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BUILT TO SUCCEED? RANKING NEW STATEWIDE TEACHER EVALUATION PRACTICES



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DEMOCRATS
for **EDUCATION REFORM**

Narrative

The federal *Race to the Top* competition inspired over 20 states to pass legislation to strengthen teacher evaluation systems. The changes run the gamut from minimal revisions to bold commitments to parents and students that teachers will be evaluated based on whether and how much kids are learning.

While many of the laws passed with significant battle and controversy, this is the time when the rubber actually hits the road, as the states that made the biggest pledges to student learning start to implement these groundbreaking new laws.

In this report, Democrats for Education Reform forecasts the chances for success of 19 states—all of which either passed laws or changed regulations during 2010 and 2011. In many cases, the 19 have mapped out vastly different paths to what we all hope will be the same place: ensuring that every student has a high-quality teacher at the head of the class.

Here we predict which of those states' laws are tough enough to withstand the challenges ahead and are most likely to succeed in increasing teacher quality.

We want to be clear that even though we have states at the top of our list and at the bottom—the fact that a state is even on our roster illustrates the tremendous courage legislators showed in following President Obama's lead and standing up for kids. We applaud every one of the 19 states on our lineup for recognizing that students must have teachers that are evaluated fairly, regularly and held to a certain standard of effectiveness based on student performance.

Think of this as our pre-season rankings. Any one of these states at this point could surge to the top once the season is really rolling. Similarly, states that looked good on paper when their laws passed could just as easily slide once the real pressure of the implementation season smacks them in the face. (And in the case of a state like New York, the coming months could end up proving that it was an impostor and never deserved to make this prestigious list in the first place.) Only time will tell.

“Pre-Season Rankings” *Complete scorecard begins on page six*

State	Total Score
Florida	45
Tennessee	43
Colorado	40
Louisiana	33
Michigan	33
Oklahoma	32
Indiana	26
Nevada	26
Arkansas	23
Rhode Island	23
Idaho	19
Illinois	19
New York	17
Ohio	17
Utah	15
Maryland	14
Alabama	8
Arizona	6
Connecticut	3

Comparing the myriad methods these states are employing was no easy task, and we are not the first group to attempt to put a common dashboard together. (See a smaller scale review of some of these states, for example, at <http://bellwethereducation.org/recent-teacher-effectiveness-legislation-how-do-the-states-stack-up/>.)

For this review, we created and followed a 21-level rubric that assigned points for what we deemed were “must-have” elements in a teacher evaluation system. What resulted is a pre-season list of the laws which we think are most likely to make the greatest impact in classrooms.

Among the 19, Florida was our top pick, having earned our maximum number of points in key areas: strong weighting of student academic growth and limiting the chances for its law to be weakened by other influences, such as collective bargaining negotiations at the local level. Other high-scoring states like Colorado, Tennessee and Louisiana made similar commitments to keeping the evaluation process uniform and leaving less wiggle room at the local decision-making level.

In contrast, Illinois, New York, Ohio, Rhode Island and Connecticut all showed clear potential for weakening the evaluation process at the ground level. These states did not score as high in our evaluation.

In evaluating these bills we were measuring against our ideal version of a teacher evaluation bill. To that end, we were hoping to find (and didn't exactly, though Rhode Island's regulations came closest) bills that had clear criteria for choosing strong evaluators (proven effective former teachers, centrally trained and dispatched with regular score norming) to ensure maximum fairness. We were also looking for states that provided clear and fair remediation processes and appeals procedures for teachers who felt they'd been unfairly treated. We believe that this type of structure is still possible to achieve via state legislation. Finally, we were looking for a state—any state—that addressed the issue of more equitably distributing great teachers among have and have-not students. Sadly, no state addressed this important concern.

It is also worth noting that our lens here was focused on laws and practices which would increase the supply of effective teachers in public school classrooms. We would be the first to admit that some laws would have

Standout: Colorado

Colorado is particularly impressive in allowing significant teacher and stakeholder input and recommendations in the development of the new performance evaluation system. It also includes a lengthy rollout schedule to allow for beta-testing and local school district input and feedback to facilitate successful implementation. New teachers must demonstrate effectiveness for three consecutive years before earning tenure, but can also *lose* tenure after two years of poor performance.

