



# Senate

General Assembly

**File No. 478**

February Session, 2016

Senate Bill No. 380

*Senate, April 5, 2016*

The Committee on Education reported through SEN. SLOSSBERG of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING THE EXCLUSION OF STUDENT PERFORMANCE RESULTS ON THE MASTERY EXAMINATION FROM TEACHER EVALUATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-151b of the 2016 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective from passage*):

4 (a) The superintendent of each local or regional board of education  
5 shall annually evaluate or cause to be evaluated each teacher, and for  
6 the school year commencing July 1, 2013, and each school year  
7 thereafter, such annual evaluations shall be the teacher evaluation and  
8 support program adopted pursuant to subsection (b) of this section.  
9 The superintendent may conduct additional formative evaluations  
10 toward producing an annual summative evaluation. An evaluation  
11 pursuant to this subsection shall include, but need not be limited to,  
12 strengths, areas needing improvement, strategies for improvement and  
13 multiple indicators of student academic growth. For any evaluation

14 conducted for the school year commencing July 1, 2016, and each  
15 school year thereafter, such multiple indicators of student academic  
16 growth shall not include the use of student performance data on the  
17 state-wide mastery examination pursuant to section 10-14n. Claims of  
18 failure to follow the established procedures of such teacher evaluation  
19 and support program shall be subject to the grievance procedure in  
20 collective bargaining agreements negotiated subsequent to July 1, 2004.  
21 In the event that a teacher does not receive a summative evaluation  
22 during the school year, such teacher shall receive a "not rated"  
23 designation for such school year. The superintendent shall report (1)  
24 the status of teacher evaluations to the local or regional board of  
25 education on or before June first of each year, and (2) the status of the  
26 implementation of the teacher evaluation and support program,  
27 including the frequency of evaluations, aggregate evaluation ratings,  
28 the number of teachers who have not been evaluated and other  
29 requirements as determined by the Department of Education, to the  
30 Commissioner of Education on or before September fifteenth of each  
31 year. For purposes of this section, the term "teacher" shall include each  
32 professional employee of a board of education, below the rank of  
33 superintendent, who holds a certificate or permit issued by the State  
34 Board of Education.

35 (b) Except as provided in subsection (d) of this section, not later  
36 than September 1, [2013] 2016, each local and regional board of  
37 education shall adopt and implement a teacher evaluation and support  
38 program that is consistent with the guidelines for a model teacher  
39 evaluation and support program adopted by the State Board of  
40 Education, pursuant to subsection (c) of this section. Such teacher  
41 evaluation and support program shall be developed through mutual  
42 agreement between the local or regional board of education and the  
43 professional development and evaluation committee for the school  
44 district, established pursuant to subsection (b) of section 10-220a. If a  
45 local or regional board of education is unable to develop a teacher  
46 evaluation and support program through mutual agreement with such  
47 professional development and evaluation committee, then such board  
48 of education and such professional development and evaluation

49 committee shall consider the model teacher evaluation and support  
50 program adopted by the State Board of Education, pursuant to  
51 subsection (c) of this section, and such board of education may adopt,  
52 through mutual agreement with such professional development and  
53 evaluation committee, such model teacher evaluation and support  
54 program. If a local or regional board of education and the professional  
55 development and evaluation committee are unable to mutually agree  
56 on the adoption of such model teacher evaluation and support  
57 program, then such board of education shall adopt and implement a  
58 teacher evaluation and support program developed by such board of  
59 education, provided such teacher evaluation and support program is  
60 consistent with the guidelines adopted by the State Board of  
61 Education, pursuant to subsection (c) of this section. Each local and  
62 regional board of education may commence implementation of the  
63 teacher evaluation and support program adopted pursuant to this  
64 subsection in accordance with a teacher evaluation and support  
65 program implementation plan adopted pursuant to subsection (d) of  
66 this section.

