You asked about teacher evaluations during the COVID-19 pandemic.

Our Response:

States have taken a variety of different actions regarding teacher evaluations during the COVID-19 pandemic. During spring 2020 we observed several trends in state policy regarding teacher evaluations because of pandemic related school closures: some states waived all requirements for evaluations, some states waived certain requirements, and some states issued flexibility or guidance. Other states, particularly those without statewide evaluation models, did not take specific action on the topic.

As states turn attention to the 2020-21 school year, we are not currently aware of a state that has waived all requirements for teacher evaluation for this school year. Some states have waived certain requirements or have issued flexibility or guidance on the topic. Many states have not yet released information on the topic. Below are examples of state action from both spring and fall 2020.

Example State Actions: Spring 2020

In spring of 2020, states took a range of action to address challenges presented by the COVID-19 pandemic. Regarding teacher evaluations, some states waived all requirements for evaluations for the 2019-20 school year, while other states waived some requirements or provided flexibility or guidance on the topic.

Waivers of All State Requirements 2019-20

As of April 2020, we noted at least seven states – AR, CO, FL, GA, LA, MS, and OK – that issued broad waivers of state requirements around evaluation for the 2019-20 school year. All seven of these states require localities to follow a statewide evaluation model. Below are examples of states that waived all requirements.

- **Arkansas**: State requirements for educator evaluation were suspended for 2019-20. **Guidance** states, “local districts must determine the process for completing end-of-year ratings for educators who were scheduled for a summative year evaluation.”
- **Colorado**: In an **executive order**, Gov. Jared Polis suspended the requirements “regarding the frequency and duration of employment performance evaluations” with the goal that this would “enable schools and districts to focus on providing alternative learning opportunities for students.”
- **Florida**: **Guidance** noted that evaluations required under section **Fla. Stat. Ann. § 1012.34** were waived for the 2019-20 school year. This waiver gave districts the flexibility to determine how they calculated a teacher’s annual salary increases locally.
- **Georgia**: Department of education **guidance** noted that the state superintendent **suspended** teacher and leader evaluation requirements and reporting requirements for the remainder of the 2019-20 school year. The requirements were also suspended through **executive order 03.27.20.02** issued by Gov. Brian Kemp.

State Examples: Waivers of Specific Evaluation Requirements for 2019-20

Other states opted to waive certain requirements or provide guidance to localities rather than waive the entire teacher evaluation for spring 2020. Most targeted waivers focused on student performance data and growth
measures. As of April 2020, we were aware of at least five additional states requiring a statewide evaluation model that provided flexibility on teacher evaluations or waived certain requirements for the 2019-20 school year.

- **New Jersey:** Gov. Phil Murphy issued an *executive order* that waived the use of student growth data and requirements for observations in educator evaluations.

- **Pennsylvania:** The state secretary of education signed *Act 13*, waiving the requirement to include performance data in performance ratings.

- **Tennessee:** [*S.B. 2672/H.B. 2818*](enacted) allowed student growth evaluation composites generated by assessments administered in the 2019-20 school year to be excluded from the student growth measure of a teacher’s evaluation for the 2019-20, 2020-21 and 2021-22 school years, unless the composites result in a higher evaluation score for the teacher.

*State Examples: Flexibility or Guidance Around Evaluations for 2019-20*

States that allow district choice around teacher evaluation models largely issued guidance or outlined flexibility on the issue for the 2019-20 school year. For example, both Indiana and Wisconsin allow for district choice in evaluation model.

- **Indiana:** Gov. Eric Holcomb issued an *executive order* allowing for flexibility regarding teacher evaluations. School corporations may either 1) conduct evaluations for the current school year as previously planned, not including student achievement and growth on statewide assessments or in-person observations, or 2) use evaluations from the 2018-19 school year. These cannot be used for teachers who are on a remediation plan or for teachers without a 2018-19 evaluation designation.

- **Wisconsin:** Guidance allowed for local flexibility and noted that districts have the option to request a waiver from the department of public instruction for the Educator Effectiveness evaluations for the 2019-20 summary year educators.

*Example State Actions: Fall 2020*

According to a database from the National Council on Teacher Quality, 26 states and the District of Columbia have not yet released guidance around teacher evaluation for the current school year. Of the states that have released guidance, eight are states that require districts to use a statewide evaluation model.

*State Examples: Waivers of Specific Evaluation Requirements for 2020-21*

- **Connecticut:** According to the “*Flexibilities for Implementing the CT Guidelines for Educator Evaluation*” memo from the state board of education, the requirement for summative ratings has been waived for the 2020-21 school year. However, the memo clarifies that evaluators will still provide feedback to educators. In addition, student learning indicators must be focused on social and emotional learning for students, student engagement and/or family engagement. The state guidance says that “an academic goal may be considered with mutual agreement.”

- **Mississippi:** The Mississippi State Board of Education approved the *suspension* of strict compliance with the requirement for districts to submit annual employee performance data for the 2020-21 school year.

- **New Jersey:** *Executive order 175* notes that student growth data based on standardized assessments will not be included in teachers’ summative ratings for the 2020-21 school year.

- **Ohio:** Guidance from the department of education states that student growth measures will be waived in 2020-21 evaluations. Guidance states that “a school district board of education may not use Value-Added, high-quality student data or any other student academic growth data to measure student learning attributable to a teacher or principal while conducting evaluations,” and notes that a district board “may only use the other factors and components that do not pertain to student learning attributable to the educator.”
State Examples: Flexibility or Guidance Around Evaluations for 2020-21

- **Hawai‘i**: The [EES Manual](#) from the department of education offers alternatives to in-person observation and adjusted implementation deadlines for the 2020-21 school year.

- **Illinois** [SB 1569](#) (enacted) amends provisions for teacher evaluations during public health emergencies, such that teachers under contractual service who did not receive a required evaluation would receive an "Excellent" rating if they had received an "Excellent" on their most recent evaluation, rather than a default rating of "Proficient," as is generally required. The bill also notes that a school board and “exclusive bargaining representative” may mutually agree upon an alternative performance rating for teachers during a public health emergency, in lieu of requiring the “Excellent” or “Proficient” rating as described above.

- **Oregon**: Department of education **guidance** offers flexibility on the content of Student Learning and Growth Goals. These goals can emphasize engagement, social and emotional health, and behavioral health, as opposed to strictly academic goals.

- **South Carolina**: A [memo](#) from the department of education provides flexibility around the number of observations and provides alternative options. The memo also notes that teachers are required to complete a simplified Student Learning Objective.

- **Washington**: The state department of education reduced the number of criteria required for **comprehensive evaluations** in the current school year, with remaining criteria to be based on the educator’s previous score. Teachers without previous scores may proceed with the evaluation as normal or choose to be scored “basic” on additional criteria. The department also released guidance providing flexibility around **student growth goals** for teachers.

State Examples: Proposed Legislation

Most recent state policy activity around teacher evaluation has taken place within state education agency guidance and/or from state boards of education. In addition to those sources, we are tracking several pieces of legislation related to teacher evaluations.

Several states have **proposed legislation** pertaining to the 2020-21 school year and teacher evaluations, including the following examples:

- **Massachusetts** [HD 5139](#) (proposed, 2020) would establish a moratorium on the Massachusetts Comprehensive Assessment System. The proposed legislation would prevent the use of student learning measures in an educator’s evaluation for “the four academic years from the effective date of this act.”

- **New York** [A 10922](#) (proposed, 2020) would prohibit school districts from “requiring annual professional performance reviews of classroom teachers and building principals during the 2020-2021 school year.”