While other states are making modest changes, Colorado is one of only a handful of states making significant improvements in reductions-in-force and *Last In, First Out* policies by making both tenure and seniority secondary to teacher effectiveness when there are job reductions.

Colorado also addresses the issue of forced placement of teachers by requiring the consent of the receiving school's principal. It will use the new teacher evaluations to address issues of teacher equity by mandating that local districts develop incentive systems to encourage effective teachers in high-performing schools to move to jobs in schools that have low performance ratings.

beneficial outcomes that would go beyond that focus, such as the potential, in the Illinois laws, to lengthen Chicago's absurdly short school day. Our rubric simply does not account for those types of side benefits.

As we evaluated the different laws we gave points to states that plan to ease into their programs with a pilot and include teacher voices at the table, such as Colorado and Rhode Island. We believe this type of process encourages meaningful feedback, allows for realistic mid-course corrections, and helps refine the process to better serve students and teachers.

While we were adamant that the student-growth portion of a teacher's evaluation include a substantial weighting on students' progress, we recognize that the vast majority of educators teach subjects that are traditionally not tested, such as art, physical education, music, and social studies. And we recognize that some states are in the process of refining their testing system to better serve students and teachers and aren't yet ready to weight tests heavily. But we obviously couldn't give points for that. Therefore, we gave points to states that set clear and specific guidelines for how teachers would be evaluated in those areas. More importantly, we felt that in cases where legislators passed this responsibility off to local districts—without strong minimum requirements—it provided too great an opportunity to weaken the rigor of evaluations.

Our scoring system also favored states that had clear consequences for teachers who don't deliver in their classrooms. Some states *required* the mandatory dismissal for poor teacher performance such as Florida, Illinois, Louisiana, Michigan, and Oklahoma, while most others only *allowed* for the dismissal. Our main goal was to reward states who tied consequences—such as losing tenure—to poor performance, as did Colorado, Idaho, and Michigan. (Tennessee also allows newly tenured teachers to lose tenure as well, but grandfathers in all previously tenured teachers.)

Standout: Florida

Florida is one of the states that completely eliminates tenure for new hires in favor of annual contracts, and goes the farthest of all of the states we reviewed in most closely basing all employment decisions on evaluations. It requires mandatory dismissal after two consecutive years of unsatisfactory evaluations for new hires and allows it for previously tenured teachers. Florida also repeals *Last In, First Out* and other workforce reduction policies based on seniority, and instead, calls for decisions related to transfers, reductions-in-force, and employee placement to be determined or informed by results of the performance evaluation. The employee with the lowest performance evaluation would be released first, then the next lowest, and so on. Principals can also refuse the placement of low-performing teachers into their schools.

Like other states, Florida requires that 50% of a teacher or principal evaluation be based on student performance, but must include growth data on assessments for students assigned to them over the course of at least *three* years, not just the most recent one. For tested subjects, districts must evaluate personnel using state-required assessments and a learning growth model. For non-state tested subjects, Florida is prescriptive in what constitutes acceptable local assessments and must approve of their use, lessening the possibility of substantial weakening through district variation. Beginning in 2014-15 all local assessments must be aligned to state standards and measure student content mastery. All local evaluation systems must be approved by the state and monitored for implementation compliance.

Florida is also implementing a new performance salary schedule for *all* new hires that will tie income to performance evaluations, with high quality teaching being rewarded with salary increases and poor teaching with no increases.

We looked for real breakthroughs in choosing the best interests of kids over adults. So we gave credit to states like Colorado, Florida, Michigan and Utah, who pledged to use their teacher evaluation systems in layoff decisions and end the *Last In, First Out* policies that hurt poor kids the most. (Alabama also received points for this provision; however, their bill was *not* a teacher evaluation bill like the others. Instead, that bill amended decades-long collective bargaining protections for teachers.) Points were also awarded to states that tied compensation to the results of the evaluation, as did Florida (very strong for new hires only; previously tenured teachers are grandfathered under the current salary survey) and Indiana. Indiana was most explicit about prohibiting raises for anyone rated ineffective. Legislative language there was less focused on the carrot side of compensation, though it does allow for some.

