

SENATE BILL REPORT

SB 5749

As of February 10, 2015

Title: An act relating to specifying that student growth data elements used in teacher and principal evaluations include state-based tools and delaying the use of the evaluation results in making human resources and personnel decisions until the 2016-17 school year.

Brief Description: Specifying that student growth data elements used in teacher and principal evaluations include state-based tools and delaying the use of the evaluation results in making human resources and personnel decisions until the 2016-17 school year.

Sponsors: Senators Litzow and Dammeier; by request of Superintendent of Public Instruction.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/10/15.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Matthew Lemon (786-7405)

Background: Teacher and Principal Evaluations. Aspects of performance evaluations for certificated employees are specified in statute, including minimum evaluation criteria and the requirement that performance rated as not satisfactory is subject to a probationary period and, if performance does not improve, a finding of probable cause for nonrenewal.

Legislation enacted in 2010 directed the development of a revised evaluation system for teachers and principals. The revised evaluation system includes eight evaluation criteria, a four-level rating system ranging from unsatisfactory to distinguished, and must include data on student growth, defined as the change in student achievement between two points in time, as a factor. Evaluations must be performed annually. Beginning no later than 2013-14 school year, each district adopted an implementation schedule that transitions all teachers and principals to the new evaluation system no later than the 2015-16 school year.

In current law, evaluation results for certificated teachers and principals must be used as one of multiple factors in making human resource and personnel decisions beginning with the 2015-16 school year. These decisions include, but are not limited to, staff assignments and reductions in force.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In 2012 the Legislature asked the Office of Superintendent of Public Instruction (OSPI) to submit a report on best practices and recommendations regarding how teacher and principal evaluations inform human resource and personnel decisions. The December 2013 report asked for a delay in using teacher evaluations to inform human resource decisions until the 2016-17 school year.

Elements of Student Growth Data. In current law, student growth data that must be a factor in certificated teacher and principal evaluations must be based on multiple measures that can include classroom-based, school-based, district-based, and state-based tools. Student growth data elements may include the teacher's performance as a member of a grade level, subject matter, or other instructional team within a school. Student growth data may also include the teacher's performance as a member of the overall instructional team of a school when relevant and appropriate.

No Child Left Behind (NCLB)/Elementary and Secondary Education Act (ESEA) Waiver. Under the federal NCLB/ESEA, schools and districts that receive federal Title I funds must meet an adequate yearly progress (AYP) target for all students in reading and mathematics. The targets call for a 100 percent student proficiency rate in both subjects beginning in 2014. Schools and districts that do not meet AYP targets for student proficiency are subject to sanctions. The sanctions include a requirement that the school notify parents that the AYP goal has not been met and a requirement that 20 percent of the school or district'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 education services such as tutoring. For the 2014-15 fiscal year, the statewide total amount set aside was approximately \$39 million.

Washington obtained a waiver from these requirements in 2012. In a letter from the U.S. Department of Education (ED), which was received by OSPI on August 14, 2013, ED designated Washington's waiver of certain provisions of NCLB/ESEA to be at high-risk status and directed Washington to seek legislative change to require the use of federally required state test scores as one of the measure's of student growth in the state's teacher and principal evaluations. The 2014 Legislature did not make any legislative changes and ED subsequently revoked Washington's waiver in April 2014.

Summary of Bill: Beginning in the 2016-17 school year, student growth data elements that must be used in teacher and principal evaluations must include state-based tools when relevant.

The date in which evaluation results for teachers and principals must be used as one of multiple factors in making human resource and personnel decisions is delayed from the 2015-16 school year to the 2016-17 school year and a report from OSPI on district implementation is delayed until December 2018.

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.