

OEA Analysis of the New House Version of Senate Bill 229

March 28, 2014

Teacher Evaluation Components and Ratings:

- Eliminates the Senate passed provision that adjusts the academic growth factor percentage on teacher evaluations to 35% from the current 50% and provides local flexibility to attribute up to an additional 15% to additional multiple measures.
- Reverts to current law with academic growth accounting for 50% of each evaluation, unless the new alternative evaluation framework that includes student surveys is used (see below), in which case the academic growth factor accounts for 40%, student surveys account for 20%, and the teacher performance measure (formal observations) accounts for 40%.
- Adds the new performance level rating of “Effective” for educator evaluations between the existing rating of “Skilled” and “Developing,” thus creating five educator performance levels. From highest to lowest, they would be: Accomplished, Skilled, Effective, Developing and Ineffective.
- Requires that each teacher be assigned a rating according to **either** (1) a table prescribing teacher ratings or (2) the alternative framework that includes student surveys (see below):
 - 1) A **table prescribing teacher ratings** based on student growth and teacher performance measures (formal observations), which does not include student surveys. The Ohio Department of Education (ODE) is required to 1) designate five ranges of scores for the student academic growth measure with rating levels spanning “most effective” through “least effective,” and 2) designate four scores ranging from 1 to 4, with 1 being the lowest and 4 being the highest.

Teacher evaluation ratings table				
Student academic growth measure	Teacher performance measure			
	4	3	2	1
Most effective	Accomplished	Accomplished	Effective	Effective
Above average	Accomplished	Skilled	Effective	Developing
Average	Skilled	Skilled	Developing	Developing
Below average	Effective	Developing	Developing	Ineffective
Least effective	Developing	Developing	Ineffective	Ineffective

- 2) An **alternative framework including student surveys** to be developed by the State Board of Education for grades 4-12, beginning in the 2015-16 school year, under which student academic growth accounts for 40% of each evaluation, 40% accounts for the teacher performance measure (formal observations) and 20% for student surveys.

Frequency of annual teacher evaluations:

- Changes Senate passed provision by allowing a district or school to evaluate a teacher rated “Accomplished” once every two years (current law), instead of once every three years, but also requires that the teacher’s student academic growth measure must be rated “average” or higher.
- Maintains Senate passed provision allowing a district or school to evaluate a teacher rated “Skilled” once every two years, but also requires that the teacher’s student academic growth measure must be rated “average” or higher. Changes effective date of this provision to July 1, 2015.

Collective Bargaining:

- Exempts from collective bargaining all amendments made by the bill to Revised Code provisions regarding educator evaluations. (R.C. 3319.111 (H), 3319.112(G), 3319.113(C), 3319.114(D), 3319.115(F), 3319.117(E).)
- Permits a school district, community school, or STEM school to enter into a memorandum of understanding with its teachers' union that stipulates that the value-added progress dimension rating issued for the 2014-2015 school year will not be used when making decisions regarding teacher dismissal, retention, tenure, or compensation.

Other teacher evaluation provisions:

- Requires that at least one formal observation of a teacher by an evaluator to be unannounced.
 - A teacher who was on leave from the school district for 70% or more of the school year.
 - A teacher who has submitted notice of retirement and that notice has been accepted not later than December 1 of the school year in which the evaluation is otherwise scheduled to be conducted.
- Requires a school district or school to require any teacher who received a rating of "Effective," "Developing," or "Ineffective" to on the most recent evaluation prepare and implement an improvement plan.
- If an evaluator assigns different scores on the observations and reviews component of the teacher performance measure, the average of the scores must be used.
- Requires that if a score assigned for the teacher performance measure is not equal to a whole number, that score must be rounded to the nearest whole number.

Teacher receiving low evaluation ratings:

- Beginning July 1, 2015, prohibits a school district from assigning students to a teacher who has been rated "ineffective" for two consecutive school years.
- Prohibits the assignment of a student teacher to a teacher who was rated "developing"

or "ineffective" for the previous school year.

- Provides that a teacher who has at least 10 years of teaching experience and receives a designation of either least effective or below average growth on the student academic growth portion of an educator evaluation may be rated "developing" only once. If the teacher receives either of the above designations on any subsequent evaluation, that teacher must be rated "ineffective" regardless of the teacher performance score received.
- Requires that the results of teacher's evaluation remain attributed to that teacher even if the teacher transfers to a different school within the same district or changes district of employment.

