Ohio Legislative Service Commission

Bill Analysis

Holly Cantrell Gilman

Sub. S.B. 229*

130th General Assembly
(As Reported by S. Education)

Sens. Gardner, Manning, Lehner, Hite

BILL SUMMARY

- Requires that student academic growth account for 35% of each teacher's performance evaluation, rather than 50% as is required by current law, but permits a school district or school to attribute an additional percentage, up to 15%, of each evaluation to student academic growth.

- Prescribes that the remaining percentage of each evaluation not attributed to student academic growth may include a combination of formal observations, student surveys, and any other factors a school district board of education determines necessary and appropriate.

- Permits a school district or school to evaluate any teacher who received a rating of "accomplished" on the teacher's most recent evaluation once every three years.

- Permits a school district or school to evaluate any teacher who received a rating of "skilled" on the teacher's most recent evaluation once every two years.

- Provides that in any year a teacher is not formally evaluated, as a result of receiving a "skilled" or "accomplished" rating on that teacher's most recent evaluation, that teacher must still receive an observation and a conference.

- Permits a school district or school to require student surveys, teacher self-evaluations, or any other method of review determined necessary to ensure continued success of an accomplished or skilled teacher.

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* This analysis was prepared before the report of the Senate Education Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

- Permits a school district or school to require any teacher who received a rating of "ineffective" on the teacher's most recent evaluation to prepare and implement an improvement plan.

CONTENT AND OPERATION

Teacher evaluations

Student academic growth factor

Under continuing law, all school districts and educational service centers, and all community schools and STEM schools that receive federal Race to the Top grant funds, must adopt a standards-based teacher evaluation system that conforms to a framework developed by the State Board of Education.[1] The evaluation system must provide for multiple evaluation factors. Under current law, one of those factors must be student academic growth, and it must make up 50% of each evaluation.[2] The current evaluation system also requires at least two formal observations of the teacher being evaluated, of at least 30 minutes each, and classroom walkthroughs; however, no percentage of a teacher's evaluation is expressly attributed to this factor.[3]

The bill specifies the factors that may make up an evaluation, and modifies the percentage attributable to student academic growth. Under the bill, student academic growth must account for at least 35% (instead of 50%) of each evaluation. In addition, the bill permits (but does not require) a school district or school to attribute an additional percentage up to 15% to that factor.[4] Thus, the percentage of an evaluation attributed to student academic growth could vary by district or school from 35% to 50%.

The bill also specifies that the remaining 50% to 65% of each evaluation (depending on the percentage attributed to student academic growth) may include a combination of the following factors:

- The observations and walkthroughs required under continuing law;
- Student surveys; and

[1] R.C. 3319.111, 3314.03(A)(11)(i), and 3326.111, latter two sections not in the bill.

[2] R.C. 3319.112(A)(1).

[3] R.C. 3319.112(A)(3).

[4] R.C. 3319.112(A)(1)(a).

- Any other factors the district board or school governing authority determines necessary and appropriate.[5]

Timing of evaluations

The bill modifies the current requirement that all teachers who spend at least 50% of the time employed providing student instruction must be evaluated at least once every school year, by permitting certain high-performing teachers to be evaluated on a less frequent basis. Specifically, the bill permits a school district board of education or governing authority of a school to evaluate only once every three years any teacher who received a rating of "accomplished" on the teacher's most recent evaluation.[6] Current law permits a board or governing authority, by adoption of a resolution, to evaluate once every two years *any* teacher who received a rating of "accomplished" on the most recent evaluation.

The bill also permits a board or governing authority to evaluate once every two years any teacher who received a rating of "skilled" on the teacher's most recent evaluation.[7]

In any year that a teacher who receives a rating of "accomplished" or "skilled" does not receive a formal evaluation, the bill requires that the teacher receive at least one observation from, and attend at least one conference with, an individual who holds a credential for being an evaluator issued by the Department of Education. It also specifies that a district board or school governing authority may require the use of student surveys, teacher self-evaluations, or any other method of review it determines necessary to ensure the success of an accomplished or skilled teacher.[8]

Finally, the bill clarifies that a board or governing authority may elect, by adoption of a resolution, to evaluate its teachers on a more frequent basis than is required under the bill.[9]

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[5] R.C. 3319.112(A)(1)(b).

[6] R.C. 3319.111(C)(2)(a).

[7] R.C. 3319.111(C)(2)(b).

[8] R.C. 3319.111(C)(3).

[9] R.C. 3319.111(C)(4).

The bill maintains current law prescribing that each formal evaluation of a teacher must be completed by May 1 of the applicable school year, and the teacher must receive a written report of the results of the evaluation by May 10 of that school year.[10]

Improvement plan

Under the bill, a board or governing authority may require any teacher who received a rating of "ineffective" on the teacher's most recent evaluation to prepare and implement an improvement plan for use during the next school year.[11]

Background; teacher evaluation framework

Under continuing law, the State Board of Education must establish a teacher evaluation framework that:

(1) Provides for multiple evaluation factors;

(2) Is aligned with the Educator Standards Board's standards for teachers, as adopted by the State Board;

(3) Requires observation of the teacher being evaluated, including at least two formal observations by the evaluator for a minimum of 30 minutes each time and classroom walkthroughs;

(4) Requires each teacher to be given a written report of the evaluation results;

(5) Implements a classroom-level, value-added data program developed by a nonprofit organization led by the Ohio business community;

(6) Provides for professional development to accelerate and continue teacher growth and to support poorly performing teachers; and

(7) Allocates financial resources to support the professional development.[12]

The framework must also enable teachers to be rated as "accomplished," "skilled," "developing," or "ineffective." The State Board is tasked with developing standards and criteria that distinguish between the four levels of performance in

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[10] R.C. 3319.111(C)(2)(c).

[11] R.C. 3319.111(C)(3).

[12] R.C. 3319.112.

consultation with experts, public school teachers and principals, and stakeholder groups.[13]

HISTORY

ACTION	DATE
Introduced	11-06-13
Reported, S. Education	---

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[13] R.C. 3319.112.