

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 1959

By: Provenzano of the House

and

Pemberton of the Senate

COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2011, Section 6-101.16, as last amended by Section 4, Chapter 301, O.S.L. 2016 (70 O.S. Supp. 2018, Section 6-101.16), which relates to the Oklahoma Teacher and Leader Effectiveness Evaluation System; allowing an exemption to certain evaluation for certain time period if a teacher receives certain rating for certain number of years; requiring continued participation in certain professional development programs; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-101.16, as last amended by Section 4, Chapter 301, O.S.L. 2016 (70 O.S. Supp. 2018, Section 6-101.16), is amended to read as follows:

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

1 districts to incorporate the components of the TLE in all school  
2 districts by the 2017-2018 school year as provided for in Section 6-  
3 101.10 of this title.

4 B. The TLE shall include the following components:

5 1. Annual evaluations that provide feedback to improve student  
6 learning and outcomes, except as provided for in subsection C of  
7 this section;

8 2. A five-tier district evaluation rating system as follows:

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

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

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

1        4. An evidence-based qualitative assessment tool for the leader  
2 qualitative portion of the TLE that will include observable and  
3 measurable characteristics of personnel and site management  
4 practices that are correlated to student performance success,  
5 including, but not limited to:

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

14        5. An individualized program of professional development for  
15 all teachers and administrators as adopted by the school district  
16 board of education as set forth in subsection B of Section 6-101.10  
17 of this title;

18        6. For districts choosing to use, at their own expense,  
19 quantitative measures of teachers and leaders as part of the  
20 district evaluation rating, such measures shall include a minimum of  
21 one reliable, research-based measure as approved by the State Board  
22 of Education pursuant to subsection D of this section; and

23        7. For all district evaluations, student performance, including  
24 performance on the statewide criterion-referenced tests if

1 available, shall be discussed with the teacher and may be one of the  
2 considerations for the teacher's district evaluation rating.

3 C. Career teachers receiving a district evaluation rating of  
4 "superior" or "highly effective" under the TLE may be evaluated once  
5 every three (3) years.

6 D. By December 1, 2015, the Teacher and Leader Effectiveness  
7 Commission shall recommend to the State Board of Education multiple  
8 reliable, research-based measures to provide a quantitative  
9 evaluation component for teachers. The State Board of Education  
10 shall approve and publish a list of approved measures by February 1,  
11 2016.

12 E. A school district with an average daily attendance of more  
13 than thirty-five thousand (35,000) which has incorporated  
14 quantitative components of the TLE into its evaluation system of  
15 teachers and administrators prior to the 2015-2016 school year may  
16 continue using its evaluation system, as defined by the school  
17 district's written policies, notwithstanding the provisions of this  
18 section and regardless of the State Board of Education's adoption of  
19 quantitative components pursuant to this section.

20 F. The State Department of Education shall provide to the  
21 Oklahoma State Regents for Higher Education and the Oklahoma  
22 Commission for Educational Quality and Accountability timely  
23 electronic data linked to teachers and leaders derived from the TLE  
24 for purposes of providing a basis for the development of

1 accountability and quality improvements of the teacher preparation  
2 system. The data shall be provided in a manner and at such times as  
3 agreed upon between the Department, the State Regents and the  
4 Commission.

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

8 H. The State Department of Education shall keep all data  
9 collected pursuant to the TLE and records of annual evaluations  
10 received pursuant to this section confidential. Records created  
11 pursuant to this section which identify, in any way, a current or  
12 former public employee shall not be subject to disclosure under the  
13 Oklahoma Open Records Act. Nothing in this subsection shall be  
14 construed to prohibit disclosure otherwise required by this section;  
15 provided, however, any provisions requiring disclosure of TLE  
16 records shall be construed narrowly and all individually identifying  
17 information shall be removed from such records to the fullest extent  
18 possible.

19 I. 1. Until November 1, 2022, a certified teacher subject to  
20 an individual annual evaluation pursuant to this section may be  
21 exempt from an evaluation if the teacher received an individual  
22 rating equivalent to "highly effective" or higher as provided for in  
23 paragraph 2 of subsection B of this section for two consecutive  
24 years.

1        2. Teachers receiving an exemption as provided for in this  
2 subsection shall still participate in programs of professional  
3 development adopted by the school district board of education as  
4 provided for in subsection B of Section 6-101.10 of this title.

5        SECTION 2. This act shall become effective November 1, 2019.

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