

2015 Regular Session

SENATE BILL NO. 32

BY SENATOR MILLS

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

TEACHERS. Requires that educator evaluations be based upon classroom observations and multiple quantitative measures of growth in student achievement. (gov sig)

AN ACT

To amend and reenact R.S. 17:3881(A), the introductory paragraph of 3883(A)(6)(a), (A)(6)(a)(iii)(bb) and (8), 3886(A), 3902(B)(5), and 3997(D)(1) and (2), and to repeal R.S. 17:3883(A)(7), relative to the evaluation of public school teachers and administrators; to require that such evaluations include classroom observations and multiple quantitative measures of student achievement; to provide relative to the percentage of such evaluations based upon value-added data; to provide relative to the membership and focus of the Accountability Commission subcommittee charged to review the evaluation program; to repeal obsolete provisions of law; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3881(A), the introductory paragraph of 3883(A)(6)(a), (A)(6)(a)(iii)(bb) and (8), 3886(A), 3902(B)(5), and 3997(D)(1) and (2) are hereby amended and reenacted to read as follows:

§3881. Purpose

A. It is the purpose of this Part to establish periodic evaluations of performance and effectiveness, ~~based in part on growth in student achievement using~~

1 through a professional employee evaluation program that includes classroom  
 2 observations and multiple quantitative measures of student achievement, which  
 3 may include a value-added assessment model as determined by the board, and  
 4 continuous professional development as integral aspects of professional careers in  
 5 education.

6 \* \* \*

7 §3883. State Board of Elementary and Secondary Education; powers and duties

8 A. The board shall:

9 \* \* \*

10 (6)(a) Require the Accountability Commission established by the board to  
 11 convene an advisory subcommittee of the commission to report on and make  
 12 recommendations regarding the overall effectiveness of the evaluation program,  
 13 including but not limited to any recommendations for changes to board policy or  
 14 state law with respect to the ~~value-added assessment model~~ **professional employee**  
 15 **evaluation program** as determined by the board pursuant to R.S. 17:3902(B)(5);  
 16 ~~measures of student growth for grades and subjects for which value-added data are~~  
 17 ~~not available and for personnel for whom value-added data are not available as~~  
 18 ~~established by the board pursuant to R.S. 17:3902(B)(5), and elements of evaluation~~  
 19 ~~and standards for effectiveness as defined by the board pursuant to R.S.~~  
 20 ~~17:3902(B)(introductory paragraph)~~ **R.S. 17:3881 through 3905**. The subcommittee  
 21 shall have the following members:

22 (iii) \* \* \*

23 (bb) ~~All~~ **At least three** of the teachers shall teach subjects for which value-  
 24 added data are available.

25 \* \* \*

26 (8) ~~Beginning in 2013 and thereafter, submit~~ **Submit** a written report to the  
 27 Senate Committee on Education and the House Committee on Education, not later  
 28 than March first of each year, and at such other times as requested by the  
 29 committees, regarding the implementation, results, and effectiveness of the ~~value-~~

1 ~~added assessment model~~ **professional employee evaluation program for teachers**  
2 **and administrators** as provided in this Part.

3 \* \* \*

4 §3886. Teaching credentials; regular certification, permanent certification; effect of  
5 evaluation

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

16 \* \* \*

17 §3902. Evaluation program; process

18 \* \* \*

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

23 \* \* \*

24 (5) ~~Measure of effectiveness~~ **Growth in student achievement**. Fifty percent  
25 of such evaluations shall be based on evidence of growth in student achievement  
26 using **multiple quantitative measures of student achievement, which may include**  
27 a value-added assessment model as determined by the board, ~~for grade levels and~~  
28 ~~subjects for which value-added data is available. For grade levels and subjects for~~  
29 ~~which value-added data is not available and for personnel for whom value-added~~

~~data is not available, the board shall establish measures of student growth. The~~  
However, data derived through a value-added assessment model shall not  
comprise more than twenty-five percent of the quantitative portion of the  
evaluation. Any value-added assessment model shall take into account important  
 student factors, including but not limited to special education, eligibility for free or  
 reduced price meals, student attendance, and student discipline. ~~However, neither the~~  
~~value-added model nor the measures of student growth for grade levels and subjects~~  
~~for which value-added data are not available shall, in any given year, include a test~~  
~~score or data of a student who has ten or more unexcused absences in any school~~  
~~semester in that year~~ No measure of growth in student achievement shall include  
a test score or other data of a student who has ten or more unexcused absences  
in any school semester in a given year. The state board shall develop and adopt a  
 policy to invalidate ~~such~~ student growth data for any teacher for any school year in  
 which there is a natural disaster or any other unexpected event that results in the  
 temporary closure of the school.

\* \* \*

§3997. Charter school employees

\* \* \*

D.(1)(a) Each governing authority of a charter school ~~annually~~ shall annually  
 evaluate every teacher and administrator employed at the school using the ~~value-~~  
~~added assessment model and measures of student growth~~ professional employee  
evaluation program as determined by the State Board of Elementary and Secondary  
 Education pursuant to R.S. 17:3902(B)(5) 17:3881 through 3905.

(b) The governing authority of a charter school shall terminate the  
 employment of any teacher or administrator determined to be ineffective for three  
 consecutive years pursuant to the evaluation required by this Section.

