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February 24, 2014

AS AMENDED

SENATE BILL NO. 1828

By: Ford of the Senate

and

Nelson of the House

[teacher and leader evaluations - disclosure at
certain hearings - Oklahoma Teacher and Leader
Effectiveness Evaluation System - certain data
confidential - effective date -

emergency]

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-101.11, is amended to read as follows:

Section 6-101.11. Whenever any evaluation is made of a teacher or administrator, a true copy of the evaluation shall be presented to the person evaluated, who shall acknowledge the written evaluation by signing the original. Within two (2) weeks after the evaluation, the person evaluated may respond and said response shall be made part of the record. Except by order of a court of competent jurisdiction, evaluation documents and the responses thereto shall be available only to the evaluated person, the board of education, the administrative staff making the evaluation, the board and

1 administrative staff of any school to which such evaluated person
2 applies for employment and such other persons as are specified by
3 the teacher in writing and shall be subject to disclosure at ~~a~~ any
4 ~~hearing or trial de novo~~ involving a teacher or administrator's
5 dismissal or nonrenewal from employment. Data collected pursuant to
6 Section 6-101.10 shall be available to authorized representatives of
7 the State Department of Education and its contracting designees who
8 must be contractually bound to the Department to maintain
9 confidentiality of all information received from the Department when
10 such evaluation data is used by the Department for data
11 collection/analysis purposes under the Oklahoma Teacher and Leader
12 Effectiveness Evaluation System, and such other persons as are
13 specified by the teacher in writing and shall be subject to
14 disclosure at any hearing involving a teacher or administrator's
15 dismissal or nonrenewal from employment.

16 SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-101.16, as
17 last amended by Section 4, Chapter 373, O.S.L. 2013 (70 O.S. Supp.
18 2013, Section 6-101.16), is amended to read as follows:

19 Section 6-101.16. A. By December 15, 2011, the State Board of
20 Education shall adopt a new statewide system of evaluation to be
21 known as the Oklahoma Teacher and Leader Effectiveness Evaluation
22 System (TLE). The Board shall work cooperatively with school
23 districts to fully implement both the quantitative and qualitative
24 components of the TLE in all school districts by the 2015-2016

1 school year as provided for in Section 6-101.10 of this title,
2 including determining the final calculation of the student academic
3 growth measurement as provided for in division (1) of subparagraph a
4 of paragraph 4 of subsection B of this section and developing a
5 teacher/student assignment verification system.

6 B. The TLE shall include the following components:

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

- 8 a. superior,
- 9 b. highly effective,
- 10 c. effective,
- 11 d. needs improvement, and
- 12 e. ineffective;

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

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

18 4. Quantitative and qualitative assessment components measured
19 as follows:

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

1 (1) thirty-five percentage points based on student
2 academic growth using multiple years of

3 standardized test data, as available, and

4 (2) fifteen percentage points based on other academic
5 measurements, and

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

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

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

20 6. An evidence-based qualitative assessment tool for the leader
21 qualitative portion of the TLE that will include observable and
22 measurable characteristics of personnel and site management
23 practices that are correlated to student performance success,
24 including, but not limited to:

- a. organizational and school management, including retention and development of effective teachers and dismissal of ineffective teachers,
- b. instructional leadership,
- 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 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 the student academic growth and other academic measurement

1 quantitative components of the TLE as provided for in subparagraph a
2 of paragraph 4 of subsection B of Section 6-101.16 of this title by
3 May 1, 2014. The Commission shall provide oversight and advise the
4 State Board of Education on the development and implementation of
5 the TLE.

6 E. A school district which has incorporated quantitative
7 components of the TLE pursuant to subparagraphs b and c of paragraph
8 1 of subsection A of Section ~~2 of this act~~ 6-101.10 of this title
9 may continue using those quantitative components, as defined by the
10 school districts' written policies, regardless of the State Board of
11 Education's adoption of quantitative components pursuant to this
12 section.

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

21 G. For purposes of this section, "leader" means a principal,
22 assistant principal or any other school administrator who is
23 responsible for supervising classroom teachers.
24

1 H. The State Department of Education shall keep all data
2 collected pursuant to the TLE and records of annual evaluations
3 received pursuant to this section confidential.

4 SECTION 3. This act shall become effective July 1, 2014.

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

9 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
10 February 24, 2014 - DO PASS AS AMENDED
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