



General Assembly

**Amendment**

February Session, 2016

LCO No. 5556



Offered by:

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REP. FLEISCHMANN, 18<sup>th</sup> Dist.

To: Senate Bill No. 380

File No. 478

Cal. No. 313

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

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (*Effective from passage*) (a) The Performance Evaluation  
4 Advisory Council, established pursuant to section 10-151d of the  
5 general statutes, shall seek evidence-based and independent research  
6 to conduct a study regarding the appropriate use of student  
7 performance results on the state-wide mastery examination, conducted  
8 pursuant to section 10-14n of the general statutes, in conducting  
9 educator performance evaluations under the teacher evaluation and  
10 support program, pursuant to section 10-151b of the general statutes,  
11 as amended by this act. The Performance Evaluation Advisory Council  
12 shall consider the findings and report of the Mastery Examination  
13 Committee, established pursuant to section 1 of public act 15-238, as it  
14 relates to the council's review of the state-wide mastery examination

15 for purposes of this section, specifically subdivisions (3), (6), (8), (12),  
16 (17) and (18) of this subsection, and shall recognize that student  
17 performance results on the state-wide mastery examination are limited  
18 to educator performance evaluations for teachers in grades four to  
19 eight, inclusive, and the subjects of English language arts and  
20 mathematics and principals in public schools that provide such grades  
21 and subjects when used in conducting educator performance  
22 evaluations under the teacher evaluation and support program. The  
23 Performance Evaluation Advisory Council shall identify and prioritize  
24 those items described in subdivisions (1) to (19), inclusive, and  
25 threshold issues that the council will address, within available  
26 appropriations, during the first year of the study. The study may  
27 include, but need not be limited to, the following:

28 (1) An examination of whether student performance results on the  
29 state-wide mastery examination (A) are valid and reliable measures to  
30 be used in the process of evaluating educator effectiveness, and (B)  
31 should be included in the multiple indicators of student academic  
32 growth, as used in section 10-151b of the general statutes, as amended  
33 by this act, for purposes of educator performance evaluations under  
34 the teacher evaluation and support program;

35 (2) An examination of whether student performance results on  
36 standardized and nonstandardized student assessments are (A) valid  
37 and reliable measures to be used in the process of evaluating educator  
38 effectiveness, and (B) should be included in the multiple indicators of  
39 student academic growth, as used in section 10-151b of the general  
40 statutes, as amended by this act, for purposes of educator performance  
41 evaluations under the teacher evaluation and support program;

42 (3) An examination of whether and how the state-wide mastery  
43 examination validly and reliably measures student academic growth;

44 (4) An examination of whether using student performance results  
45 on the state-wide mastery examination for purposes of evaluating  
46 educators has an impact on groups and subgroups of students,

47 including, but not limited to, English language learners, students  
48 receiving special education and related services and other relevant  
49 subgroups;

50 (5) An examination of the effect that using student performance  
51 results on the state-wide mastery examination for a certain cohort of  
52 teachers has on evaluating the effectiveness of an educator as it relates  
53 to the implementation of the teacher evaluation and support program  
54 within a school district and across the state;

55 (6) An analysis of whether the administration or results of the state-  
56 wide mastery examination contains any inherent or latent gender,  
57 racial, socioeconomic, cultural or developmental biases;

58 (7) An analysis of the effect that any inherent or latent gender,  
59 racial, socioeconomic, cultural or developmental biases in the  
60 administration or results of the state-wide mastery examination has on  
61 evaluating the effectiveness of an educator when student performance  
62 results on the state-wide mastery examination are used on an educator  
63 performance evaluation;

64 (8) An examination of issues concerning equity within and across  
65 school districts as it relates to the preparation for and administration of  
66 the state-wide mastery examination, including, but not limited to,  
67 resource allocation, computer equipment and information technology  
68 support and assistance, school personnel assistance, classroom  
69 instruction time and class size or student load, and how equity  
70 disparities, if any, influence the outcomes of teacher performance  
71 evaluations;

72 (9) An examination of how the use of student assessments measure  
73 student learning and academic growth during the academic school  
74 year and how such assessments relate to teacher performance  
75 evaluations;

76 (10) A compilation and review of existing valid and reliable student  
77 assessments that measure student learning and academic growth

78 during a school year;

79 (11) An examination of how student learning and academic growth  
80 during a school year is measured using standardized and  
81 nonstandardized student assessments;

