



General Assembly

**Amendment**

February Session, 2016

LCO No. 5578



Offered by:  
SEN. BOUCHER, 26<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 (7) and (8) of this

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

28 (1) An examination of whether using student performance results  
29 on the state-wide mastery examination for purposes of evaluating  
30 educators has an impact on groups and subgroups of students,  
31 including, but not limited to, English language learners, students  
32 receiving special education and related services and other relevant  
33 subgroups;

34 (2) An examination of how the use of student assessments measure  
35 student learning and academic growth during the academic school  
36 year and how such assessments relate to teacher performance  
37 evaluations;

38 (3) A compilation and review of existing valid and reliable student  
39 assessments that measure student learning and academic growth  
40 during a school year;

41 (4) An analysis of the relationship between student performance  
42 results on standardized and nonstandardized student assessments for  
43 purposes of evaluating the effectiveness of an educator under the  
44 teacher evaluation and support program;

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

48 (6) An examination of the appropriateness of the weighting of the  
49 various components of educator performance evaluations, as  
50 prescribed by such guidelines;

51 (7) An examination of issues relating to the timeliness of the  
52 administration of the state-wide mastery examination, including, but  
53 not limited to, when students are taking such examination and how  
54 much classroom time teachers and students spend in preparation for  
55 such examination; and

56 (8) An examination of issues relating to the timeliness of when the  
57 results of such examination are made available for purposes of  
58 conducting individual teacher performance evaluations and  
59 implementing a school district's teacher evaluation and support  
60 program.

61 (b) Not later than January 1, 2019, the Performance Evaluation  
62 Advisory Council shall submit a final report on its findings and any  
63 recommendations to the joint standing committee of the General  
64 Assembly having cognizance of matters relating to education, in  
65 accordance with the provisions of section 11-4a of the general statutes.  
66 During the period between the effective date of this section and the  
67 submission of the final report, the council may submit interim reports  
68 on its findings and any recommendations to the joint standing  
69 committee of the General Assembly having cognizance of matters  
70 relating to education, in accordance with the provisions of section 11-  
71 4a of the general statutes. If the final report or any interim report  
72 reflects the unanimous consent of the members of the council  
73 regarding the findings and recommendations contained therein, such  
74 report shall indicate that it is a consensus of the council. If the council  
75 is unable to achieve unanimous consent on any finding or  
76 recommendation, the council may submit a majority report that  
77 reflects the consent of a majority of the members of the council  
78 regarding the findings and recommendations of the council and  
79 minority reports that include explanations as to the objections to the  
80 majority report by any member or members of the council and any

81 alternative findings or recommendations by such members.

82 Sec. 2. Subsections (a) and (b) of section 10-151b of the 2016  
83 supplement to the general statutes are repealed and the following is  
84 substituted in lieu thereof (*Effective July 1, 2016*):

85 (a) The superintendent of each local or regional board of education  
86 shall annually evaluate or cause to be evaluated each teacher, and for  
87 the school year commencing July 1, 2013, and each school year  
88 thereafter, such annual evaluations shall be the teacher evaluation and  
89 support program adopted pursuant to subsection (b) of this section.  
90 The superintendent may conduct additional formative evaluations  
91 toward producing an annual summative evaluation. An evaluation  
92 pursuant to this subsection shall include, but need not be limited to,  
93 strengths, areas needing improvement, strategies for improvement and  
94 multiple indicators of student academic growth. For the school years  
95 commencing July 1, 2016, to July 1, 2018, inclusive, student  
96 performance results on the state-wide mastery examination,  
97 administered pursuant to section 10-14n, (1) may be used (A) among  
98 the multiple indicators of student academic growth and development  
99 for the purpose of determining whether a teacher has met such  
100 teacher's goals for purposes of an evaluation pursuant to this  
101 subsection if the State Board of Education approves a waiver request  
102 for such use, pursuant to subdivision (3) of subsection (b) of this  
103 section, (B) as one of multiple indicators to inform the development of  
104 an individual teacher's goals for the school year, (C) to assess the  
105 quality of curriculum and instructional interventions provided to  
106 students in the school district, and (D) to develop strategies for  
107 improving the provision of public education services in the school  
108 district, and (2) shall not be used in the determination of whether a  
109 teacher has met such teacher's goals for purposes of an evaluation  
110 conducted pursuant to this subsection, unless the State Board of  
111 Education has approved a waiver request pursuant to said subdivision  
112 (3) of subsection (b) of this section. Claims of failure to follow the  
113 established procedures of such teacher evaluation and support  
114 program shall be subject to the grievance procedure in collective

