



## POLICY SNAPSHOT

# Teacher Evaluations

MAR 2018

## What Is the Issue and Why Does It Matter?

Teacher evaluations can be used by states and districts to support and develop an exceptional workforce. Accurate evaluations based on quality data can help differentiate teacher performance, inform feedback, improve professional development, provide opportunities for pay increases and advancement, and provide rationale for teacher dismissals. Yet many states, districts and schools struggle to create and implement the type of trusted evaluation system that meaningfully differentiates teacher performance and provides teachers with opportunities for tailored support, development and advancement.<sup>1</sup>

The Every Student Succeeds Act (ESSA) provides new flexibility to states to revise and reform their teacher evaluation systems.<sup>2</sup> Federal incentives to create prescribed evaluation systems have been removed and states now have full discretion over whether and how to evaluate teachers. (See “Trends in Teacher Evaluations.”) However, ESSA still requires states demonstrate that they are working to provide disadvantaged students equal access to effective teachers. If federal funds are appropriated to ESSA Title II, Part A, states can use those dollars to support and improve their teacher evaluation systems.<sup>3</sup>

## TRENDS IN TEACHER EVALUATIONS

A report by TNP finds **99 percent** of teachers are rated **good or great**, confirming related findings that evaluation systems are not meaningfully differentiating teachers or providing useful feedback. TNP recommends states use student growth as one measure of teacher effectiveness.

To qualify for a **waiver to the No Child Left Behind Act**, states are required to adopt education-redesign priorities, including: develop evaluation systems with continuing educator input; provide clear, timely and useful feedback; improve instruction; use multiple measures, including student growth; differentiate performance; and inform personnel decisions.

**ESSA** removes the requirement for teacher evaluation systems established under the waiver process and **prevents** the U.S. Department of Education **from prescribing specific measures of effectiveness** that states must use. States can use Title II, Part A funds, if appropriated, for evaluations based in part on student achievement.

2009

2009-12

2011-15

2014-15

2015

Federal **Race to the Top** grants encourage states and districts to revamp outdated evaluation systems. RTT priorities include annual evaluations, multiple measures (including student growth), multiple performance rating categories, and pay and advancement that is based on evaluation results.

States work to align their standards with **college and career readiness** benchmarks, which alters the student learning objectives and assessments on which teachers are evaluated. As a result, the U.S. Department of Education grants many states **additional time to roll out their new teacher evaluation systems**.

States have responded variably to new ESSA flexibilities. Many are continuing with their current teacher evaluation systems, while some have passed legislation and adopted regulations to revise or altogether redesign their systems. In 2017, state legislatures making changes to teacher evaluation policies were generally seeking to address one or more of the following:

- **Purpose:** Why do teacher evaluations exist, and what purpose do they serve?
- **Design:** Who is responsible for conducting the evaluations, and when and how often do evaluations take place? What metrics and rating categories are used to measure and classify teacher performance?
- **Authority:** Subject to some safeguards, should some or all elements of the evaluation design be left up to school districts? Should evaluation procedures be subject to collective bargaining?
- **Progress:** Is the current evaluation system meeting its intended purpose? Do districts have the supports they need to ensure proper implementation?

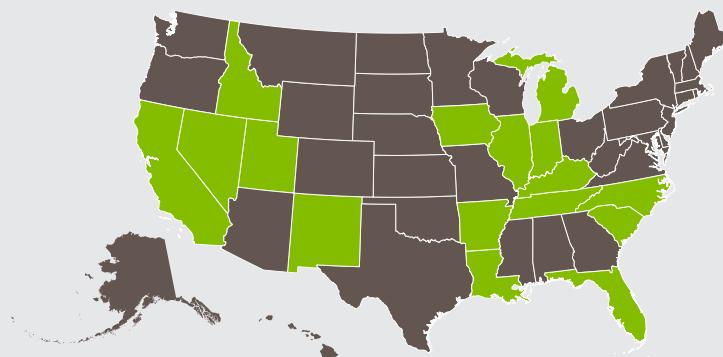
Though most state legislatures are opting to stay the course when it comes to evaluation design, some states enacted legislation in 2017 to reconsider, limit or altogether remove student growth as a factor in teacher evaluation scores.

