

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 1292

By: Casey

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2011, Section 6-101.10, as last amended by Section 1, Chapter 331, O.S.L. 2014 (70 O.S. Supp. 2014, Section 6-101.10), which relates to teacher evaluation policies; amending 70 O.S. 2011, Section 6-101.16, as last amended by Section 3, Chapter 331, O.S.L. 2014 (70 O.S. Supp. 2014, Section 6-101.16), which relates to the Oklahoma Teacher and Leader Effectiveness Evaluation System; modifying dates for implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System; modifying date for adoption of recommendations by the Teacher and Leader Effectiveness Commission; clarifying responsibilities; 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, as last amended by Section 1, Chapter 331, O.S.L. 2014 (70 O.S. Supp. 2014, 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 involvement of representatives selected by local teachers, a written policy of evaluation for all teachers and administrators. In those school districts in which there exists a professional negotiations

1 agreement made in accordance with Section 509.1 et seq. of this
2 title, the procedure for evaluating members of the negotiations unit
3 and any standards of performance and conduct proposed for adoption
4 beyond those established by the State Board of Education shall be
5 negotiable items. Nothing in this section shall be construed to
6 annul, modify or to preclude the renewal or continuing of any
7 existing agreement heretofore entered into between any school
8 district and any organizational representative of its employees.

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

10 1. Be based upon a set of minimum criteria developed by the
11 State Board of Education, which shall be revised and based upon the
12 Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE)
13 developed by the State Board of Education as provided in Section 6-
14 101.16 of this title. The revisions to each policy of evaluation
15 shall be phased in according to the following schedule:

- 16 a. for evaluations of teachers and administrators
17 conducted during the 2012-2013 school year, school
18 districts shall for purposes of testing the TLE
19 incorporate on a trial basis the qualitative
20 components of the TLE as provided for in subparagraph
21 b of paragraph 4 of subsection B of Section 6-101.16
22 of this title into the evaluations used in all or a
23 representative sampling of school sites within the
24 district and may at the option of the school district

1 incorporate on a trial basis the other academic
2 measurement quantitative components of the TLE as
3 provided for in division (2) of subparagraph a of
4 paragraph 4 of subsection B of Section 6-101.16 of
5 this title into the evaluations used in all or a
6 representative sampling of school sites within the
7 district,

- 8 b. for evaluations of teachers and administrators
9 conducted during the 2013-2014 school year, school
10 districts shall incorporate and put into operation the
11 qualitative components of the TLE as provided for in
12 subparagraph b of paragraph 4 of subsection B of
13 Section 6-101.16 of this title into the evaluations
14 used in all school sites within the district. For the
15 2013-2014 school year one hundred percent (100%) of
16 the evaluation rating of teachers and administrators
17 shall be based on the qualitative component of the
18 TLE. In addition, for evaluations of teachers and
19 administrators conducted during the 2013-2014 school
20 year, school districts shall for purposes of testing
21 the TLE incorporate on a trial basis the student
22 academic growth and other academic measurement
23 quantitative components of the TLE as provided for in
24 subparagraph a of paragraph 4 of subsection B of

1 Section 6-101.16 of this title into the evaluations
2 used in all or a representative sampling of school
3 sites within the district. However, nothing in this
4 subparagraph shall preclude a school district with an
5 average daily attendance of more than thirty-five
6 thousand (35,000) from incorporating at its own
7 expense the quantitative model of the TLE and basing
8 up to fifty percent (50%) of the evaluation rating of
9 teachers and administrators on the quantitative
10 components of the TLE, as defined by the district's
11 written policy, during the 2013-2014 school year,

12 c. for evaluations of teachers and administrators
13 conducted during the 2014-2015 school year and each
14 school year thereafter until the first full academic
15 year after which the Teacher and Leader Effectiveness
16 Commission recommends the quantitative component of
17 the TLE, school districts shall for purposes of
18 establishing baseline data incorporate the student
19 academic growth and other academic measurement
20 quantitative components of the TLE as provided for in
21 subparagraph a of paragraph 4 of subsection B of
22 Section 6-101.16 of this title into the evaluations
23 used in all school sites within the district. For the
24 2014-2015 school year and each school year thereafter

1 until the first full academic year after which the
2 Teacher and Leader Effectiveness Commission recommends
3 the quantitative component of the TLE, one hundred
4 percent (100%) of the evaluation rating of teachers
5 and administrators shall be based on the qualitative
6 component of the TLE, and no portion of the evaluation
7 rating shall be based on the quantitative components
8 of the TLE. However, nothing in this subparagraph
9 shall preclude a school district with an average daily
10 attendance of more than thirty-five thousand (35,000)
11 from incorporating at its own expense the quantitative
12 model of the TLE and basing up to fifty percent (50%)
13 of the evaluation rating of teachers and
14 administrators on the quantitative components of the
15 TLE, as defined by the district's written policy,
16 during the 2014-2015 school year and each school year
17 thereafter until the first full academic year after
18 which the Teacher and Leader Effectiveness Commission
19 recommends the quantitative component of the TLE, and