And we liked that Colorado actually mandates that each local board of education develop an incentive system that encourages effective teachers in high-performing districts to move to jobs in schools with low performance. In that sense, we viewed the state's role as defining what an effective teacher looks like in Colorado, while leaving it up to locally-controlled boards to determine what the incentives should look like. While critics may maintain that this amounts to state intrusion on local personnel decisions, we view this as the type of prod systems need to realign their practices in ways that promote and incent quality.

No matter what their score on our list, these 19 states are setting out to show the rest of the country what policies will end up working best for students and teachers.

Standout: Tennessee

Tennessee is strongest in the Rating/Performance Measures category, but this should not be surprising since Tennessee has had the Tennessee Value-Added Assessment System (TVAAS) and used value-added measures to gauge student performance for years. Whereas most states use four rating categories for teacher performance, Tennessee uses five effectiveness groups.

The guidelines for the Tennessee teacher and principal evaluation models are very specific and allow little room for weakening at the local district level. Of the 50% of the evaluation criteria that is based on student achievement data, 35% is based on student growth data comprised of TVAAS scores or other measures approved by the Department of Education that have been shown capable of measuring student growth. The remaining 15% is determined from a long list of state sanctioned, high quality measures that are aligned with the educator's primary responsibility.

Of the remaining 50%, the state will approve or provide rigorous evaluation models that use multiple data sources to evaluate educator practice and will include at least four classroom visits a year, of which two must be unannounced. New teachers will have a minimum of six observations in a year.

Teacher Evaluation Bill Scorecard
Each criterion addressed in the bill is rated on a 1-3 scale

	Alabama	Arizona	Arkansas	Colorado	Connecticut
Strength of Evaluation Plan					
Mix of state guidelines and local development		1	1	2	
Strength of enforcement/follow-up				2	
Commission/SBE ability to strengthen/weaken				2	
Pilot program/teacher input in development			2	3	1
Teacher/Principal Evaluation					
Frequency of evaluation		2	1	2	1
Guidelines for choosing strong evaluators			1	1	
Applicable to all teachers			2	2	
Clear and fair appeals/remediation process		1	2	2	
Rating/Performance Measures					
% of rating dependent on student academic growth		2	2	3	
Measures of student growth (single or multiple)			2	2	1
Clarity/rigor of "other" measures for evaluation			1	1	
Four or more rating categories			3	2	
Clear plan for untested grades/subjects			2	1	
Mitigates Risk of Weak Implementation			2	1	
Employment Implications					
Evaluations used to address equity				1	
Ends <i>Last In, First Out</i>	3			3	
Prohibits forced placement	3			2	
Performance goals to earn tenure				2	
Tenure status dependent on performance	1			3	
Compensation tied to evaluation				1	
Consequences for poor performance	1		2	2	
Total	8	6	23	40	3

Teacher Evaluation Bill Scorecard
Each criterion addressed in the bill is rated on a 1-3 scale

	Florida	Idaho	Illinois	Indiana	Louisiana
Strength of Evaluation Plan					
Mix of state guidelines and local development	3		1	1	2
Strength of enforcement/follow-up	3			1	3
Commission/SBE ability to strengthen/weaken	2	1	1	1	2
Pilot program/teacher input in development	1		2		1
Teacher/Principal Evaluation					
Frequency of evaluation	3	2	1	1	2
Guidelines for choosing strong evaluators	2		2	2	2
Applicable to all teachers	3	2	2	2	2
Clear and fair appeals/remediation process	2	1	1	2	3
Rating/Performance Measures					
% of rating dependent on student academic growth	3	3	1	1	3
Measures of student growth (single or multiple)	2		1	1	1
Clarity/rigor of "other" measures for evaluation	2				1
Four or more rating categories	3		3	3	2
Clear plan for untested grades/subjects	2			1	1
Mitigates Risk of Weak Implementation	3	2			2
Employment Implications					
Evaluations used to address equity				1	
Ends <i>Last In, First Out</i>	3	2	1	2	
Prohibits forced placement	3	2			
Performance goals to earn tenure			2	2	2
Tenure status dependent on performance		2		2	
Compensation tied to evaluation	2	2		3	1
Consequences for poor performance	3		1		3
Total	45	19	19	26	33