82 (12) An analysis of the differences between such standardized and  
83 nonstandardized student assessments and the student performance  
84 results on such standardized and nonstandardized student  
85 assessments;

86 (13) An analysis of the relationship between student performance  
87 results on standardized and nonstandardized student assessments for  
88 purposes of evaluating the effectiveness of an educator under the  
89 teacher evaluation and support program;

90 (14) An examination and analysis of formative and summative  
91 standardized student assessments that have been proven to be valid  
92 and reliable, and how student performance results on such formative  
93 and summative standardized student assessments relate to measuring  
94 the effectiveness of an educator;

95 (15) A review of the guidelines for a model teacher evaluation and  
96 support program, as described in subsection (c) of section 10-151b of  
97 the general statutes, as amended by this act;

98 (16) An examination of the appropriateness of the weighting of the  
99 various components of educator performance evaluations, as  
100 prescribed by such guidelines;

101 (17) An examination of issues relating to the timeliness of the  
102 administration of the state-wide mastery examination, including, but  
103 not limited to, when students are taking such examination and how  
104 much classroom time teachers and students spend in preparation for  
105 such examination;

106 (18) An examination of issues relating to the timeliness of when the  
107 results of such examination are made available for purposes of

108 conducting individual teacher performance evaluations and  
109 implementing a school district's teacher evaluation and support  
110 program; and

111 (19) An examination of whether the use of student performance  
112 results on the state-wide mastery examination for purposes of  
113 measuring teacher effectiveness has an impact on the recruitment and  
114 retention of teachers (A) in alliance districts, as defined in section 10-  
115 262u of the general statutes, (B) of racial minorities, as defined in  
116 section 10-155l of the general statutes, and (C) in subject shortage  
117 areas, as determined by the Commissioner of Education pursuant to  
118 section 10-8b of the general statutes.

119 (b) Not later than January 1, 2019, the Performance Evaluation  
120 Advisory Council shall submit a final report on its findings and any  
121 recommendations to the joint standing committee of the General  
122 Assembly having cognizance of matters relating to education, in  
123 accordance with the provisions of section 11-4a of the general statutes.  
124 During the period between the effective date of this section and the  
125 submission of the final report, the council may submit interim reports  
126 on its findings and any recommendations to the joint standing  
127 committee of the General Assembly having cognizance of matters  
128 relating to education, in accordance with the provisions of section 11-  
129 4a of the general statutes. If the final report or any interim report  
130 reflects the unanimous consent of the members of the council  
131 regarding the findings and recommendations contained therein, such  
132 report shall indicate that it is a consensus of the council. If the council  
133 is unable to achieve unanimous consent on any finding or  
134 recommendation, the council may submit a majority report that  
135 reflects the consent of a majority of the members of the council  
136 regarding the findings and recommendations of the council and  
137 minority reports that include explanations as to the objections to the  
138 majority report by any member or members of the council and any  
139 alternative findings or recommendations by such members.

140 Sec. 2. Subsections (a) and (b) of section 10-151b of the 2016

141 supplement to the general statutes are repealed and the following is  
142 substituted in lieu thereof (*Effective July 1, 2016*):

143 (a) The superintendent of each local or regional board of education  
144 shall annually evaluate or cause to be evaluated each teacher, and for  
145 the school year commencing July 1, 2013, and each school year  
146 thereafter, such annual evaluations shall be the teacher evaluation and  
147 support program adopted pursuant to subsection (b) of this section.  
148 The superintendent may conduct additional formative evaluations  
149 toward producing an annual summative evaluation. An evaluation  
150 pursuant to this subsection shall include, but need not be limited to,  
151 strengths, areas needing improvement, strategies for improvement and  
152 multiple indicators of student academic growth. For the school years  
153 commencing July 1, 2016, to July 1, 2018, inclusive, student  
154 performance results on the state-wide mastery examination,  
155 administered pursuant to section 10-14n, (1) may be used (A) among  
156 the multiple indicators of student academic growth and development  
157 for the purpose of determining whether a teacher has met such  
158 teacher's goals for purposes of an evaluation pursuant to this  
159 subsection if the State Board of Education approves a waiver request  
160 for such use, pursuant to subdivision (3) of subsection (b) of this  
161 section, (B) as one of multiple indicators to inform the development of  
162 an individual teacher's goals for the school year, (C) to assess the  
163 quality of curriculum and instructional interventions provided to  
164 students in the school district, and (D) to develop strategies for  
165 improving the provision of public education services in the school  
166 district, and (2) shall not be used in the determination of whether a  
167 teacher has met such teacher's goals for purposes of an evaluation  
168 conducted pursuant to this subsection, unless the State Board of  
169 Education has approved a waiver request pursuant to said subdivision  
170 (3) of subsection (b) of this section. Claims of failure to follow the  
171 established procedures of such teacher evaluation and support  
172 program shall be subject to the grievance procedure in collective  
173 bargaining agreements negotiated subsequent to July 1, 2004. In the  
174 event that a teacher does not receive a summative evaluation during