20 d. for evaluations of teachers and administrators
21 conducted during the ~~2015-2016 school year~~ first full
22 academic year after which the Teacher and Leader
23 Effectiveness Commission recommends the quantitative
24 component of the TLE and each school year thereafter,

1 school districts shall fully implement the TLE and
2 incorporate and put into operation both the
3 qualitative components of the TLE as provided for in
4 subparagraph b of paragraph 4 of subsection B of
5 Section 6-101.16 of this title and the student
6 academic growth and other academic measurement
7 quantitative components of the TLE as provided for in
8 subparagraph a of paragraph 4 of subsection B of
9 Section 6-101.16 of this title into the evaluations
10 used in all school sites within the district. For the
11 2015-2016 school year first full academic year after
12 which the Teacher and Leader Effectiveness Commission
13 recommends the quantitative component of the TLE and
14 each school year thereafter, fifty percent (50%) of
15 the evaluation rating of teachers and administrators
16 shall be based on the qualitative component of the TLE
17 and fifty percent (50%) shall be based on the
18 quantitative component of the TLE;

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;

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 receive formative
5 feedback from the evaluation process at least two times per school
6 year, once during the fall semester and once during the spring
7 semester;

8 5. Provide that every teacher be evaluated once every year,
9 except for career teachers receiving a "superior" or "highly
10 effective" rating under the TLE, who may be evaluated once every two
11 (2) years; and

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

18 B. All individuals designated by the school district board of
19 education to conduct the personnel evaluations shall be required to
20 participate in training conducted by the State Department of
21 Education or training provided by the school district using
22 guidelines and materials developed by the State Department of
23 Education prior to conducting evaluations.
24

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 F. Data collected pursuant to this section shall not be subject
10 to the Oklahoma Open Meeting Act or the Oklahoma Open Records Act.

11 SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-101.16, as
12 last amended by Section 3, Chapter 331, O.S.L. 2014 (70 O.S. Supp.
13 2014, Section 6-101.16), is amended to read as follows:

14 Section 6-101.16 A. By December 15, 2011, the State Board of
15 Education shall adopt a new statewide system of evaluation to be
16 known as the Oklahoma Teacher and Leader Effectiveness Evaluation
17 System (TLE). The Board shall work cooperatively with school
18 districts to fully implement both the quantitative and qualitative
19 components of the TLE in all school districts by the ~~2015-2016~~
20 school year first full academic year after which the Teacher and
21 Leader Effectiveness Commission recommends the quantitative
22 component of the TLE as provided for in Section 6-101.10 of this
23 title, including determining the final calculation of the student
24 academic growth measurement as provided for in division (1) of

1 subparagraph a of paragraph 4 of subsection B of this section and
2 developing a teacher/student assignment verification system.

3 B. The TLE shall include the following components:

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

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

10 2. Annual evaluations that provide feedback to improve student
11 learning and outcomes, except as provided for in subsection C of
12 this section;

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

15 4. Quantitative and qualitative assessment components measured
16 as follows:

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

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

23 (2) fifteen percentage points based on other academic
24 measurements, and

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

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

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

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

- 20 a. organizational and school management, including
21 retention and development of effective teachers and
22 dismissal of ineffective teachers,
- 23 b. instructional leadership,
- 24 c. professional growth and responsibility,

- d. interpersonal skills,
- e. leadership skills, and
- f. stakeholder perceptions;

7. For those teachers in grades and subjects for which there is no state-mandated testing measure to create a quantitative assessment for the quantitative portion of the TLE, the State Board of Education may adopt alternative percentages from those set forth in paragraph 4 of this subsection. Emphasis shall be placed on the observed qualitative assessment as well as contribution to the overall school academic growth; and

8. For first-year and second-year teachers, evaluations shall be based solely on qualitative components set forth in subparagraph b of paragraph 4 of this subsection and the State Board of Education shall adopt alternative percentages from those set forth in paragraph 4 of this subsection.

C. Career teachers receiving a "superior" or "highly effective" rating under the TLE may be evaluated once every two (2) years.

D. The Teacher and Leader Effectiveness Commission shall adopt recommendations on the student academic growth and other academic measurement quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B ~~of Section 6-101.16~~ of this ~~title~~ section by May 1, ~~2014~~ 2016. The Commission shall provide oversight and advise the State Board of Education on the

1 development and implementation of the TLE as provided for in Section
2 6-101.17 of this title.

3 E. A school district which has incorporated quantitative
4 components of the TLE pursuant to subparagraphs b and c of paragraph
5 1 of subsection A of Section 6-101.10 of this title may continue
6 using those quantitative components, as defined by the school
7 districts' written policies, regardless of the State Board of
8 Education's adoption of quantitative components pursuant to this
9 section.

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

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

21 H. The State Department of Education shall keep all data
22 collected pursuant to the TLE and records of annual evaluations
23 received pursuant to this section confidential.
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1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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