(2) ~~By the beginning of the 2012-2013 school year, fifty~~ Fifty percent of each  
 teacher and administrator evaluation conducted pursuant to Paragraph (1) of this  
 Subsection shall be based on ~~evidence of growth in student achievement using the~~

1 ~~value-added assessment model~~ **classroom observations and multiple quantitative**  
 2 **measures of student achievement, which may include a value-added assessment**  
 3 **model**, as determined by the state board, ~~for grade levels and subjects for which~~  
 4 ~~value-added data is available. For grade levels and subjects for which value-added~~  
 5 ~~data is not available, the state board shall establish measures of student growth. The~~  
 6 **However, data derived through a value-added assessment model shall not**  
 7 **comprise more than twenty-five percent of the quantitative portion of the**  
 8 **overall evaluation. Any value-added assessment** model shall take into account  
 9 important student factors, including but not limited to special education, eligibility  
 10 for free or reduced price meals, student attendance, and student discipline. **No**  
 11 **measure of growth in student achievement shall include a test score or other**  
 12 **data of a student who has ten or more unexcused absences in any school**  
 13 **semester in a given year.** The state board shall develop and adopt a policy to  
 14 invalidate ~~such~~ student growth data for any teacher for any school year in which  
 15 there is a natural disaster or any other unexpected event that results in the temporary  
 16 closure of the school.

17 \* \* \*

18 Section 2. R.S. 17:3883(A)(7) is hereby repealed.

19 Section 3. This Act shall become effective upon signature by the governor or, if not  
 20 signed by the governor, upon expiration of the time for bills to become law without signature  
 21 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 22 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 23 effective on the day following such approval.

---

The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Jeanne C. Johnston.

---

SB 32 Original	DIGEST 2015 Regular Session	Mills
----------------	--------------------------------	-------

Proposed law generally replaces the terms "value-added" and "value-added assessment model" with the terms "multiple measures of student achievement, which may include a value-added assessment model", and "professional evaluation program" throughout the laws relative to the evaluation of public school teachers and administrators. Proposed law further deletes language throughout these statutes that makes a distinction between grades and

subjects for which value-added data are available and those for which value-added data are not available.

Present law provides for periodic evaluations of professional education employees (teachers and administrators) based in part on growth in student achievement using a value-added assessment model.

Proposed law instead provides for a professional employee evaluation program that utilizes classroom observations and multiple measures of student achievement, which may include a value-added assessment model as determined by the State Board of Elementary and Secondary Education (BESE).

Present law requires BESE's Accountability Commission to convene an advisory subcommittee to report on and make recommendations for changes to board policy or state law with respect to the value-added assessment model, including measures of student growth for grades and subjects for which value-added data is available and for those grades and subjects for which value-added data is not available.

Proposed law instead charges the subcommittee to report on and make recommendations relative to the professional employee evaluation program as determined by BESE as provided in law.

Present law provides that all of the six teachers appointed to the advisory subcommittee of the Accountability Commission teach subjects for which value-added data are available.

Proposed law provides instead that at least three of the six teachers appointed to the subcommittee teach subjects for which value-added data are available.

Present law requires BESE to submit a report to the Senate and House committees on education prior to the 2011 and 2012 legislative sessions regarding the status of the development of the value-added assessment model.

Proposed law deletes this outdated provision.

Present law requires BESE, beginning in 2013 and thereafter, to submit a written report to the Senate and House committees on education by March 1st of each year, and as otherwise requested by the committees, regarding the implementation, results, and effectiveness of the value-added assessment model.

Proposed law retains the annual reporting requirement but replaces the reference to the "value-added assessment model" with "professional employee evaluation program for teachers and administrators".

Present law provides that teacher certification and renewal of certification is contingent upon whether the teacher has met the standard for effectiveness as determined by BESE using value-added data. Further provides that if a teacher's evaluation demonstrates he has not met the standard for effectiveness using either value-added data or other components of the evaluation for three years, BESE shall not issue or renew the teacher's certificate, unless successfully appealed.

Proposed law deletes references to "value-added data" and instead requires that certification and renewal of certification is contingent upon whether a teacher meets the standard for effectiveness as determined by BESE in accordance with law.

Present law requires that 50% of teacher and administrator evaluations be based on evidence of growth in student achievement using a value-added assessment model for grade levels and subjects for which value-added data is available. Provides that BESE will establish measures of student growth for grades and subjects for which value-added data is not available and for

personnel for whom value-added data is not available.

Proposed law provides instead that teacher and administrator evaluations be based, in part, on evidence of growth in student achievement using multiple quantitative measures of student achievement, which may include a value-added data assessment model, as determined by BESE.

Proposed law specifies that data derived through a value-added assessment model shall not comprise more than 25% of the quantitative portion of the evaluation.

Present law provides that the value-added assessment model must take into account student factors such as special education, eligibility for free or reduced price meals, student attendance, and student discipline.

Proposed law retains this provision

Present law provides that neither the value-added model nor the measures of student growth established for grades and subjects for which value-added data are not available shall include a test score or data of a student who had ten or more unexcused absences in any semester in a school year.

Proposed law deletes all "value-added" references and instead provides that no measure of growth in student achievement shall include a test score or other data of a student who has ten or more unexcused absences in any semester in a given year.

Proposed law changes the provisions relative to teacher and administrator evaluations in the charter school law to be consistent with those for teachers and administrators in traditional public schools.

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

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