Student academic growth measures:

- Not later than July 1, 2016, requires the Department to develop a standardized framework for assessing student academic growth for grade levels and subjects for which the value-added progress dimension does not apply.
- Beginning on July 1, 2016, requires each school district board of education to administer an assessment to students in each of grades K-12 to determine a teacher's student academic growth in English language arts, mathematics, social studies, and science. Assessments must be selected by the Department of Education and based on value-added progress dimension or Department-approved assessments based on vendor-developed student growth measures. Assessments may include diagnostic assessments and achievement assessments already required under law.

Assessments:

- Requires all diagnostic assessments adopted by the State Board of Education to be based either on the value-added progress dimension or assessments of student growth measures developed by a vendor and that are on a list of assessments approved by the Department of Education.
- Specifies that the reading diagnostic assessments used to determine a student's reading level, for the third-grade reading guarantee, be based either on the value-added progress dimension or assessments of student growth measures developed by a vendor and that are on a list of assessments approved by the Department.
- Requires that when the value-added progress dimension or alternative adopted by the
- Department is used in assessing student academic growth on a teacher evaluation, up to three years of data, as available, be used.

Evaluator credentials and training programs:

- Beginning July 1, 2015, requires any individual seeking an evaluator credential from the Department to provide documentation verifying completion of one of the following:
 - (1) The training provided through educator preparation programs (see below).
 - (2) The alternative training program offered by the Department, if the

individual does not hold an evaluator credential.

(3) The online training provided by the Department, if the individual currently holds an evaluator credential.

- Requires each individual who holds an evaluator credential to complete the online training provided by the Department:
 - (1) Not later than 6 months after the effective date of the provision, if the credential was issued prior to that date.
 - (2) Not later than 24 months after the effective date of the provision, if the credential was issued on or after that date.
- Requires all individuals who hold an evaluator credential to complete the online training at least once every 24 months.
- Requires the Department to both:
 - (1) Offer an in-person alternative training course for teacher evaluations that is available to individuals who have not completed the training program through an educator preparation program and do not currently hold an evaluator credential.
 - (2) Not later than December 31, 2014, develop and provide an online training course on teacher evaluations for any individual who has been issued an evaluator credential.
- On and after July 1, 2015, requires educator preparation programs to ensure that individuals seeking licensure as a superintendent, assistant superintendent, principal, vocational director, administrative specialist, or supervisor in specified educational areas are provided with training on teacher evaluations.
- Beginning with the 2015-2016 school year, requires the Department to annually audit and assess each evaluator training program and to, at least once every three years, take the necessary actions to ensure that the training is consistent and accurate across the state.

Educator licensure requirements:

- Beginning July 1, 2015, requires any applicant for an educator license designated for a superintendent, assistant superintendent, principal, vocational director, administrative specialist, or supervisor in specified educational areas to provide documentation to the State Board verifying completion of one of the evaluator training programs (see above).
- Prohibits the State Board from granting an educator license designated for these specified areas without proper documentation of the required evaluator training.

Principal and assistant principal evaluations:

- Requires the State Board to develop a framework for the evaluation of principals and assistant principals that is comparable to the teacher evaluation framework.

- Requires each district board of education to conform its procedures for the evaluation of principals and assistant principals to the State Board's framework.

Requires the Department of Education to do all of the following:

- Not later than December 31, 2016, and annually on that date thereafter, report to the General Assembly, Governor, and State Board on the results of the teacher evaluation system, including ratings and results data and analysis of that data.
- Not later than July 1, 2014, and annually on that date thereafter, request recommendations from school districts and schools regarding possible improvements to the teacher evaluation framework. This information must be included in the annual report in (1) above.
- Not later than July 1, 2014, implement a data collection and monitoring system to measure and monitor the implementation and functionality of the teacher and principal evaluation systems. Requires the Department to use the data from the system to evaluate effectiveness of the evaluation systems and to identify areas of improvement. The system also must include the collection of data to determine the consistency of evaluations across different evaluators.
- Determine which components of the Resident Educator Performance-Based assessments (required for resident teacher license holders) may be used as part of the educator evaluations.

