

HCS#2 HB 631 -- EDUCATOR QUALITY

SPONSOR: Elmer

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Elementary and Secondary Education by a vote of 13 to 10.

This substitute changes the laws regarding educator quality. In its main provisions, the substitute:

(1) Requires a charter school to include its personnel evaluation methods in its charter and to develop and implement an evaluation system consistent with the requirements of the substitute that uses multiple valid measures based on growth in student achievement with at least 33% of the evaluation's weight on student achievement on state assessments for those teachers who teach courses aligned with state standards and allows the school to set the percentage for those teachers who do not teach courses or grades subject to state assessments. The system must measure student growth through value-added methods or models that reflect at least one year's worth of growth or that students otherwise achieved appropriate growth based on expectations. Each teacher and administrator must be given one of the following four rating levels: "highly effective," "effective," "minimally effective" or "ineffective." The rating levels must be directly correlated to the specified summative evaluation results;

(2) Changes the basis of tenure from five consecutive years of employment to at least four consecutive years with four consecutive ratings of effective or highly effective. A teacher will lose permanent status after receiving a rating of ineffective or two consecutive ratings of minimally effective and will regain it by earning three consecutive ratings of effective, highly effective, or any combination of the two;

(3) Defines "student growth" and "value-added model" as they relate to teacher evaluations;

(4) Revises the "last-in, first-out" rule for placing teachers on leave of absence so that decisions will be made primarily on the results of performance evaluations instead of length of service;

(5) Changes the requirements for the evaluation of teachers and administrators by:

(a) Requiring each school district to develop and implement at least annually an evaluation system consistent with the requirements of the substitute that uses multiple measures based on growth in student achievement, either of its own development or the

model developed by the Department of Elementary and Secondary Education;

(b) Assigning at least 33% of the evaluation's weight to student achievement on state assessments for those teachers who teach courses aligned with state standards and allowing the district to set the percentage for those teachers who do not teach courses or grades subject to state assessments;

(c) Measuring student growth through value-added methods that reflect at least one year's worth of growth or that students otherwise achieved appropriate growth based on expectations derived from at least two years of individual student achievement data and specifying available measurement methods;

(d) Requiring each teacher and administrator to be given one of the following four rating levels: "highly effective," "effective," "minimally effective" or "ineffective." The rating levels must be directly correlated to the specified summative evaluation results;

(e) Requiring school districts to base personnel decisions primarily on evaluation results and requiring contracts and collective bargaining agreements entered into after August 28, 2013, to authorize the use of evaluations for this purpose;

(f) Clarifying that a school board has the authority to take disciplinary action concerning a teacher for issues that do not arise from evaluations;

(g) Placing a permanent teacher who receives a rating of "ineffective" or "minimally effective" on an individualized development plan during a remediation period;

(h) Requiring the department to promulgate rules and regulations that may include processes and requirements to determine the teacher of record for purposes of assigning student achievement scores to a teacher in evaluating the teacher's performance, standards for rating levels, and value-added model processes and requirements. The department must develop, implement, and publicly disseminate a statewide student growth model and a value-added model for determining student growth on assessment; provide technical assistance in developing and implementing a local evaluation system; develop a model evaluation system; and monitor local evaluation systems to ensure that evaluation outcomes are consistent with student achievement results at the district and school levels, that the systems meet specified requirements and implement department-issued rules and regulations, and direct any appropriate corrective actions; and

(i) Prohibiting the renewal of the contract of a probationary teacher who has been rated "ineffective" for two consecutive school years and the contract of a permanent teacher after three consecutive ratings of ineffective;

(6) Revises the St. Louis Public School District's tenure laws to make them consistent with the changes made to the tenure law for teachers and administrators in other school districts; and

(7) Repeals the provisions that require school districts to develop their own teaching standards; the process for remediating the work of a probationary teacher who is deemed to be doing unsatisfactory work; and the evaluation standards for school administrators.

PROPOSERS: Supporters say that with the state's waiver from No Child Left Behind (NCLB), districts must have performance-based evaluation systems, and the bill provides a sound, objective basis for those systems. Career advancement should be based on performance, not longevity. Tenure should not be automatic.

Testifying for the bill were Representative Elmer; Students First; Jerry Hobbs, Cole County R-I School District; David Liss, Nixa Public Schools; Woods Prael; Rebecca Roeber; Kate Gallen; LaTricia Clark, National Administrative Board of Educational Interventions; Missouri Chamber of Commerce and Industry; and Children's Education Council of Missouri.

OPPOSERS: Opponents of the bill say that the need for an evaluation system to meet the NCLB waiver is muddled with the inclusion of tenure reforms. Tenure does not provide lifelong job protection, but does provide due process.

Testifying against the bill were Missouri State Teachers Association; American Federation of Teachers St. Louis Local 420; and Missouri National Education Association.

OTHERS: Others testifying on the bill say the Department of Elementary and Secondary Education has already completed significant work on an evaluation system that has been piloted in more than 100 districts.

Testifying on the bill was Department of Elementary and Secondary Education.