## How Many States Enacted Legislation in 2017?

Based on a review of 2017 legislative activity concerning teacher evaluations:

- At least 20 bills/resolutions were enacted/adopted in 16 states, addressing the purpose, design, authority and progress of teacher evaluation systems.
- The governor in **New Mexico** vetoed the only two related bills passed by the legislature.

## Which States Enacted Legislation in 2017?



State	Legislation	Status	State	Legislation	Status
<b>Arkansas</b>	H.B. 1424	Enacted	<b>Louisiana</b>	H.B. 130 H.R. 158	Enacted Adopted
<b>California</b>	A.B. 1035	Enacted	<b>Michigan</b>	S.B. 133	Enacted
<b>Florida</b>	H.B. 7069	Enacted	<b>North Carolina</b>	H.B. 155 S.B. 257	Enacted Enacted
<b>Iowa</b>	H.F. 291	Enacted	<b>New Mexico</b>	H.B. 125 H.B. 241	Vetoed Vetoed
<b>Idaho</b>	H 300	Enacted	<b>Nevada</b>	A.B. 7 A.B. 320	Enacted Enacted
<b>Illinois</b>	S.B. 449	Enacted	<b>South Carolina</b>	H 3969	Enacted
<b>Indiana</b>	H.B. 1003	Enacted	<b>Tennessee</b>	H.B. 309	Enacted
	H.B. 1449	Enacted			
	S.B. 108	Enacted	<b>Utah</b>	H.B. 231	Enacted
<b>Kentucky</b>	S.B. 1	Enacted			

### Examples of Enacted State Legislation in 2017

 **Idaho:** [H. 300](#) provides funds to help districts comply with state teacher evaluation requirements. The bill also permits the use of funds for tools that will help guide districts beyond compliance to continuous improvement of instructional practices, including clarification of evaluation and documentation requirements, a template for evaluations and training to support compliance.

 **Iowa:** [H.F. 291](#) removes language allowing collective bargaining of evaluation procedures, and places sole responsibility for evaluation with the school board.

 **Illinois:** [S.B. 449](#) requires the state superintendent of education to convene a Performance Evaluation Advisory Council to advise the state board on the ongoing implementation of performance evaluations. Advisement may include gathering public feedback, sharing best practices and consulting with the state board on any proposed rule changes regarding evaluations.

 **Indiana:** [H.B. 1449](#) provides grants to school districts for programs that include instruction-focused accountability through an evaluation system based on multiple measures, including evidence of student learning and growth; ongoing professional development tied to feedback from student achievement data and the teacher evaluation process; and teacher recognition and advancement through performance-based compensation and career paths.

 **Utah:** [H.B. 231](#) adds to existing legislative findings that educator effectiveness can be enhanced by providing specific feedback and support for improvement through a systemic, fair and competent annual evaluation, with remediation of public educators whose performance is inadequate. The bill changes one of the core purposes of educator evaluation from “improving student achievement” to “improving student academic growth.” The bill requires each local school board to adopt a reliable and valid educator evaluation program that is based on educator professional standards established by the state board, uses multiple lines of evidence and includes a systematic annual evaluation of all educators.

