
Education Committee

ESSB 5748

Brief Description: Clarifying the teacher and principal evaluation process with the intent of strengthening the process.

Sponsors: Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Litzow, Mullet, Fain, Dammeier, Hill, Rivers, Becker, King, Braun, Warnick and Bailey).

Brief Summary of Engrossed Substitute Bill

- Requires that one of the multiple measures of student growth used for purposes of evaluating certain teachers and principals must be the student results on federally mandated statewide student assessments.
- Extends, by one year, the time by which evaluation results for certificated classroom teachers and principals must be used as one of multiple factors in making human resources and personnel decisions and the corresponding report by the Office of the Superintendent of Public Instruction regarding such use.

Hearing Date: 3/30/15

Staff: Cece Clynch (786-7195).

Background:

Elementary and Secondary Education Act (ESEA)/No Child Left Behind Act (NCLB).

In January 2002, the federal NCLB was signed into law as the most recent reauthorization of the ESEA (first passed in 1965). The ESEA/NCLB has been scheduled for reauthorization for several years but a reauthorization proposal has not yet been approved by Congress.

Under the ESEA/NCLB, states must adopt challenging academic standards in mathematics, language arts and science. Annual statewide assessments are required in mathematics and language arts in grades 3 through 8, and once in high school. Statewide assessments in science are required in grades 5 and 8, and once in high school. All students must be assessed and, by

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2014, 100 percent of students are expected to reach proficiency. States must set annual benchmarks, known as adequate yearly progress (AYP), for increasing performance to reach this goal. The AYP is reported for each school as a whole and also broken down by various student subgroups.

Schools receiving federal Title I funds that fail to make AYP are identified for a variety of specified corrective actions, which range from requiring the provision of certain choices or services to restructuring the school. Districts that are required to offer families the option to transfer children to another public school of their choice within the district or the provision of supplemental education services (SES) or tutoring must set aside Title I funds for these purposes.

In 2011, the federal Department of Education (DOE) announced an opportunity for states to apply for a waiver of many ESEA provisions. Washington received a provisional one-year waiver for 2012-13 and a one-year extension for 2013-14. With this waiver, requirements for annual statewide assessments and highly qualified teachers remained in place, but flexibility was granted in the following areas:

- Replacing the current 100 percent proficiency goals with different Annual Measurable Objectives (AMOs), including the opportunity for states to design their own performance metrics.
- Replacing AYP and associated corrective actions for schools with a new focus on a subset of the lowest-achieving Title I schools in the state, including removing required set-asides of Title I funds for school choice and SES.

Washington's waiver was not extended beyond the 2013-14 school year. The reason given by the DOE for loss of the waiver was that the state did not put into place a teacher and principal evaluation system that requires the use of statewide assessments to measure student learning growth.

Teacher Principal Evaluation.

Legislation enacted in 2010 and 2012 requires development of revised evaluation systems for teachers and principals, including eight evaluation criteria for classroom teachers, eight criteria for principals, and a four-level rating system using a continuum of performance based on the extent to which the criteria have been met.

For classroom teachers, the evaluation criteria must include:

1. Centering instruction on high expectations for student achievement.
2. Demonstrating effective teaching practices.
3. Recognizing individual student learning needs and developing strategies to address those needs.
4. Providing clear and intentional focus on subject matter content and curriculum.
5. Fostering and managing a safe, positive learning environment.
6. Using multiple student data elements to modify instruction and improve student learning.
7. Communicating and collaborating with parents and the school community.
8. Exhibiting collaborative and collegial practices focused on improving instructional practice and student learning.

For principals, the evaluation criteria must include:

1. Creating a school culture that promotes the ongoing improvement of learning and teaching for students and staff.
2. Demonstrating commitment to closing the achievement gap.
3. Providing for school safety.
4. Leading the development, implementation, and evaluation of a data-driven plan for increasing student achievement, including the use of multiple student data elements.
5. Assisting instructional staff with alignment of curriculum, instruction, and assessment with state and local district learning goals.
6. Monitoring, assisting, and evaluating effective instruction and assessment practices.
7. Managing both staff and fiscal resources to support student achievement and legal responsibilities.
8. Partnering with the school community to promote student learning.

Student growth data using multiple measures must be a substantial factor in evaluating a teacher or principal's summative performance on at least three of the evaluation criteria. Student growth data that is relevant to the teacher and subject matter (or to the principal) must be a factor in the evaluation process and must be based on multiple measures that can include classroom-based, school-based, district-based, and state-based tools.

The following labels have been established for the four levels of the rating system:

1. Level 1. Unsatisfactory.
2. Level 2. Basic.
3. Level 3. Proficient.
4. Level 4. Distinguished.

Annual evaluations must be conducted. A comprehensive evaluation, utilizing all eight criteria, must occur at least every four years. Provisional teachers, principals with fewer than three years' experience or new to the district, and any teacher or principal scoring at Level 1 or 2 in the previous year must receive annual comprehensive evaluations. In the years when a comprehensive evaluation is not required, a focused evaluation based on one selected criteria plus specifically linked professional growth activities must be completed.

Beginning with the 2015-16 school year, evaluation results must be used as one of multiple factors in making human resource and personnel decisions. Human resource decisions include, but are not limited to, staff assignment and reduction in force. How the multiple factors are used in making such decisions may be the subject of collective bargaining, but the evaluation results must be a factor. The Office of the Superintendent of Public Instruction (OSPI) must report to the Legislature and the Governor by December 1, 2018 regarding implementation of the use of evaluation results in making human resource and personnel decisions.

The OSPI, along with a steering committee of organizations representing teachers, principals, administrators, and parents, has been overseeing implementation of the teacher principal evaluation system.

Summary of Bill:

Teacher Principal Evaluation.

Beginning no earlier than the 2017-18 school year, for teachers who teach reading or language arts or mathematics in a grade in which the federally mandated statewide student assessments are administered, and for principals assigned to a school in which such assessments are administered, one of the multiple measures of student growth used for purposes of evaluation must be the student results on the relevant assessments.

The methodology of using these results as one of the multiple measures of student growth shall be subject to collective bargaining. The OSPI must provide, to each district, the relevant state-wide level assessment information necessary to determine student growth for the purpose of teacher evaluations. The assessments shall only be used as one of the multiple measures of student growth once the OSPI and the steering committee have determined that the relevant assessment meets professionally accepted standards for being a valid and reliable tool for measuring student growth and have certified that the use of these assessments as one of the measures will strengthen and not undermine the existing teacher evaluation system.

The school year by which evaluation results for certificated classroom teachers and principals must be used as one of multiple factors in making human resource and personnel decisions is changed from the 2015-16 school year to the 2016-17 school year. A corresponding change, from December 1, 2017 to December 1, 2018, is made to the date by which the OSPI must report to the Legislature and the Governor regarding school district implementation with respect to using evaluation results as one of multiple factors in making human resource and personnel decisions.

Appropriation: None.

Fiscal Note: Requested on March 25, 2015.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.