Teacher Evaluation Bill Scorecard
Each criterion addressed in the bill is rated on a 1-3 scale

Maryland Michigan Nevada New York Ohio

Strength of Evaluation Plan

Mix of state guidelines and local development	2	1	1	1	1
Strength of enforcement/follow-up			1		
Commission/SBE ability to strengthen/weaken		1		1	1
Pilot program/teacher input in development	1	1	1	1	1

Teacher/Principal Evaluation

Frequency of evaluation	1	2	2	1	1
Guidelines for choosing strong evaluators			1	1	
Applicable to all teachers		2	2	2	2
Clear and fair appeals/remediation process	1	2	2	1	1

Rating/Performance Measures

% of rating dependent on student academic growth	1	3	2	2	1
Measures of student growth (single or multiple)	2	1	1	1	1
Clarity/rigor of "other" measures for evaluation		1	1	1	1
Four or more rating categories		3	3	3	3
Clear plan for untested grades/subjects		1		1	1

Mitigates Risk of Weak Implementation

	1	2	1		
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Employment Implications

Evaluations used to address equity	2	1	1		
Ends <i>Last In, First Out</i>		3	2		1
Prohibits forced placement					1
Performance goals to earn tenure	2	3	1		
Tenure status dependent on performance		2	2		
Compensation tied to evaluation		1	1		1
Consequences for poor performance	1	3	1	1	

Total	14	33	26	17	17
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Teacher Evaluation Bill Scorecard
Each criterion addressed in the bill is rated on a 1-3 scale

	Oklahoma	Rhode Island	Tennessee	Utah
Strength of Evaluation Plan				
Mix of state guidelines and local development	2	1	3	
Strength of enforcement/follow-up	1	1	2	
Commission/SBE ability to strengthen/weaken	1	1	2	1
Pilot program/teacher input in development		3	1	2
Teacher/Principal Evaluation				
Frequency of evaluation	2	2	3	2
Guidelines for choosing strong evaluators	2	3	1	1
Applicable to all teachers	2	2	3	2
Clear and fair appeals/remediation process	2	2	1	1
Rating/Performance Measures				
% of rating dependent on student academic growth	2	1	3	1
Measures of student growth (single or multiple)	2	2	3	
Clarity/rigor of "other" measures for evaluation	1	1	2	
Four or more rating categories	3	3	3	
Clear plan for untested grades/subjects	1	1	3	
Mitigates Risk of Weak Implementation			3	
Employment Implications				
Evaluations used to address equity				
Ends <i>Last In, First Out</i>	2		2	3
Prohibits forced placement			2	
Performance goals to earn tenure	2		3	
Tenure status dependent on performance	2		2	2
Compensation tied to evaluation	2			
Consequences for poor performance	3		1	
Total	32	23	43	15

Policies Reviewed

Alabama: SB 310 (2011)

Arizona: SB 1040 (2010)

Arkansas: HB 2178 (2011)

Colorado: SB 191 (2010)

Connecticut: SB 438 (2010)

Florida: SB 736 (2011)

Idaho: SBs 1108, 1110 (2011)

Illinois: SB 315 (2010); SB 7 (2011)

Indiana: SB 1 (2011)

Louisiana: HB 1033 (2010)

Maryland: HB 1263 (2010)

Michigan: SB 981 (2010); HBs 4625, 4626, 4627, 4628 (2011)

Nevada: SB 2 (2010); ABs 225, 229 (2011)

New York: S7991 (2010)

Ohio: SB 5 (2011); HB 153 (2011)

Oklahoma: SB 2033 (2010)

Rhode Island: *Educator Evaluation System Standards* Regulation (2010); *The Rhode Island Model Educator Evaluation System (the "Rhode Island Model")* Regulation (2011)

Tennessee: SB 7005 (2010); SBs 1528, 113 (2011); *Teacher and Principal Evaluation Policy* Regulation (2011)

Utah: SBs 73, 256 (2011)

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