 no state-mandated testing measure to create a quantitative  
14 assessment for the quantitative portion of the TLE, ~~an assessment~~  
15 ~~using objective measures of teacher effectiveness including student~~  
16 ~~performance on unit or end-of-year tests~~ the State Board of  
17 Education may adopt alternative percentages from those set forth in  
18 paragraph 4 of subsection B of this section. Emphasis shall be  
19 placed on the observed qualitative assessment as well as  
20 contribution to the overall school academic growth; and

21 8. Evaluations of first-year teachers will be based solely on  
22 qualitative components set forth in paragraph 4 of subsection B of  
23 this section.

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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 F. The State Department of Education shall keep records of  
16 annual evaluations received pursuant to this section confidential.

17 SECTION 3. This act shall become effective July 1, 2013.

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

22 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
23 February 25, 2013 - DO PASS  
24