

House Bill 1095

By: Representatives Erwin of the 28th, Jones of the 47th, Jasperse of the 11th, Pirkle of the 155th, Gambill of the 15th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to employment under the "Quality Basic Education Act," so as to provide
3 that a teacher who receives in two consecutive school years any combination of two
4 unsatisfactory, ineffective, or needs development annual summative performance evaluations
5 shall not be eligible for a renewable certificate from the Professional Standards Commission;
6 to provide that a teacher who receives an annual performance rating of unsatisfactory,
7 ineffective, or needs development shall be offered the opportunity to request a new evaluator
8 for the following school year; to provide for related matters; to repeal conflicting laws; and
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
13 relating to employment under the "Quality Basic Education Act," is amended by revising
14 subsection (c) of Code Section 20-2-200, relating to regulation of certificated professional
15 personnel by Professional Standards Commission, rules and regulations, and fees, as follows:
16 "(c) An individual who has received in two consecutive school years any combination of
17 two ~~unsatisfactory, ineffective, or needs development~~ 'Unsatisfactory,' 'Needs
18 Development,' or 'Ineffective' annual summative performance evaluations ~~in the previous~~
19 ~~five-year period~~ pursuant to Code Section 20-2-210 shall not be entitled to a renewable
20 certificate prior to demonstrating that such performance deficiency has been satisfactorily
21 addressed, but such individual may apply to the commission for a nonrenewable certificate,
22 as defined by the commission. Each local school system and charter school shall report all
23 ~~unsatisfactory, ineffective, and needs development~~ 'Unsatisfactory,' 'Needs Development,'
24 or 'Ineffective' ratings of all performance evaluations as provided in Code Section 20-2-210
25 for certificated personnel in their employ in a manner, format, and frequency determined

26 by the commission. The commission is authorized to release such data provided it cannot
 27 be personally identifiable to any currently or formerly certificated person."

28 **SECTION 2.**

29 Said part is further amended by revising paragraph (5) of subsection (b) of Code Section
 30 20-2-210, relating to annual performance evaluation, as follows:

31 "(5) All teachers of record, assistant principals, and principals shall have a pre-evaluation
 32 conference, midyear evaluation conference, and a summative evaluation conference, in
 33 accordance with state board rules. All teachers of record, assistant principals, and
 34 principals shall be notified of and have access to the results of the annual summative
 35 performance evaluation and any formative observations conducted throughout the school
 36 year pursuant to this subsection within ten working days of such evaluation or
 37 observations. A teacher of record, assistant principal, or principal, or an evaluator of any
 38 such individuals, may request a conference within ten working days of notice of results
 39 of a formative observation, and such conference shall be provided within ten working
 40 days of the request. Conferences shall include the individual being evaluated, his or her
 41 supervisor, and the evaluator, unless otherwise agreed upon. For teachers of record, the
 42 annual evaluation shall include multiple classroom observations conducted each year by
 43 appropriately trained and credentialed evaluators, using clear, consistent observation
 44 rubrics, and supplemented by other measures aligned with student achievement and
 45 professional growth. A teacher who receives a performance rating of 'Unsatisfactory,'
 46 'Needs Development,' or 'Ineffective' on his or her annual summative performance
 47 evaluation shall be afforded the opportunity to have an alternative evaluator assigned to
 48 evaluate him or her during the school year immediately following the school year for
 49 which he or she received such performance rating, provided that such teacher's
 50 employment contract is renewed. Such offer shall be tendered to the teacher in writing
 51 at the teacher's summative evaluation conference and shall expire if not accepted by the
 52 teacher in writing within seven business days from the date of the summative evaluation
 53 conference. A local school system or charter school may include in its flexibility
 54 contract, or other agreement with the State Board of Education for local school systems
 55 that are not under a flexibility contract, a provision for a tiered evaluation system, in
 56 which reduced observations of certain teachers of record may be conducted to provide
 57 additional time for evaluators to coach and mentor new teachers and teachers with a
 58 performance rating of 'Needs Development' or 'Ineffective' pursuant to paragraph (4) of
 59 this subsection on a pathway of continuous improvement. For the evaluation of teachers
 60 of record with a minimum of three years' teaching experience and a performance rating
 61 of 'Proficient' or 'Exemplary' pursuant to paragraph (4) of this subsection in the previous

62 school year, the local school system or charter school, in its discretion, shall require no
63 less than two classroom observations and one summative evaluation for the school year.”

64 **SECTION 3.**

65 All laws and parts of laws in conflict with this Act are repealed.