## Student Growth in Teacher Evaluations

Student growth can be understood as calculated gains in student learning documented through progress on assessments, student learning objectives and the like. In 2009, only 15 states required teacher evaluations to include some measure of student growth. By 2015, following significant federal incentives to reform teacher evaluations, this number increased to 43 states.<sup>4</sup>

Given new ESSA flexibilities, some states are reconsidering, limiting or altogether removing the student growth metric in teacher evaluations. By the end of 2017, two years after ESSA was signed into law, the number of states requiring student growth in teacher evaluation scores dropped to 39.<sup>5</sup> Other states have opted to stay the course with their evaluation metrics, keeping student growth as one of multiple measures. Though the research is mixed, many experts conclude that while the use of student growth in teacher evaluations is imperfect, it should be included as one of multiple measures of teacher effectiveness — likely in addition to other metrics, such as classroom observations and student surveys.<sup>6</sup>

In 2017, at least 10 states enacted legislation/adopted resolutions impacting the use of student growth in teacher evaluations; and at least three states convened task forces, working groups or other independent reviews to examine the topic and provide recommendations. In these states, at least 11 bills/resolutions were enacted/adopted. The governor in **New Mexico** vetoed the only related bill passed by the legislature.

State	Legislation	Status	Details
<b>Arkansas</b>	H.B. 1424	Enacted	Removes student growth requirement, provides district flexibility
<b>Florida</b>	H.B. 7069	Enacted	Changes growth measure, provides district flexibility, requires study
<b>Indiana</b>	H.B. 1003 S.B. 108	Enacted Enacted	Provides district flexibility, requires study Requires study
<b>Kentucky</b>	S.B. 1	Enacted	Removes student growth requirement, provides district flexibility
<b>Louisiana</b>	H.R. 158	Adopted	Requires study
<b>Michigan</b>	S.B. 133	Enacted	Removes student growth requirement, provides district flexibility
<b>New Mexico</b>	H.B. 125	Vetoed	Reduces student growth impact, requires study
<b>Nevada</b>	A.B. 320	Enacted	Temporarily reduces student growth impact, changes growth measure
<b>South Carolina</b>	H 3969	Enacted	District flexibility, changes growth measure
<b>Tennessee</b>	H.B. 309	Enacted	Temporarily reduces student growth impact
<b>Utah</b>	H.B. 231	Enacted	District flexibility, changes growth measure

## Examples of Enacted State Legislation in 2017

 **Florida:** [H.B. 7069](#) maintains the requirement that at least one-third of a performance evaluation be based on data and indicators of student performance, but removes the requirement that student growth be derived from the state's value-added model — leaving the measure to district discretion. The bill also requires an independent analysis of student learning growth data.

 **Kentucky:** [S.B. 1](#) removes the statewide personnel evaluation system and instead requires districts to develop and implement an evaluation system based on a statewide framework for teaching. The bill also removes the requirement that districts include student growth as a significant factor in teacher evaluations.

 **Louisiana:** [H.R. 158](#) urges the state board to examine the validity of the data produced by the value-added assessment model used to evaluate public school teachers, and to include its findings and recommendations in the annual report submitted to the House Committee on Education and the Senate Committee on Education by March 1, 2018. (In 2016, Louisiana passed legislation reducing the impact of the value-added assessment model from 50 percent to 35 percent of a teacher's overall evaluation score.)<sup>7</sup>

 **South Carolina:** [H. 3969](#) allows districts to use the value-added system to evaluate teachers using student progress or growth. The bill specifies that the estimates of teacher effects on student progress must not be public record, but can be made available to the teacher, principal, superintendent and any teacher preparation programs approved by the state board.

## Examples of Legislation Introduced in 2018

Teacher evaluation policies remain top of mind for state legislators across the country. Examples of recently proposed state legislation include:

 **New Jersey:** [A. 675](#) would maintain the requirements for student growth in teacher evaluations, but provides that standardized assessments cannot account for more than 10 percent of the overall evaluation. [S. 1394](#) would maintain the requirements for student growth in teacher evaluations, but provides that standardized assessments cannot be used at all as a measure of student growth or progress and cannot be a factor in any teacher evaluation. The Senate bill would allow districts to determine the method for measuring student growth.