67 (c) (1) On or before [July 1, 2012] August 15, 2016, the State Board of  
68 Education shall adopt, in consultation with the Performance  
69 Evaluation Advisory Council established pursuant to section 10-151d,  
70 guidelines for a model teacher evaluation and support program. Such  
71 guidelines shall include, but not be limited to, (A) the use of four  
72 performance evaluations designators: Exemplary, proficient,  
73 developing and below standard; (B) subject to the provisions of  
74 subdivision (3) of this subsection, the use of multiple indicators of  
75 student academic growth and development in teacher evaluations that  
76 do not include the use of student performance data on the state-wide  
77 mastery examination pursuant to section 10-14n; (C) methods for  
78 assessing student academic growth and development; (D) a  
79 consideration of control factors tracked by the state-wide public school  
80 information system, pursuant to subsection (c) of section 10-10a, that  
81 may influence teacher performance ratings, including, but not limited  
82 to, student characteristics, student attendance and student mobility; (E)  
83 minimum requirements for teacher evaluation instruments and

84 procedures, including scoring systems to determine exemplary,  
85 proficient, developing and below standard ratings; (F) the  
86 development and implementation of periodic training programs  
87 regarding the teacher evaluation and support program to be offered by  
88 the local or regional board of education or regional educational service  
89 center for the school district to teachers who are employed by such  
90 local or regional board of education and whose performance is being  
91 evaluated and to administrators who are employed by such local or  
92 regional board of education and who are conducting performance  
93 evaluations; (G) the provision of professional development services  
94 based on the individual or group of individuals' needs that are  
95 identified through the evaluation process; (H) the creation of  
96 individual teacher improvement and remediation plans for teachers  
97 whose performance is developing or below standard, designed in  
98 consultation with such teacher and his or her exclusive bargaining  
99 representative for certified teachers chosen pursuant to section 10-  
100 153b, and that (i) identify resources, support and other strategies to be  
101 provided by the local or regional board of education to address  
102 documented deficiencies, (ii) indicate a timeline for implementing such  
103 resources, support, and other strategies, in the course of the same  
104 school year as the plan is issued, and (iii) include indicators of success  
105 including a summative rating of proficient or better immediately at the  
106 conclusion of the improvement and remediation plan; (I) opportunities  
107 for career development and professional growth; and (J) a validation  
108 procedure to audit evaluation ratings of exemplary or below standard  
109 by the department or a third-party entity approved by the department.

110 (2) The State Board of Education shall, following the completion of  
111 the teacher evaluation and support pilot program, pursuant to section  
112 10-151f, and the submission of the study of such pilot program,  
113 pursuant to section 10-151g, review and may revise, as necessary, the  
114 guidelines for a model teacher evaluation and support program and  
115 the model teacher evaluation and support program adopted under this  
116 subsection.

117 (3) Not later than August 1, 2016, the State Board of Education shall

118 revise the guidelines for a model teacher evaluation and support  
 119 program and the model teacher evaluation and support program,  
 120 adopted under this subsection, to exclude the use of student  
 121 performance data on the state-wide mastery examination, pursuant to  
 122 section 10-14n. The state board, in consultation with the Performance  
 123 Evaluation Advisory Council, may reconsider how much weight shall  
 124 be given to multiple indicators of student academic growth and  
 125 development in teacher evaluations and revise, as necessary, such  
 126 guidelines for a model teacher evaluation and support program and  
 127 the model teacher evaluation and support program.

128 (d) A local or regional board of education may phase in full  
 129 implementation of the teacher evaluation and support program  
 130 adopted pursuant to subsection (b) of this section during the school  
 131 years commencing July 1, 2013, and July 1, 2014, pursuant to a teacher  
 132 evaluation and support program implementation plan adopted by the  
 133 State Board of Education, in consultation with the Performance  
 134 Evaluation Advisory Council, not later than July 1, 2013. The  
 135 Commissioner of Education may waive the provisions of subsection  
 136 (b) of this section and the implementation plan provisions of this  
 137 subsection for any local or regional board of education that has  
 138 expressed an intent, not later than July 1, 2013, to adopt a teacher  
 139 evaluation program for which such board requests a waiver in  
 140 accordance with this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-151b

