

# SENATE BILL REPORT

## SB 5960

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As of January 23, 2014

**Title:** An act relating to changing the requirements for the relevant multiple measures of student growth used in teacher and principal evaluations to include the use of student results on the federally mandated statewide administered reading or language arts and mathematics assessments for teachers who teach the relevant subject in a grade in which the assessments are administered and for principals who are assigned to schools in which at least one of the relevant subjects is taught in at least one of the grades in which the assessments are administered.

**Brief Description:** Changing the requirements for the relevant multiple measures of student growth used in teacher and principal evaluations.

**Sponsors:** Senators McAuliffe, Mullet, Billig and Rolfes.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/15/14.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Staff:** Eric Wolf (786-7405)

**Background:** Teacher and Principal Evaluation Systems. Certain aspects of performance evaluation for school employees are specified in statute. Consequences such as probation or nonrenewal of contract may be based on performance judged as not satisfactory. Legislation enacted in 2010 directed development of revised evaluation systems for teachers and principals, including new evaluation criteria for teachers and principals, and a four-level rating system using a continuum of performance based on the extent that the criteria are met. Data on student growth—the change in student achievement between two points in time—may be included in an evaluation of a teacher or principal if it is based on multiple measures of student achievement. The 2013-14 school year is the first year all school districts must begin implementation of the revised teacher and principal evaluation systems.

Elements of Student Growth Data. Student growth data to be factored into the evaluation process for both certificated classroom staff and principals must be based on multiple measures that can include classroom-based, school-based, district-based, and state-based tools. Student growth data may include the teacher or principal's performance as a member of a grade level, subject matter, or other instructional team within a school. Student growth

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data may also include the teacher or principal's performance as a member of the overall instructional team of a school.

No Child Left Behind Act (NCLB)/Elementary and Secondary Education Act (ESEA)Waiver. Under the federal NCLB/ESEA, schools and school districts that receive federal Title I money must meet an adequate yearly progress target for all students in reading and mathematics and reach 100 percent student proficiency in both subjects by 2014. Failure to meet the target goals in adequate yearly progress and student proficiency triggers consequences for a school. Consequences include that parents must be notified that the school has not met the adequate yearly progress goal, and 20 percent of the school's Title I funds must be set aside to provide transportation to students who transfer out of the school or district and to provide supplemental educational services such as tutoring. Washington obtained a waiver from these federal requirements in 2011. In a letter from the U.S. Department of Education (ED), which was received by the Office of Superintendent of Public Instruction (OSPI) on August 14, 2013, ED designated Washington's waiver of certain provisions of NCLB/ESEA to be at high risk and directed Washington to require the use of federally required state test scores as one the measures of student growth in Washington's teacher and principal evaluations.

**Summary of Bill:** Student Growth Data. For teachers who teach reading, language arts, or mathematics in a grade in which a federally mandated statewide student assessment is administered, student results on the statewide assessment must be used as one of the multiple measures of student growth.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Freedom to use Title I funding in some districts has allowed those districts to provide instructional coaches, additional early learning support, and targeted interventions in grades pre-K through 12. Maintaining the freedom to use Title I funding is very important to these districts. Without the Title I flexibility the waiver grants one district, they will have to close six preschools and reduce student support. SB 5246 gives necessary guidance on how much student growth data should be weighted. State-based assessment data of student growth is one of multiple measures to be used, so even though Smarter Balanced assessments may result in lower scores over the first few years of implementation, other measures will mitigate that impact. Maintaining the waiver is critical because Title I money makes such an impact in some communities, particularly among low-income children and in rural school districts.

CON: Washington is one of the only states that has successfully implemented an evaluation system based on student growth, and the system should continue its rollout. Teachers and principals are confused that the system is changing again, and that the federal government is mandating that state-based assessments must be a factor in calculating student growth when

the test itself does not measure student growth. Individual districts can obtain their own waivers if they desire flexibility; they do not have to operate under a state-obtained waiver. State tests do not measure student growth from one point to another. One district already has indicators of student growth that they individually developed, and this bill would tamper with that system. One district claims that their data has been more relevant and timely than state data. There is a fear that the flexibility to choose the right teacher for the school's culture will be lost. There is concern about setting specific weights for student growth and seniority, and local control should be maintained. Requiring a full year of student growth as a baseline goal will be difficult to implement, particularly when students transition from elementary to middle school and middle school to high school; the goal is too specific to be practical.

OTHER: Local control over the use of assessment data is better because it provides a more individualized snapshot of student achievement within a district. In the last four years, there have been four major changes to the Teacher and Principal Evaluation Program (TPEP), which has made it difficult to train educators on the system. The waiver is important and should be maintained, but the minimum number of other changes to the TPEP system should be made so that the implementation may continue without much upheaval. No one wants to have Title I money being used ineffectively by being tied up in transportation, and no one wants to have their school be labeled as a failing school; but on the other hand, Washington is a local control state and should not have to adjust its evaluation system based on federal demands.

**Persons Testifying:** PRO: Carla Santorno, Tacoma Public Schools Superintendent; Frank Ordway, League of Education Voters; Anne Heavey, Partnership for Learning; Dave Powell, Stand for Children.

CON: Lucinda Young, WA Education Assn.

OTHER: Marie Sullivan, WA State School Directors' Assn.; Dan Steele, WA Assn. of School Administrators; Jerry Bender, Assn. of WA School Principals.