

HB2823 schools; teachers; principals; evaluation systems

Sponsor: Representative Goodale

Summary as passed the Senate on 4/5/12:

Four Performance Classifications

- Requires the State Board of Education (SBE) by December 1, 2012, to include four performance classifications for the model framework for teacher and principal evaluations and provide guidelines for school districts and charter schools to use in their evaluation instruments. These four performance classifications are designated as highly effective, effective, developing and ineffective.
- Permits the SBE to periodically make adjustments to align the model framework for teacher and principal evaluations with assessment or data changes at the state level.
- Requires by school year 2013-2014 for school districts and charter schools to adopt definitions for the performance classifications adopted by the SBE in a public meeting and apply the performance classifications to their evaluation instruments in a manner designed to improve principal and teacher performance.
- Requires the school district governing board to discuss at a public meeting at least annually its aggregate performance classifications of principals and teachers.

Principal Evaluations, Contracts & Disclosure of Information for Hiring Purposes

- Requires the school district governing board to adopt in a public meeting and implement by school year 2013-2014 policies for principal evaluations. Before the adoption of the principal evaluation policies, the school board must provide opportunities for public discussion on the proposed policies. The policies shall describe:
 - The principal evaluation instrument, including the four performance classifications adopted by the governing board.
 - Alignment of professional development opportunities to the principal evaluations.
 - Incentives for principals in one of the two highest performance classifications which may include multi-year contracts (up to three years), and/or incentives to work at schools that are assigned a letter grade of "D" or "F."
 - Transfer and contract processes for principals designated in the lowest performance classification.
- Amends current law so that principals may not all be offered multi-year contracts of up to three years. Thus, the only way to get a multi-year contract as a principal will be based on the school district incentive created to offer principals in the two highest performance classifications a contract of up to three years. Maintains current statute that a school district shall not offer to extend or negotiate the principals' contract until May of the year preceding the final year of contract.
- Requires school district governing boards to make available the evaluation and performance classification of each principal in the school district to school districts and charter schools that are inquiring about the performance of the principal for hiring purposes.

Duties of Teachers

- Adds to current statute under "duties of teachers" that student learning is the primary focus of the teacher's professional time.

Probationary Teachers

Current statute dictates policies and procedures for teachers under three years of experience (“probationary teachers”) and policies for teachers with over three years of experience (“continuing status teachers”).

- HB2823 maintains teachers who are beginning their fourth year of employment and who have been designated in one of the two lowest performance classifications in the “probationary” section of statute. Thus, if at the end of the third year of teaching a teacher is designated in one of the bottom two performance classifications, they will *not* automatically move to be a “continuing status teacher.”
 - These teachers are not entitled to a right to a hearing in front of the governing board (this mirrors current practice for probationary teachers).
 - They are also not subject to statute that provides for an automatic contract in the next school year (15-538.01).

Continuing Status Teachers—Transfer Policies

A “continuing status teacher” is one who has been employed by the school district for the major portion of three or more consecutive school years.

- Prohibits a continuing status teacher who is designated in the lowest performance classification for two consecutive school years from being transferred as a teacher to another school in that school district unless the school district has issued a notice of inadequacy of classroom performance and approved a performance improvement plan for the teacher and the governing board has approved the new placement as in the best interests of the students in the school. A teacher who continues to be in one of the two lowest performance classifications shall not be permitted to transfer to another school. A teacher cannot be transferred more than once pursuant to this section.

Teacher Transfer Policy

- Requires that any school district policy pertaining to the transfer of teachers from one school to another school in a school district take into consideration the current distribution of teachers across all of the performance classifications and the needs of the students in the school district.

Teacher Evaluation Policies

- Requires the school district governing board to adopt teacher evaluation policies in a public meeting by school year 2013-2014. Before the adoption of the teacher evaluation policies, the school board must provide opportunities for public discussion on the proposed policies. The policies shall describe:
 - Incentives for teachers in the highest performance classification, including multi-year contracts for up to three years. The teacher may accept the multi-year contract offer or decline and accept a one year contract.
 - Incentives for teachers in the two highest performance classifications to work at schools that are assigned a letter grade of “D” or “F.”
 - Protections for teachers who are transferred to schools that are assigned a letter grade of “D” or “F.”
 - Protections for teachers if the principal of the school is designated in the lowest performance classification.