115 bargaining agreements negotiated subsequent to July 1, 2004. In the  
116 event that a teacher does not receive a summative evaluation during  
117 the school year, such teacher shall receive a "not rated" designation for  
118 such school year. The superintendent shall report [(1)] (A) the status of  
119 teacher evaluations to the local or regional board of education on or  
120 before June first of each year, and [(2)] (B) the status of the  
121 implementation of the teacher evaluation and support program,  
122 including the frequency of evaluations, aggregate evaluation ratings,  
123 the number of teachers who have not been evaluated and other  
124 requirements as determined by the Department of Education, to the  
125 Commissioner of Education on or before September fifteenth of each  
126 year. For purposes of this section, the term "teacher" shall include each  
127 professional employee of a board of education, below the rank of  
128 superintendent, who holds a certificate or permit issued by the State  
129 Board of Education.

130 (b) (1) Except as provided in subsection (d) of this section, not later  
131 than September 1, 2013, each local and regional board of education  
132 shall adopt and implement a teacher evaluation and support program  
133 that is consistent with the guidelines for a model teacher evaluation  
134 and support program adopted by the State Board of Education,  
135 pursuant to subsection (c) of this section. Such teacher evaluation and  
136 support program shall be developed through mutual agreement  
137 between the local or regional board of education and the professional  
138 development and evaluation committee for the school district,  
139 established pursuant to subsection (b) of section 10-220a.

140 (2) (A) If a local or regional board of education is unable to develop  
141 a teacher evaluation and support program through mutual agreement  
142 with such professional development and evaluation committee, then  
143 such board of education and such professional development and  
144 evaluation committee shall consider the model teacher evaluation and  
145 support program adopted by the State Board of Education, pursuant to  
146 subsection (c) of this section, and such board of education may adopt,  
147 through mutual agreement with such professional development and  
148 evaluation committee, such model teacher evaluation and support

149 program. (B) If a local or regional board of education and the  
150 professional development and evaluation committee are unable to  
151 mutually agree on the adoption of such model teacher evaluation and  
152 support program, then such board of education shall adopt and  
153 implement a teacher evaluation and support program developed by  
154 such board of education, provided such teacher evaluation and  
155 support program is consistent with the guidelines adopted by the State  
156 Board of Education, pursuant to subsection (c) of this section.

157 (3) For the school years commencing July 1, 2016, to July 1, 2018,  
158 inclusive, if all of the members of the professional development and  
159 evaluation committee for a school district unanimously agree to  
160 include student performance results on the state-wide mastery  
161 examination among the multiple indicators of student academic  
162 growth and development for the purpose of determining whether a  
163 teacher has met such teacher's goals for purposes of an evaluation  
164 conducted pursuant to this section, such committee shall send a letter  
165 indicating such agreement with the signatures of all members to the  
166 local or regional board of education for the school district. Such local  
167 or regional board of education may submit a written request to the  
168 Commissioner of Education for a waiver authorizing the use of such  
169 student performance results for such purpose. Such waiver request  
170 shall include the letter from the professional development and  
171 evaluation committee. The commissioner shall immediately forward  
172 such waiver request to the State Board of Education. The State Board of  
173 Education may approve or reject such waiver request.

174 (4) Each local and regional board of education may commence  
175 implementation of the teacher evaluation and support program  
176 adopted pursuant to this subsection in accordance with a teacher  
177 evaluation and support program implementation plan adopted  
178 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)