

2019 Regular Session

HOUSE BILL NO. 337

BY REPRESENTATIVE SMITH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TEACHERS/EVALUATION: Provides relative to teacher and administrator evaluations and related grievance procedures

1 AN ACT

2 To amend and reenact R.S. 17:3883(A)(5) and 3884(A), relative to the evaluation of
3 teachers and administrators; to provide relative to grievance procedure requirements
4 for teachers and administrators aggrieved by evaluation ratings; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:3883(A)(5) and 3884(A) are hereby amended and reenacted to
8 read as follows:

9 §3883. State Board of Elementary and Secondary Education; powers and duties

10 A. The board shall:

11 * * *

12 (5) Develop and adopt grievance procedure requirements for any teacher or
13 administrator aggrieved by any rating ~~by a local board~~ which results from the
14 implementation of this Part. Such requirements shall contain, at a minimum,
15 provisions for the following:

16 (a) For the portion of the evaluation rating derived pursuant to R.S.
17 17:3902(B)(3):

18 (i) That the teacher or administrator be provided a copy of the evaluation and
19 the evaluators' data recording forms and any documentation related thereto and be
20 entitled to respond as provided in R.S. 17:3884.

Present law requires BESE to develop and adopt grievance procedure requirements for teachers and administrators aggrieved by their evaluation ratings. Provides that such requirements, at a minimum, include that the teacher or administrator be provided a copy of the evaluation and related documentation and be entitled to respond as provided in present law, be assured of due process, and that the evaluation is administered in a fair, objective, and consistent manner.

Present law further provides that the employee has the right to initiate a written reaction or response to the evaluation which shall be part of the employee's official personnel file. Allows the employee to request a meeting with the appropriate local school board official to respond to the evaluation and amend or remove inaccurate or invalid information in the documentation.

Proposed law provides that present law grievance procedure minimum requirements apply to the portion of the evaluation derived pursuant to the observation and conferencing component. Adds the following minimum requirements as it relates to the portion derived pursuant to the measure of effectiveness (value-added assessment model):

- (1) That the state superintendent of education designate one or more individuals to hear and determine grievances.
- (2) That the teacher or administrator be provided access to the data used to derive the rating and any documentation related thereto and be entitled to respond as provided in present law.
- (3) That the teacher or administrator be assured of due process, including representation, in all aspects of the evaluation grievance process.
- (4) That the local superintendent and the individuals designated by the state superintendent ensure that the ratings received by teachers and administrators are fair, objective, and consistent.
- (5) That the individuals designated by the state superintendent comply with all rules and regulations adopted by BESE and that the failure to do so shall be a grievable matter.

Proposed law adds that a written reaction or response to the portion of the evaluation derived pursuant to observations and conferencing shall be presented to the local superintendent and a written reaction or response to the portion derived pursuant to the value-added assessment model shall be presented to the state superintendent of education. Allows the employee to request a meeting with the individual designated by the state superintendent of education for grievances related to the value-added assessment model and with the local superintendent for grievances related to observations and conferencing to respond to the evaluation.

Otherwise retains present law.

(Amends R.S. 17:3883(A)(5) and 3884(A))