Beginning in school year 2015-2016, these policies must describe:

- Support and consequences for teachers designated in the lowest performance classification.
- An intervention option for teachers designated in the lowest performance classification that includes the use of a performance improvement plan. This intervention option may be used only once for each teacher.
- Dismissal policies that follow current due process for teachers (ARS 15-539) who continue to be designated in the lowest performance classification after using the intervention option.
- Dismissal policies that follow current due process for teachers (ARS 15-539) for teachers who are not provided an intervention option. These policies must require that the school board initiate the notice of inadequacy of classroom performance process no later than the second consecutive year that the teacher is designated in the lowest performance classification.

Observations/Evaluations

- Requires a school district governing board's procedures for the evaluation system to prescribe at least two actual classroom observations of the certificated teacher demonstrating skills in a complete and uninterrupted lesson by the person observing the teacher. There must be at least 60 calendar days between the first and last observations. Within 10 business days after each observation, the person observing the teacher must provide written feedback to the teacher.
- Requires the governing board to ensure that those who evaluate teachers are trained and qualified to do so.
- Requires the person evaluating a teacher to provide professional development opportunities for the teacher to improve performance.

Inadequacy of Classroom Performance

- Requires the governing board to develop a definition of "inadequacy of classroom performance" that aligns with the performance classifications adopted by the State Board of Education. (Pursuant to current statute, this must be done in consultation with the district's teachers.)

Disclosure of Evaluations & Performance Classifications

- Permits the Arizona Department of Education to have copies of a teacher's evaluation report and performance classification, but maintains that these records are confidential.
- Permits evaluations and performance classifications of teachers to be released to school districts and charter schools that inquire about the performance of the teacher for employment purposes.

Classroom Site Fund

- Requires that beginning in school year 2014-2015 individual teacher performance as measured by the teacher's performance classification must be a component of the district's 40% performance based pay allocation.
- One of the elements that a school board must vote on as part of its performance based compensation system is a requirement for individual teacher performance as measured by the teacher's performance classification. Beginning in school year 2014-2015, the

individual teacher performance component shall account for 33% of the 40% performance based pay allocation. (Note, the governing board still maintains the ability to modify this element as long as the modification is adopted during a public hearing.)

- States that the school district's performance based compensation system's regular evaluation for effectiveness must comply by fiscal year 2014-2015 with the four performance classifications.

Alternative Timeline: Teacher and Principal Evaluations

- Allows a school district governing board or a charter school governing body to choose to postpone the implementation of the required teacher and principal evaluation until the 2013-2014 school year if a majority of the board votes to postpone at a public meeting and adopts a plan that includes:
 - All of the following, which must be adopted by September 30, 2012: a timeline for the evaluation to be implemented by the beginning of the 2013-2014 school year; a plan for engaging teachers and other interested stakeholders; and a plan to determine how the evaluations will guide professional development.
 - All of the following, which must be adopted by December 31, 2012: an instrument or instruments considered for the evaluation; and the percentage of the outcome of the evaluation in accordance with the evaluation framework adopted by the State Board of Education.
- Permits the Arizona Department of Education to develop an evaluation instrument that complies with the evaluation framework adopted by the State Board of Education for school districts and charter schools. This evaluation instrument may be pilot tested in school districts and charter schools that choose to participate in the pilot program in school year 2012-2013.

Arizona Department of Education: Posting of Best Practices

- Requires the Arizona Department of Education by September 15, 2012, to identify and prominently post on their website the best practices for the implementation and assessment of principal and teacher evaluation systems. These best practices must be from at least the following public schools:
 - One large school district and one small school district located in a county with a population of at least 800,000 people.
 - One school district located in a county with a population of less than 800,000 people.
 - One charter school.
- The best practices must include detailed information on the following:
 - The implementation process for teacher and principal evaluation systems.
 - The evaluation weightings.
 - The types of qualitative and quantitative elements used.
 - The methods in which the evaluations guide professional development.
 - The types of decisions for which the evaluations are used.