

# FOCUS *on Teacher Reform Legislation* *in SREB States: Evaluation Policies*

## SREB

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The recent wave of new legislation affecting public school teachers has its roots, in part, in the budget shortfalls that have challenged states for the past several years. The first signs of fiscal troubles for many states became evident in 2008, and most instituted midyear budget reductions in 2009. In response, the U.S. Congress passed the American Recovery and Reinvestment Act (ARRA) of 2009 to offset state budget deficits.

The federal government used the ARRA program to kick-start state economies by investing a total of \$787 billion from 2009 to 2011 in several state and local government sectors, including education. Roughly \$4.35 billion of ARRA funds also were reserved for awards in the federal Race to the Top (RTTT) competitive education program. To receive any federal funds linked to the ARRA or RTTT programs, states were required to meet a list of minimum criteria, including revising state statutes for particular educational policies. In fact, RTTT eligibility was contingent upon a state ensuring no barrier existed that would prevent it from linking student achievement and growth data to teacher and principal performance evaluations.

These funding restrictions have given policy-makers in many states a new incentive to transform their education statutes by altering policies affecting a number of common issues, including teacher evaluations, tenure, dismissal and compensation. This *Focus* report on teacher evaluation policies is the first in a series of reports on these bills.

Of the 11 states and the District of Columbia that have won RTTT funding to date, six are SREB states (Delaware, Florida, Georgia, Maryland, North Carolina and Tennessee). Some SREB states modified their evaluation systems prior to RTTT; other SREB states made the most of the opportunity to restructure their systems with federal funding assistance. **In total, in 2010 and 2011, legislatures in seven SREB states approved changes to their teacher evaluation systems.** Arkansas, Florida, Louisiana, Maryland, Oklahoma, Tennessee and Virginia amended previous policies or established new teacher evaluation systems. (See Table 1.)

## What teacher evaluations entail

Teacher evaluations are tools for measuring teacher performance. According to a 2011 report by the National Comprehensive Center for Teacher Quality, teacher evaluations “should identify and measure the instructional strategies, professional behaviors, and delivery of content knowledge that affect student learning.”

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*The next Focus report on teacher reform measures will include a complete summary of recent teacher tenure, incentive pay and dismissal policies adopted by SREB states.*

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Table 1  
**Teacher Evaluation System Legislation  
 Adopted by SREB States, 2010 and 2011**

State	2010	2011
Alabama		
Arkansas		House Bill 2178
Delaware		
Florida		Senate Bill 736
Georgia		
Kentucky		
Louisiana	House Bill 1033	
Maryland	House Bill 1263	
Mississippi		
North Carolina		
Oklahoma	Senate Bill 2033	
South Carolina		
Tennessee	House Bill 7010 and Senate Bill 7005	
Texas		
Virginia		House Bill 1500
West Virginia		

Sources: SREB state legislation.

Two types of teacher evaluations exist: formative and summative. Formative evaluations give teachers suggestions for improving their performance and typically are conducted once or twice within a four-year period. In contrast, summative evaluations measure a teacher’s performance against school, district or state regulations. Summative evaluations produce information about a teacher that assists school administrators in making decisions on teacher tenure, professional development, performance pay, dismissal and other topics. In some states, summative evaluations are conducted as often as annually. Many states evaluate teachers using a mix of both formative and summative evaluation features.

In general, states have used teacher performance rating systems that consist of two rankings, either “satisfactory” or “unsatisfactory.” As reported by The New Teacher Project, “nearly all teachers — 99 percent in many districts — earn the ‘satisfactory’ rating,” leading many experts to agree that current teacher evaluation systems are not useful. Teacher evaluation rankings, based on the “satisfactory” or “unsatisfactory” scale, do not provide clear information about a teacher’s effectiveness or performance.

Current teacher evaluation systems generally include some combination of classroom observations, lesson plans, teaching portfolios and self-assessments. RTTT’s call for states to link student achievement to teacher evaluations fundamentally changes how teacher effectiveness is assessed through evaluation systems.

## Common elements of new legislation

The common elements of the laws passed in SREB states relating to teacher evaluation systems include:

- incorporating value-added growth models.
- adding student learning growth data.
- expanding the teacher performance rating system. (See Table 2.)

