

2020 Regular Session

SENATE BILL NO. 298

BY SENATOR JACKSON

TEACHERS. Removes requirements for use of a value-added assessment model with regard to school and district accountability and teacher evaluations. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:10.1(B), 3883(A)(3), 3886(A), 3902(B)(5), and 3997(D)(1)(a)

3 and (2), and to repeal R.S. 17:10.1(C) and 3883(A)(6), (7), and (8), relative to

4 methodology used for school and district accountability and teacher evaluations; to

5 remove requirements for the use of a value-added assessment model in

6 determinations made with regard to school and district accountability and teacher

7 evaluations; to repeal requirements relative to an advisory subcommittee of the

8 Accountability Commission; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:10.1(B), 3883(A)(3), 3886(A), 3902(B)(5), and 3997(D)(1)(a) and

11 (2) are hereby amended and reenacted to read as follows:

12 §10.1. School and district accountability system; purpose; responsibilities of state

13 board

14 \* \* \*

15 B. The State Board of Elementary and Secondary Education, hereafter

16 referred to as the "state board", shall provide for a statewide system of accountability

17 for schools and school districts based on student achievement and minimum

1 standards for the approval of schools pursuant to R.S. 17:10. ~~Beginning with the~~  
 2 ~~2011-2012 school year, such system shall be based, in part, on growth in student~~  
 3 ~~achievement using a value-added assessment model as determined by the state board.~~  
 4 ~~The program shall include, at a minimum, clear and appropriate standards for schools~~  
 5 ~~and school districts, indicators for the assessment of schools and school districts,~~  
 6 ~~student achievement baselines, student growth targets, and appropriate minimum~~  
 7 ~~levels of student achievement for each public school and school district, rewards and~~  
 8 ~~corrective actions, specific intervals for assessment and reassessment of schools and~~  
 9 ~~school districts, a review process for evaluating growth targets, and technical~~  
 10 ~~assistance.~~

11 \* \* \*

12 §3883. State Board of Elementary and Secondary Education; powers and duties

13 A. The board shall:

14 \* \* \*

15 (3) ~~Set standards to use in determining whether the teacher has successfully~~  
 16 ~~met the evaluation qualifications for retaining or acquiring regular teacher~~  
 17 ~~certification. **Make available best practices, guidelines, and research-based**~~  
 18 ~~**models to assist local school boards in establishing guidelines and procedures**~~  
 19 ~~**for the evaluation process.**~~

20 \* \* \*

21 §3886. Teaching credentials; regular certification, permanent certification; effect of  
 22 evaluation

23 A. If a teacher's evaluation demonstrates that he has met the standard for  
 24 effectiveness as determined by the **local** board, ~~using value-added data,~~ for three  
 25 years during the initial certification or renewal process, a certificate shall be issued  
 26 or renewed unless the **state** board receives evidence from the local board, through  
 27 an appeal, that justifies discontinuation. Similarly, if a teacher's evaluation  
 28 demonstrates that he has not met the standard for effectiveness as determined by the  
 29 **local** board, ~~using either value-added data or other components of the evaluation,~~ for

1 three years during the initial certification or renewal process, the **state** board shall  
2 not issue or renew a certificate unless evidence of effectiveness is received from the  
3 local board, through an appeal, that justifies the issuance of a certificate.

4 \* \* \*

5 §3902. Evaluation program; process

6 \* \* \*

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

11 \* \* \*

12 (5) Measure of effectiveness. ~~Fifty percent of such evaluations shall be based~~  
13 ~~on evidence of growth in student achievement as determined by the board.~~ Data  
14 derived from a value-added assessment model, as determined by the **state** board,  
15 shall be a factor **provided to local boards to assist** in determining evidence of  
16 student growth for grade levels and subjects for which value-added data is available  
17 ~~and shall comprise thirty-five percent of the overall evaluation.~~ For grade levels and  
18 subjects for which value-added data is not available and for personnel for whom  
19 value-added data is not available, the board shall establish measures of student  
20 growth. The model shall take into account important student factors, including but  
21 not limited to special education, economic disadvantage, attendance, and discipline.  
22 ~~However, neither the value-added model nor the measures of student growth for~~  
23 ~~grade levels and subjects for which value-added data are not available shall, in any~~  
24 ~~given year, include a test score or data of a student who has ten or more unexcused~~  
25 ~~absences in any school semester in that year.~~ The board shall develop and adopt a  
26 policy to invalidate such student growth data for any teacher for any school year in  
27 which there is a natural disaster or any other unexpected event that results in the  
28 temporary closure of the school.

29 \* \* \*

1 §3997. Charter school employees

2 \* \* \*

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

7 \* \* \*

8 (2) ~~Fifty percent of each teacher and administrator evaluation conducted~~  
9 ~~pursuant to Paragraph (1) of this Subsection shall be based on evidence of growth in~~  
10 ~~student achievement as determined by the state board.~~ Data derived from a  
11 value-added assessment model, as determined by the state board, shall be a factor  
12 **provided to the governing authority of a charter school to assist** in determining  
13 evidence of student growth for grade levels and subjects for which value-added data  
14 is available ~~and shall comprise thirty-five percent of the overall evaluation.~~ For grade  
15 levels and subjects for which value-added data is not available, the state board shall  
16 establish measures of student growth. The model shall take into account important  
17 student factors, including but not limited to special education, economic  
18 disadvantage, attendance, and discipline. ~~The state board shall develop and adopt a~~  
19 ~~policy to invalidate such student growth data for any teacher for any school year in~~  
20 ~~which there is a natural disaster or any other unexpected event that results in the~~  
21 ~~temporary closure of the school.~~

22 \* \* \*

23 Section 2. R.S. 17:10.1(C) and 3883(A)(6), (7), and (8) are hereby repealed.

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



and for personnel for whom value-added data is not available, BESE shall establish measures of student growth. Provides that the model shall take into account important student factors, including but not limited to special education, eligibility for free or reduced price meals, attendance, and discipline. Except for evaluations for charter school teachers, prohibits the value-added model and the measures of student growth for grade levels and subjects for which value-added data are not available from including a test score or data of a student who has 10 or more unexcused absences in any school semester in that year. Require BESE to 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.

Proposed law removes requirements for the use of a value-added assessment model for making evaluations and for certain percentages of the evaluations to be based upon value-added data and instead provides the value added data collected by the state shall be to local boards, including charter governing authorities, to assist in determining evidence of student growth for grade levels and subjects for which value-added data is available. Further removes the requirement that BESE develop and adopt a policy to invalidate student achievement growth data using a value-added assessment model for any school year in which there is a natural disaster or any other unexpected event that results in the temporary closure of schools.

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

(Amends R.S. 17:10.1(B), 3883(A)(3), 3886(A), 3902(B)(5), and 3997(D)(1)(a) and (2); repeals R.S. 17:10.1(C) and 3883(A)(6)-(8))