 **Tennessee:** [S.B. 250/H.B. 67](#) would require the department of education to develop alternative student growth models for non-tested grades and subjects. The bills would require that by the 2018-19 school year, school districts use at least one alternative growth model that has been approved by the state board of education for evaluation of teachers in non-tested grades and subjects.

 **Washington:** [H.B. 1319](#) would provide that teachers who hold a professional teaching certificate or a valid certificate from the National Board for Professional Teaching Standards, and who received a Level 3 or 4 rating on their previous summative evaluation, are only required to receive a summative evaluation once every six years (for candidates who received a Level 3) or once every eight years (for candidates who received a Level 4).

## Resources

- [\*Mitigating Teacher Shortages: Evaluation and Feedback\*](#)
- [\*For Good Measure? Teacher Evaluation Policy in the ESSA Era\*](#)
- [\*Beyond Ratings: Re-envisioning State Teacher Evaluation Systems as Tools for Professional Growth\*](#)
- [\*State Actions to Advance Teacher Evaluation\*](#)
- [\*Teacher Evaluation Resources\*](#)
- [\*State Policy Yearbook Database\*](#)

## ENDNOTES

1. Matthew A. Kraft and Allison F. Gilmour, "Revisiting the Widget Effect: Teacher Evaluation Reforms and the Distribution of Teacher Effectiveness," *Educational Researcher* 46, no. 5 (July 2017): 234-249, [https://scholar.harvard.edu/files/mkraft/files/kraft\\_gilmour\\_2017\\_widget\\_effect\\_er.pdf](https://scholar.harvard.edu/files/mkraft/files/kraft_gilmour_2017_widget_effect_er.pdf).
2. Stephanie Aragon et al., *ESSA: Quick Guides on Top Issues* (Denver: Education Commission of the States, August 2016), <https://www.ecs.org/wp-content/uploads/ESSA-Quick-guides-on-top-issues.pdf>.
3. Rachel Rosen and Leigh Parise, *Using Evaluation Systems for Teacher Improvement: Are Schools Ready to Meet New Federal Goals?* (New York: MDRC, March 2017), [https://www.mdrc.org/sites/default/files/iPD\\_ESSA\\_Brief\\_2017.pdf](https://www.mdrc.org/sites/default/files/iPD_ESSA_Brief_2017.pdf).
4. Kathryn Doherty and Sandi Jacobs, *State of the States 2015: Evaluating Teaching, Leading and Learning* (Washington, D.C.: National Council on Teacher Quality, November 2015) <https://www.nctq.org/dmsView/StateofStates2015>.
5. Elizabeth Ross, et al., *2017 State Teacher Policy Yearbook: National Summary* (Washington, D.C.: National Council on Teacher Quality, 2017) [https://www.nctq.org/dmsView/NCTQ\\_2017\\_State\\_Teacher\\_Policy\\_Yearbook](https://www.nctq.org/dmsView/NCTQ_2017_State_Teacher_Policy_Yearbook).
6. Kaitlin Pennington and Sara Mead, *For Good Measure? Teacher Evaluation Policy in the ESSA Era* (Washington, D.C.: Bellwether Education Partners, December 2016), [https://bellwethereducation.org/sites/default/files/Bellwether\\_ForGoodMeasure-GPLH\\_Final1216%20\(1\).pdf](https://bellwethereducation.org/sites/default/files/Bellwether_ForGoodMeasure-GPLH_Final1216%20(1).pdf).
7. Louisiana Senate Bill 477, 2016.

## AUTHOR

Stephanie Aragon is a policy analyst at Education Commission of the States. She earned a master's degree in public policy/education policy from the University of Denver's Institute for Public Policy Studies. Outside the office, Stephanie enjoys cooking alongside her husband, David, and keeping pace with her always curious, always busy son, Elijah. Contact Stephanie at [saragon@ecs.org](mailto:saragon@ecs.org) or **303.299.3614**.

### About Education Commission of the States Legislative Tracking

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