2021 Regular Session

HOUSE BILL NO. 555

BY REPRESENTATIVE THOMPSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TEACHERS/EVALUATION: Prohibits the use of data derived from a value-added model (VAM) as a factor in measuring student growth for the purpose of teacher evaluations

1	AN ACT
2	To amend and reenact R.S. 17:3881(A), 3886(A), 3902(B)(5), and 3997(D)(1)(a) and (2)(a)
3	and to repeal R.S. 17:3883(A)(6), (7), and (8), relative to the evaluation of teachers
4	and administrators; to prohibit the use of a value-added model in measuring growth
5	in student achievement for purposes of such evaluation; to require the state board to
6	study best practices from other states for the purpose of developing a method for
7	measuring such growth; to provide for an effective date; and to provide for related
8	matters.
9	Be it enacted by the Legislature of Louisiana:
10	Section 1. R.S. 17:3881(A), 3886(A), 3902(B)(5), and 3997(D)(1)(a) and (2)(a) are
11	hereby amended and reenacted to read as follows:
12	§3881. Purpose
13	A. It is the purpose of this Part to establish periodic evaluations of
14	performance and effectiveness, based in part on growth in student achievement using
15	a value-added assessment model as determined by the board, and continuous
16	professional development as integral aspects of professional careers in education.
17	* * *

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	§3886. Teaching credentials; regular certification, permanent certification; effect of
2	evaluation

3 A. If a teacher's evaluation demonstrates that he has met the standard for 4 effectiveness as determined by the board, using value-added data, for three years 5 during the initial certification or renewal process, a certificate shall be issued or 6 renewed unless the board receives evidence from the local board, through an appeal, 7 that justifies discontinuation. Similarly, if a teacher's evaluation demonstrates that 8 he has not met the standard for effectiveness as determined by the board, using either 9 value-added data or other components of the evaluation, for three years during the 10 initial certification or renewal process, the board shall not issue or renew a certificate 11 unless evidence of effectiveness is received from the local board, through an appeal, 12 that justifies the issuance of a certificate.

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14 §3902. Evaluation program; process

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B. The elements of evaluation and standards for effectiveness shall be
defined by the board pursuant to rules and regulations promulgated for such purpose.
Such rules and regulations shall require that, at a minimum, local evaluation plans
contain the following elements:

20 *

21 (5) Measure of effectiveness. Fifty percent of such evaluations shall be based 22 on evidence of growth in student achievement as determined by the board. Data 23 derived from a value-added assessment model, as determined by the board, shall be 24 a factor in determining evidence of student growth for grade levels and subjects for 25 which value-added data is available and shall comprise thirty-five percent of the 26 overall evaluation. For grade levels and subjects for which value-added data is not 27 available and for personnel for whom value-added data is not available, the board 28 shall establish measures of student growth. Data derived from a value-added 29 assessment model shall not be a factor in determining evidence of student growth.

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1	The state board shall study best practices from other states with respect to developing
2	a method for measuring growth in student achievement. The model method shall
3	take into account important student factors, including but not limited to special
4	education, economic disadvantage, attendance, and discipline. However, neither the
5	value-added model nor the measures of student growth for grade levels and subjects
6	for which value-added data are not available shall not, in any given year, include a
7	test score or data of a student who has ten or more unexcused absences in any school
8	semester in that year. The board shall develop and adopt a policy to invalidate such
9	student growth data for any teacher for any school year in which there is a natural
10	disaster or any other unexpected event that results in the temporary closure of the
11	school.
12	* * *
13	§3997. Charter school employees
14	* * *
15	D.(1)(a) Each governing authority of a charter school annually shall evaluate
16	every teacher and administrator employed at the school using the value-added
17	assessment model and measures of student growth as determined by the State Board
18	of Elementary and Secondary Education pursuant to R.S. 17:3902(B)(5).
19	* * *
20	(2)(a) Fifty percent of each teacher and administrator evaluation conducted
21	pursuant to Paragraph (1) of this Subsection shall be based on evidence of growth in
22	student achievement as determined by the state board. Data derived from a
23	value-added assessment model, as determined by the state board, shall be a factor in
24	determining evidence of student growth for grade levels and subjects for which
25	value-added data is available and shall comprise thirty-five percent of the overall
26	evaluation. For grade levels and subjects for which value-added data is not available,
27	the state board shall establish measures of student growth. Data derived from a
28	value-added assessment model shall not be a factor in determining evidence of
29	student growth. The state board shall study best practices from other states with

1	respect to developing a method for measuring growth in student achievement. The		
2	model method shall take into account important student factors, including but not		
3	limited to special education, economic disadvantage, attendance, and discipline. The		
4	state board shall develop and adopt a policy to invalidate such student growth data		
5	for any teacher for any school year in which there is a natural disaster or any other		
6	unexpected event that results in the temporary closure of the school.		
7	* * *		
8	Section 2. R.S. 17:3883(A)(6), (7), and (8) are hereby repealed in their entirety.		
9	Section 3. This Act shall become effective upon signature by the governor or, if not		
10	signed by the governor, upon expiration of the time for bills to become law without signature		
11	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If		
12	vetoed by the governor and subsequently approved by the legislature, this Act shall become		
13	effective on the day following such approval.		

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 555 Original	2021 Regular Session	Thompson
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Abstract: Prohibits the use of data derived from a value-added model (VAM) as a factor in measuring student growth for the purpose of teacher evaluations.

<u>Present law</u> requires annual evaluations of all public school teachers and administrators. Provides that the elements of evaluation and standards for effectiveness shall be defined by BESE. Provides that evaluation plans include a job description, a professional growth plan, observation and conferencing, classroom visitation, and a measure of effectiveness. <u>Proposed law</u> retains present law.

Relative to the measure of effectiveness, <u>present law</u> requires that 50% of each evaluation be based on evidence of growth in student achievement, as determined by BESE, using a value-added model (commonly known as VAM). <u>Proposed law</u> retains the requirement that 50% of each evaluation be based on evidence of growth in student achievement as determined by BESE but prohibits the use of VAM data and requires BESE to study best practices from other states with respect to developing a method for measuring student growth.

<u>Present law</u> provides for a subcommittee of the BESE's Accountability Commission to study and report relative to the effectiveness of the evaluation program, including VAM. <u>Proposed</u>

<u>law</u> repeals <u>present law</u> provisions relative to this subcommittee, which was subject to several reporting deadlines that have passed.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17: 3881(A), 3886(A), 3902(B)(5), and 3997(D)(1)(a) and (2)(a); Repeals R.S. 17:3883(A)(6), (7), and (8))