

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 ENGROSSED SENATE

5 BILL NO. 706

 By: Ford and Pittman of the
 Senate

6 and

7 Casey of the House

8
9 [teachers - evaluation policies - certain study -

10 Teacher and Leader Effectiveness Evaluation System

11 - certain evaluation percentage for certain

12 teachers - certain alternative percentages -

13 ~~effective date -~~

14 ~~emergency]~~

15
16
17 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

18 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-101.10, as
19 last amended by Section 1, Chapter 331, O.S.L. 2014 (70 O.S. Supp.
20 2014, Section 6-101.10), is amended to read as follows:

21 Section 6-101.10. A. Each school district board of education
22 shall maintain and annually review, following consultation with or
23 involvement of representatives selected by local teachers, a written
24 policy of evaluation for all teachers and administrators. In those

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

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

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

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

- 9 b. for evaluations of teachers and administrators
10 conducted during the 2013-2014 school year, school
11 districts shall incorporate and put into operation the
12 qualitative components of the TLE as provided for in
13 subparagraph b of paragraph 4 of subsection B of
14 Section 6-101.16 of this title into the evaluations
15 used in all school sites within the district. For the
16 2013-2014 school year one hundred percent (100%) of
17 the evaluation rating of teachers and administrators
18 shall be based on the qualitative component of the
19 TLE. In addition, for evaluations of teachers and
20 administrators conducted during the 2013-2014 school
21 year, school districts shall for purposes of testing
22 the TLE incorporate on a trial basis the student
23 academic growth and other academic measurement
24 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 into the evaluations
used in all or a representative sampling of school
sites within the district. However, nothing in this
subparagraph shall preclude a school district with an
average daily attendance of more than thirty-five
thousand (35,000) from incorporating at its own
expense the quantitative model of the TLE and basing
up to fifty percent (50%) of the evaluation rating of
teachers and administrators on the quantitative
components of the TLE, as defined by the district's
written policy, during the 2013-2014 school year,
c. for evaluations of teachers and administrators
conducted during the 2014-2015, 2015-2016, and 2016-
2017 school ~~year~~ years, school districts shall for
purposes of establishing baseline data incorporate 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 into the evaluations
used in all school sites within the district. For the
2014-2015, 2015-2016, and 2016-2017 school ~~year~~ years,
one hundred percent (100%) of the evaluation rating of
teachers and administrators shall be based on the

1 qualitative component of the TLE, and no portion of
2 the evaluation rating shall be based on the
3 quantitative components of the TLE. However, nothing
4 in this subparagraph shall preclude a school district
5 with an average daily attendance of more than thirty-
6 five 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 2014-2015, 2015-2016, and
12 2016-2017 school ~~year~~ years, and

- 13 d. for evaluations of teachers and administrators
14 conducted during the ~~2015-2016~~ 2017-2018 school year
15 and each school year thereafter, school districts
16 shall fully implement the TLE and incorporate and put
17 into operation both the qualitative components of the
18 TLE as provided for in subparagraph b of paragraph 4
19 of subsection B of Section 6-101.16 of this title and
20 the student academic growth and other academic
21 measurement quantitative components of the TLE as
22 provided for in subparagraph a of paragraph 4 of
23 subsection B of Section 6-101.16 of this title into
24 the evaluations used in all school sites within the

1 district. For the ~~2015-2016~~ 2017-2018 school year and
2 each school year thereafter, fifty percent (50%) of
3 the evaluation rating of teachers and administrators
4 shall be based on the qualitative component of the TLE
5 and fifty percent (50%) shall be based on the
6 quantitative component of the TLE;

7 2. Be prescribed in writing at the time of adoption and at all
8 times when amendments to the policy are adopted. The original
9 policy and all amendments to the policy shall be promptly made
10 available to all persons subject to the policy;

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

14 4. Provide that every probationary teacher receive formative
15 feedback from the evaluation process at least two times per school
16 year, once during the fall semester and once during the spring
17 semester;

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

22 6. Provide that, except for superintendents of independent and
23 elementary school districts and superintendents of area school
24 districts who shall be evaluated by the school district board of

1 education, all certified personnel shall be evaluated by a
2 principal, assistant principal, or other trained certified
3 individual designated by the school district board of education.

4 B. All individuals designated by the school district board of
5 education to conduct the personnel evaluations shall be required to
6 participate in training conducted by the State Department of
7 Education or training provided by the school district using
8 guidelines and materials developed by the State Department of
9 Education prior to conducting evaluations.

10 C. The State Department of Education shall develop and conduct
11 workshops pursuant to statewide criteria which train individuals in
12 conducting evaluations.

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

15 E. The State Board of Education, in consultation with the
16 Teacher and Leader Effectiveness Commission, shall study continued
17 implementation of the TLE to produce a system that promotes
18 reflection and professional growth for teachers and leaders.

19 F. Refusal by a school district to comply with the provisions
20 of this section shall be grounds for withholding State Aid funds
21 until compliance occurs.

22 ~~F.~~ G. Data collected pursuant to this section shall not be
23 subject to the Oklahoma Open Meeting Act or the Oklahoma Open
24 Records Act.

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

4 Section 6-101.16. A. By December 15, 2011, the State Board of
5 Education shall adopt a new statewide system of evaluation to be
6 known as the Oklahoma Teacher and Leader Effectiveness Evaluation
7 System (TLE). The Board shall work cooperatively with school
8 districts to fully implement both the quantitative and qualitative
9 components of the TLE in all school districts by the ~~2015-2016~~ 2017-
10 2018 school year as provided for in Section 6-101.10 of this title,
11 including determining the final calculation of the student academic
12 growth measurement as provided for in division (1) of subparagraph a
13 of paragraph 4 of subsection B of this section and developing a
14 teacher/student assignment verification system.

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, except as provided for in subsection C of
24 this section;

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. An evidence-based qualitative assessment tool for the leader
4 qualitative portion of the TLE that will include observable and
5 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;

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, the State Board
19 of Education may adopt alternative percentages from those set forth
20 in paragraph 4 of this subsection. Emphasis shall be placed on the
21 observed qualitative assessment as well as contribution to the
22 overall school academic growth. For those teachers who have at
23 least one tested grade or subject, school districts shall have the
24 option of adopting an alternative percentage from that set forth in

1 division (1) of subparagraph a of paragraph 4 of this subsection;
2 and

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

8 9. For teachers who were previously employed by a different
9 school district and for teachers who enter into post-retirement
10 employment with a public school, school districts shall have the
11 option of evaluating the teachers based solely on qualitative
12 components set forth in subparagraph b of paragraph 4 of this
13 subsection, and the State Board of Education shall adopt alternative
14 percentages from those set forth in paragraph 4 of this subsection.

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

17 D. The Teacher and Leader Effectiveness Commission shall adopt
18 the student academic growth and other academic measurement
19 quantitative components of the TLE as provided for in subparagraph a
20 of paragraph 4 of subsection B of Section 6-101.16 of this title by
21 May 1, 2014. The Commission shall provide oversight and advise the
22 State Board of Education on the development and implementation of
23 the TLE.
24

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

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

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

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

22 ~~SECTION 3. This act shall become effective July 1, 2015.~~

23 ~~SECTION 4. 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 03/24/2015
5 - DO PASS, As Amended.
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