Table 2  
**Overview of Teacher Evaluation System Legislation  
 Adopted by SREB States, 2010 and 2011**

State	Implementation Date (school year)	Value-Added Growth Model	Percent of Evaluation Based on Student Growth Data <sup>1</sup>	Expanded Teacher Performance Rating System	Creation of Advisory Council or Committee	Professional Development	Mentoring
Alabama	2014-2015	✓	50	✓		✓	✓
Arkansas							
Delaware							
Florida	2011-2012	✓	50	✓			
Georgia							
Kentucky							
Louisiana	2011-2012	✓	50		✓	✓	
Maryland	2013-2014	✓	*		✓	✓	✓
Mississippi							
North Carolina							
Oklahoma	2013-2014	✓	35 <sup>2</sup>	✓	✓	✓	
South Carolina							
Tennessee	2011-2012	✓	35 <sup>2</sup>		✓		
Texas							
Virginia	2012-2013	✓	40 <sup>3</sup>	✓			
West Virginia							

\* Significant component. (See Page 6 for details).

<sup>1</sup> The percentages of student growth data listed are only for evaluations of teachers who teach subjects with annual state assessments.

<sup>2</sup> The overall evaluation will consist of 50 percent student achievement growth data, made up of 35 percent student learning growth data and 15 percent other academic measures.

<sup>3</sup> At least 40 percent of the evaluation will consist of student growth data.

Sources: SREB state legislation, state statutes and state Boards of Education.

Using intricate statistical instruments, growth models estimate the change in a student's performance over a period of time. *Value-added growth models* gauge the effect of a particular program, school or teacher on a student's academic progress. These models compare a student's projected test scores (on class, district, state or national assessments) against test scores earned at the end of the school year or another time period. Previous academic performance and individual factors, such as student background and other external variables, also are taken into consideration to make projections more accurate.

The difference between the projected and actual scores reveals a student's learning growth (i.e., growth in academic achievement) in a program, school or class over time. In general, these data also show a teacher's contribution to that progress. Student learning growth data are a significant portion of teacher evaluation results, but the growth data are always used in conjunction with other evaluation tools, such as classroom observations. In addition, states are authorizing state boards of education to develop other measures for evaluating teachers whose areas are not included in state testing programs, such as media specialists, art teachers, counselors, special education teachers or other educators.

Newly created evaluation systems include *expanded teacher performance rating* designations. Rather than using only two measures ("satisfactory" and "unsatisfactory"), the new evaluation systems typically have multiple rating designations, such as "highly effective," "effective," "needs improvement" and "ineffective."

## Legislative changes

In the last two years, a fraction of SREB state boards of education created policies concerning teacher evaluation procedures through their general powers and duties. Seven SREB states to date have altered evaluation programs by modifying state law and placing responsibility for developing the details with the state boards.

The **Arkansas** Legislature approved House Bill 2178 in 2011, establishing the Teacher Excellence and Support System. Beginning with the 2014-2015 school year, student achievement growth data will constitute 50 percent of teacher performance evaluations. For teachers in content areas without student growth data (i.e., teachers whose subjects or responsibilities are not assessed through state tests), the state Department of Education will identify another measure to comprise 50 percent of the evaluations. Evaluators will rate teachers according to four performance levels ("distinguished," "proficient," "basic" and "unsatisfactory") in four evaluation categories — planning and preparation, classroom environment, instruction and professional responsibilities.

As detailed in the bill, the remainder of the evaluation process will consist of a pre- and post-observation conference, a formal and informal classroom observation, and a review of student growth data or another assessment. Teachers will supply other documents relating to the evaluation system, such as lesson plans, or participation in professional development or research studies. In addition, evaluations will include a written determination of the teacher's performance level in each evaluation category and on all the categories as a whole. Teachers also will receive feedback regarding their evaluation ratings that they can use to improve student learning and their own instructional skills. Lastly, the teacher will have the opportunity to give his or her opinion of the evaluation process and evaluator.

The bill requires a teacher and evaluator to mold a professional learning plan that advances the teacher's professional skills and that clearly links the teacher's professional development activities and individual professional learning needs based on the performance evaluation. The plan requires that at least half of a teacher's state-mandated professional development hours be related to the teacher's subject, instructional strategies or areas needing improvement as identified by the evaluation. To increase teacher retention and student achievement, beginning teachers will receive training and support through mentoring.

Currently, all teachers are evaluated annually. Beginning with the 2014-2015 school year, public schools will begin conducting evaluations at least annually for beginning, probationary and intensive support status teachers (those with a rating of "unsatisfactory" or "basic" in a majority of the evaluation categories). For tenured teachers, schools will conduct evaluations once every three years.

**Florida's** Student Success Act (Senate Bill 736 of 2011) amends the current teacher evaluation system to include student learning growth data. Beginning with the 2011-2012 school year, 50 percent of a teacher's evaluation will consist of at least three years of student learning growth data — a formula that must consist of a student's prior academic performance and other factors (attendance, disability status or status as an English-language learner). For subjects without student learning growth data, a local school district may request to use a student achievement measure that is a more appropriate measure of the teacher's performance.