175 the school year, such teacher shall receive a "not rated" designation for  
176 such school year. The superintendent shall report [(1)] (A) the status of  
177 teacher evaluations to the local or regional board of education on or  
178 before June first of each year, and [(2)] (B) the status of the  
179 implementation of the teacher evaluation and support program,  
180 including the frequency of evaluations, aggregate evaluation ratings,  
181 the number of teachers who have not been evaluated and other  
182 requirements as determined by the Department of Education, to the  
183 Commissioner of Education on or before September fifteenth of each  
184 year. For purposes of this section, the term "teacher" shall include each  
185 professional employee of a board of education, below the rank of  
186 superintendent, who holds a certificate or permit issued by the State  
187 Board of Education.

188 (b) (1) Except as provided in subsection (d) of this section, not later  
189 than September 1, 2013, each local and regional board of education  
190 shall adopt and implement a teacher evaluation and support program  
191 that is consistent with the guidelines for a model teacher evaluation  
192 and support program adopted by the State Board of Education,  
193 pursuant to subsection (c) of this section. Such teacher evaluation and  
194 support program shall be developed through mutual agreement  
195 between the local or regional board of education and the professional  
196 development and evaluation committee for the school district,  
197 established pursuant to subsection (b) of section 10-220a.

198 (2) (A) If a local or regional board of education is unable to develop  
199 a teacher evaluation and support program through mutual agreement  
200 with such professional development and evaluation committee, then  
201 such board of education and such professional development and  
202 evaluation committee shall consider the model teacher evaluation and  
203 support program adopted by the State Board of Education, pursuant to  
204 subsection (c) of this section, and such board of education may adopt,  
205 through mutual agreement with such professional development and  
206 evaluation committee, such model teacher evaluation and support  
207 program. (B) If a local or regional board of education and the  
208 professional development and evaluation committee are unable to

209 mutually agree on the adoption of such model teacher evaluation and  
210 support program, then such board of education shall adopt and  
211 implement a teacher evaluation and support program developed by  
212 such board of education, provided such teacher evaluation and  
213 support program is consistent with the guidelines adopted by the State  
214 Board of Education, pursuant to subsection (c) of this section.

215 (3) For the school years commencing July 1, 2016, to July 1, 2018,  
216 inclusive, if all of the members of the professional development and  
217 evaluation committee for a school district unanimously agree to  
218 include student performance results on the state-wide mastery  
219 examination among the multiple indicators of student academic  
220 growth and development for the purpose of determining whether a  
221 teacher has met such teacher's goals for purposes of an evaluation  
222 conducted pursuant to this section, such committee shall send a letter  
223 indicating such agreement with the signatures of all members to the  
224 local or regional board of education for the school district. Such local  
225 or regional board of education may submit a written request to the  
226 Commissioner of Education for a waiver authorizing the use of such  
227 student performance results for such purpose. Such waiver request  
228 shall include the letter from the professional development and  
229 evaluation committee. The commissioner shall inform the State Board  
230 of Education of receipt of such waiver request and immediately  
231 forward it to the Performance Evaluation Advisory Council,  
232 established pursuant to section 10-151d, for consideration. If the  
233 membership of the Performance Evaluation Advisory Council  
234 unanimously agrees to recommend approval of such waiver request,  
235 the commissioner shall forward such recommendation to the State  
236 Board of Education for approval or rejection of such waiver request.  
237 The State Board of Education may approve or reject such waiver  
238 request. If the membership of the Performance Evaluation Advisory  
239 Council is unable to unanimously agree to recommend approval of  
240 such waiver request, the commissioner shall not forward such waiver  
241 request and the State Board of Education shall not approve or reject  
242 such waiver request.



243       (4) Each local and regional board of education may commence  
244 implementation of the teacher evaluation and support program  
245 adopted pursuant to this subsection in accordance with a teacher  
246 evaluation and support program implementation plan adopted  
247 pursuant to subsection (d) of this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2016</i>	10-151b(a) and (b)