**ED**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which makes various procedural changes to teacher evaluations, is not anticipated to result in a fiscal impact.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****SB 380*****AN ACT CONCERNING THE EXCLUSION OF STUDENT PERFORMANCE RESULTS ON THE MASTERY EXAMINATION FROM TEACHER EVALUATIONS.*****SUMMARY:**

This bill prohibits teacher evaluations conducted for the 2016-17 school year and each subsequent year from using Connecticut student mastery exam data as part of the student academic growth indicators required in all teacher evaluations (see BACKGROUND). The bill allows standardized test results other than from the mastery exam to be used in teacher evaluation.

Furthermore, the bill requires (1) the State Board of Education (SBE), in consultation with the Performance Evaluation Advisory Committee (PEAC), to revise the teacher evaluation and support guidelines to reflect the change by August 1, 2016 and adopt the revised guidelines by August 15, 2016 and (2) local and regional boards to adopt new teacher evaluation and support programs that reflect the change by September 1, 2016 (see BACKGROUND). Under current state law and the bill, the SBE adopts evaluation guidelines and local or regional boards must then adopt teacher evaluation plans that conform to these guidelines.

When revising the guidelines, the bill also permits SBE and PEAC to reconsider how much weight to give to the student growth indicators and to incorporate any weighting changes. By law, unchanged by the bill, teacher evaluations programs apply to all certified personnel in a school district, which includes all teachers and administrators not including the superintendent.

EFFECTIVE DATE: Upon passage

## INDICATORS OF STUDENT GROWTH

By law, SBE's evaluation guidelines must include, among other things, multiple indicators of student academic growth and development. The guidelines call for 45% of a teacher's evaluation to be based on student growth, using the growth indicators to measure progress toward individual teacher goals. Up to half of the growth indicators (22.5% of the overall evaluation) may be based on standardized test scores including the results of the Connecticut mastery tests. The requirement to use such standardized test scores has been delayed for two years (currently it would start with the 2016-17 school year) in part because of the new Smarter Balanced Assessment (SBAC) that was fully implemented in the 2014-15 school year.

The current SBE guidelines allow a state test to be used for the student growth indicators as long as it uses a comparison of test data over time and not a single test. Other types of standardized tests are also permitted, such as Advanced Placement, SATs, Developmental Reading Assessments, and standardized vocational exams.

Under the bill, standardized tests other than the Connecticut mastery tests would be allowed.

For the grades (e.g., first, second, ninth, and twelfth) or subjects (e.g., science in most grades and art, social studies, languages, and physical education in all grades) that do not have applicable mastery tests, the bill has no effect as existing standards call for non-standardized methods of measuring student academic growth (although they permit a standardized test to be used if one can be agreed to by the teacher and the teacher's evaluator).

## BACKGROUND

### ***Required Subjects and Grades for Mastery Exams***

Table 1 shows the subjects, grades, and exams required for Connecticut public school mastery exams.

**Table 1. State Law: Required Subjects and Grades for Mastery Exams**

<b>Subject</b>	<b>State Law (matches federal law)</b>	<b>Exam</b>
Math	Grades three to eight, inclusive	SBAC
Math, reading, and writing	Grades three to eight, inclusive	SBAC
Science	Grades five, eight, and 10	CT Mastery Test for grades five and eight; CAP Test for grade 10
Math, reading, and writing	Grade 11	SAT

### **PEAC**

The Performance Evaluation Advisory Council (PEAC) was established in 2010 to help SBE develop and implement teacher evaluation program guidelines and a supporting data system. Its members are:

1. the education and higher education commissioners, or their designees;
2. representatives of the associations of boards of education, school superintendents, other school administrators, and teachers; and
3. an unspecified number of appropriate people selected by the education commissioner, who must include teachers and experts in performance evaluation processes and procedures.

### **COMMITTEE ACTION**

Education Committee

Joint Favorable

Yea 23 Nay 10 (03/18/2016)