The bill requires evaluators to rate teachers in one of four levels of performance: "highly effective," "effective," "needs improvement/developing" or "unsatisfactory." Evaluations must include student learning growth data, classroom observations, and professional and job responsibility information. The legislation requires at least two performance evaluations in the first year for newly hired teachers and an annual performance evaluation for all other teachers. Previously, all teachers were evaluated at least once a year.

In 2010, **Louisiana** altered its teacher evaluation system (in House Bill 1033) to ensure that every student is taught by an effective teacher and every school is managed by an effective school leader. Currently, teacher evaluations include a job description, a professional growth plan, a self-evaluation, observation and conferencing, and a classroom visitation. Beginning with the 2011-2012 school year, teacher evaluations will contain measures of effectiveness using a value-added model and will discard the self-evaluation portion currently required.

This value-added evaluation model, as determined by the state Board of Education, will incorporate student achievement growth data. The student growth data will count as 50 percent of a teacher's evaluation and will include a student's disability status, attendance, discipline, eligibility for free or reduced-price meals, and other information. For grade levels and subjects for which value-added data are not available, the state Board will establish measures of student growth.

Prior to the passage of House Bill 1033, evaluations were conducted once every three years for teachers with more than three years of experience. Probationary teachers were evaluated every year. Beginning in the 2011-2012 school year, every teacher is required to have an annual value-added evaluation. By the 2012-2013 school year, the public will have access to school-level student achievement growth data that do not reveal any specific employee information.

Another change to Louisiana statutes will tie teacher evaluations to state certification. If a teacher meets effectiveness standards for three years as measured by the value-added evaluation model, the teacher will obtain either state certification for the first time, or a renewal. However, if the required standards are not met, the state Board will not grant or renew certification.

The bill institutes new professional development requirements for beginning teachers. Local school boards must provide beginning teachers with professional development opportunities during their first three years of employment to improve their teaching competencies. The local board also must provide targeted professional development to address teaching deficiencies identified in the evaluation process.

The bill requires the state Board of Education to establish a 13-member Educator Evaluation Advisory Committee. The committee will develop the value-added model and identify measures of student growth for grades and subjects for which value-added data are not available. The committee will report its initial results to the Louisiana Legislature by April 30, 2012.

**Maryland's** House Bill 1263 of 2010 requires teacher performance evaluations to include student growth data as a significant component of the total evaluation, as developed by the state Board of Education. It becomes effective in the 2013-2014 school year. The bill defines student growth data as "student progress assessed by multiple measures and from a clearly articulated baseline to one or more points in time." Within the student growth component, no single measure may account for more than 35 percent.

Beginning or probationary teachers will continue to have evaluations at least once a year. Beginning with the 2010-2011 school year, if a beginning (or probationary) teacher does not qualify for tenure at any formal evaluation point, the bill requires that the teacher receive mentoring and professional development. However, a local board can assign a mentor at any time during a beginning teacher's employment. The state Board must ensure that mentoring programs are effective, of high quality, geared toward the needs of the employee, and include observations and feedback.

In 2010, Maryland competed in the RTTT competition and won a \$250 million award in August. The state's application included provisions that require student growth data to make up 50 percent of teacher performance evaluations. In April 2010, the state Board proposed this policy. Later that year, a legislative committee — the Joint Committee on Administrative, Executive and Legislative Review, which reviews state agency regulations to ensure the legislative intent of a bill is upheld — voted against the state Board's teacher evaluation policy recommendation and returned the regulations to the Board for further review. In June 2011, the 21-member Council for Educator Effectiveness (created by the governor in June 2010), which is charged with making "recommendations on how student growth will be measured, how much growth is required to define effective and highly effective educators, [and] possible instruments to be used to assess student growth," recommended that student growth data comprise 50 percent of the evaluation. Seven school districts will use the recommended rate during a pilot project set to begin in fall 2011. The state Board will finalize regulations as the pilot project progresses.

The 2010 **Oklahoma** Legislature passed Senate Bill 2033, which requires the state Board of Education to adopt a statewide teacher evaluation system by December 2011 for implementation by local school districts no later than the 2013-2014 school year. The Oklahoma Teacher and Leader Effectiveness Evaluation System will consist of student achievement growth data — 35 percent student learning growth and 15 percent other academic measures — and qualitative assessment measures (50 percent).

