

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 1620

By: Cannaday

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6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 6-101.10, which relates to the establishment
9 of a written policy of evaluation; changing date for
10 school district implementation of the Oklahoma
11 Teacher and Leader Effectiveness Evaluation System;
12 amending 70 O.S. 2011, Section 6-101.16, which
13 relates to the Oklahoma Teacher and Leader
14 Effectiveness Evaluation System; deleting reference
15 to the percentage measurement of certain assessment
16 components; deleting alternative assessment component
17 for certain teachers; amending 70 O.S. 2011, Section
18 6-101.17, which relates to the Teacher and Leader
19 Effectiveness Commission; deleting references to the
20 quantitative portion of the Oklahoma Teacher and
21 Leader Effectiveness Evaluation System; directing the
22 Commission to make recommendations regarding the
23 redevelopment of the Oklahoma Teacher and Leader
24 Effectiveness Evaluation System; directing the State
Board of Education to revise the Oklahoma Teacher and
Leader Effectiveness Evaluation System by a certain
date; providing for codification; providing an
effective date; and declaring an emergency.

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

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

Section 6-101.10 A. Each school district board of education
shall maintain and annually review, following consultation with or

1 involvement of representatives selected by local teachers, a written
2 policy of evaluation for all teachers and administrators. In those
3 school districts in which there exists a professional negotiations
4 agreement made in accordance with Sections 509.1 et seq. of this
5 title, the procedure for evaluating members of the negotiations unit
6 and any standards of performance and conduct proposed for adoption
7 beyond those established by the State Board of Education shall be
8 negotiable items. Nothing in this section shall be construed to
9 annul, modify or to preclude the renewal or continuing of any
10 existing agreement heretofore entered into between any school
11 district and any organizational representative of its employees.

12 Every policy of evaluation adopted by a board of education shall:

13 1. Be based upon a set of minimum criteria developed by the
14 State Board of Education, which by no later than the ~~2013-14~~ 2014-
15 2015 school year, shall be revised and based upon the Oklahoma
16 Teacher and Leader Effectiveness Evaluation System (TLE) developed
17 by the State Board of Education as provided in Section 6 of this
18 act;

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

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

4 4. 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. Provide that every teacher be evaluated once every year,
8 except as otherwise provided by law; and

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

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

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

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

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

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

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

12 B. The TLE shall include the following components:

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

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

19 2. Annual evaluations that provide feedback to improve student
20 learning and outcomes;

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

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

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.~~ 5. An evidence-based qualitative assessment tool for the
24 leader qualitative portion of the TLE that will include observable

1 and 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. Emphasis shall be placed~~
17 ~~on the observed qualitative assessment as well as contribution to~~
18 ~~the overall school academic growth.~~

19 C. The Teacher and Leader Effectiveness Commission shall
20 provide oversight and advise the State Board of Education on the
21 development and implementation of the TLE.

22 D. The State Department of Education shall provide to the
23 Oklahoma State Regents for Higher Education and the Oklahoma
24 Commission for Teacher Preparation timely electronic data linked to

1 teachers and leaders derived from the TLE for purposes of providing
2 a basis for the development of accountability and quality
3 improvements of the teacher preparation system. The data shall be
4 provided in a manner and at such times as agreed upon between the
5 Department, the State Regents and the Commission.

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

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

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

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

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

16 2. A member of the Senate, appointed by the President Pro
17 Tempore of the Senate;

18 3. A member of the House of Representatives, appointed by the
19 Speaker of the House of Representatives;

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

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

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

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

5 8. A representative of a technology center school district,
6 appointed by the Director of the Oklahoma Department of Career and
7 Technology Education;

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

11 10. A representative of a statewide organization representing
12 school district boards of education, appointed by the President Pro
13 Tempore of the Senate;

14 11. A representative of a statewide organization representing
15 public school superintendents, appointed by the Speaker of the House
16 of Representatives;

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

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

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

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

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

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

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

20 D. Members of the Commission shall receive no compensation for
21 serving on the Commission, but shall receive travel reimbursement as
22 follows:

23 1. State employees who are members of the Commission shall be
24 reimbursed for travel expenses incurred in the performance of their

1 duties by their respective agencies in accordance with the State
2 Travel Reimbursement Act;

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

5 3. All other members of the Commission shall be reimbursed by
6 the State Department of Education for travel expenses incurred in
7 the performance of their duties in accordance with the State Travel
8 Reimbursement Act.

9 E. Staff support for the Commission shall be provided by the
10 State Department of Education and the Oklahoma Commission for
11 Teacher Preparation.

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

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

17 H. The duties of the Commission, as specified in subsection I
18 of this section, shall not be contingent upon the state being
19 selected to receive or the state actually receiving any federal Race
20 to the Top funding.

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

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

4 2. Regularly reviewing progress toward development and
5 implementation of the ~~quantitative and~~ qualitative measures that
6 comprise the TLE;

7 3. Regularly reviewing progress toward timely access to student
8 growth data;

9 4. Regularly reviewing the correlation between the ~~quantitative~~
10 ~~and~~ qualitative scores and other data to ensure that the TLE is
11 being implemented with validity and that evaluations of individuals
12 conducted by school districts are meaningful and demonstrate that
13 reasonable distinctions are being made relating to performance;

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

16 6. Gathering public comment on the development and
17 effectiveness of the TLE; ~~and~~

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

20 8. Making recommendations to the State Board regarding the
21 redevelopment and implementation of the TLE to reflect the removal
22 of the quantitative measures as directed pursuant to Section 4 of
23 this act.

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1 J. The Commission shall issue a report by December 31 of each
2 year and submit a copy of the report to the Governor, the Speaker of
3 the House of Representatives and the President Pro Tempore of the
4 Senate.

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

8 By December 31, 2013, the State Board of Education shall revise
9 the Oklahoma Teacher and Leader Effectiveness Evaluation System
10 (TLE) adopted pursuant to Section 6-101.16 of Title 70 of the
11 Oklahoma Statutes to remove the quantitative assessment components
12 of the system.

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

15 SECTION 6. 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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