These qualitative assessment measures are observable and measurable characteristics of personnel and classroom practices linked to student performance. Examples include organizational and classroom management skills, ability to provide effective instruction, continuous professional growth, and interpersonal and leadership skills.

For teachers in grades and subjects that do not have state-mandated tests, the evaluation will consist of an assessment using objective measures of teacher effectiveness, such as student performance on unit or end-of-year tests. The evaluation's emphasis will rest on observed qualitative assessment measures and the teacher's contribution to the overall academic growth of the school.

The evaluation system expands teacher performance ratings to: "superior," "highly effective," "effective," "needs improvement" and "ineffective." A teacher rated as "needs improvement" or "ineffective" will receive comprehensive remediation plans and instructional coaching.

The bill created the Oklahoma Race to the Top Commission to oversee the state's RTTT application and possible federal funding, as well as to assist the state Board in developing and implementing the new evaluation system. Because the state was not awarded any RTTT funding, House Bill 1267 of 2011 changed the name of the commission to the Teacher and Leader Effectiveness Commission. As initially authorized, the commission will continue until July 1, 2016, but the bill reduced its duties to oversight and advisement of the evaluation system only.

**Tennessee's** First to the Top Act (House Bill 7010 and Senate Bill 7005, 2010) authorizes the creation of a statewide teacher evaluation system that utilizes student achievement data. Beginning with the 2011-2012 school year, student achievement data will comprise 50 percent of annual teacher evaluations — 35 percent based on student growth data from state assessments and 15 percent on other measures of student achievement. Other mandatory criteria for teacher performance evaluations include, at least, a review of prior evaluations, personal conferences and classroom observations.

The bills require annual evaluations of all teachers, beginning with the 2011-2012 school year. Currently, probationary teachers are evaluated at least once a year according to state statutes. However, most probationary teachers are observed in their classrooms or are evaluated two to three times a year, based on state Board policy. Tenured or experienced teachers presently are evaluated twice within a 10-year period.

Teachers in the top three quintiles for student growth may choose to have student growth data comprise 50 percent of the evaluation, rather than selecting another achievement measurement for 15 percent of the evaluation. The state Department of Education will approve a different set of student growth measurements for teachers in subjects without growth measures. The bills also create an independent, 15-member teacher evaluation advisory committee to develop guidelines for annual teacher evaluations by July 1, 2011.

**Virginia** amended its teacher evaluation system through the 2010 Performance Pay Initiative funded in the 2011-2012 budget bill, House Bill 1500. The General Assembly, with the governor's support, approved \$3 million in state funding for 2011-2012 to create the Virginia Performance-Pay Incentives initiative that awards teachers with "exemplary" ratings in hard-to-staff schools with competitive grants of up to \$5,000 in performance pay.

To participate, schools must implement the new comprehensive teacher evaluation system, created by the state Board of Education. Under the system, at least 40 percent of a teacher's evaluation is based on stu-

dent learning growth data, which may include state assessment scores and other measures of learning and achievement. The remainder of the evaluation includes seven major performance standards categories — professional knowledge, instructional planning, instructional delivery, assessment of and for student learning, learning environment, professionalism and student academic progress. The teachers will earn a performance rating of “exemplary,” “proficient,” “needs improvement” or “unacceptable” under each category.

Virginia’s new evaluation system becomes effective in July 2012, but school districts may choose to implement the new evaluation system in the 2011–2012 school year.

## Summary

In 2010 and 2011, Arkansas, Florida, Louisiana, Maryland, Oklahoma, Tennessee and Virginia took action that strengthens the connection between student achievement and teacher performance in teacher evaluations. Arkansas, Florida and Louisiana now require that 50 percent of teacher evaluations are based on student growth data. Oklahoma and Tennessee require student growth data to make up 35 percent of evaluations, while 40 percent of teacher evaluations in Virginia are comprised of student growth data. Student growth data in Maryland will operate as a significant component of teacher evaluations.

Arkansas, Florida, Oklahoma and Virginia expanded teacher performance rating designations from two measures to multiple-measure rating systems. Four of the seven states changed the frequency of teacher evaluations: In Florida, teacher evaluations will occur at least twice in the first year for new teachers, instead of annually. All teachers in Louisiana and Tennessee will undergo annual evaluations — not just beginning teachers. Arkansas will decrease the frequency of evaluations for tenured teachers from annually to once every three years.

Overall, these seven states restructured their teacher evaluation systems during years of budget shortfalls that challenged state funding levels for education. With federal funding assistance from ARRA and, in some states, RTTT, these states strengthened their teacher evaluation statutes with the goal of increasing student achievement and improving teacher performance.

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