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Date: (Filing No. H- )

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**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**126TH LEGISLATURE**  
**FIRST REGULAR SESSION**

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 1109, L.D. 1542, “Resolve, Regarding Legislative Review of Chapter 180: Performance Evaluation and Professional Growth Systems, a Late-filed Major Substantive Rule of the Department of Education”

Amend the amendment in section 1 in subsection 1 by striking out all of paragraphs A and B (page 1, lines 22 to 29 in amendment) and inserting the following:

'A. Providing that measures of student learning and growth may not constitute more than 20% of the educator's total score in a performance evaluation and professional growth system adopted by a school administrative unit that uses a numerical approach to determine an educator's summative effectiveness rating; and providing that equivalent measures of student learning and growth must be incorporated in a performance evaluation and professional growth system adopted by a school administrative unit that that uses a matrix approach to determine an educator's summative effectiveness rating; and

B. Providing that the 20% measure in a performance evaluation and professional growth system adopted by a school administrative unit that uses a numerical approach, or its equivalent measure in a performance evaluation and professional growth system that uses a numerical approach, must include multiple measures of student learning and growth, including the following measures in determining an educator's summative effectiveness rating:

(1) For all educators, 5% of the summative effectiveness rating must consist of measures of student learning and growth as reflected in standardized assessment data from two school-wide assessment tests for reading and mathematics;

(2) For educators who teach in grades and subjects in which 2 consecutive years of summative assessment data are available, 15% of the summative effectiveness rating must consist of measures of student learning and growth as reflected in the summative assessment data. The Department of Education, through meaningful consultation during the 2013-2014 school year with the Maine Educator Effectiveness Council as described in section 2 of this resolve, shall develop guidelines for calculating the measures of student learning and growth at the classroom level. The measures must be evaluated as a pilot project during the 2014-2015 school year; and

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1 (3) For educators who do not teach in grades and subjects in which 2 consecutive  
2 years of summative assessment data are available, 15% of the summative  
3 effectiveness rating must consist of measures of student learning and growth as  
4 reflected in student progress in meeting 2 learning goals as measured by formal  
5 or teacher-created assessments. All educators are required to establish 2 student  
6 learning goals for measuring student learning and growth. The goals established  
7 for measuring student learning and growth must include 2 data points, be  
8 rigorous and comparable across classrooms;'

9 Amend the amendment in section 1 by inserting after subsection 2 the following:

10 '3. The rule must be amended in Section 11 to provide that all educators in a school  
11 administrative unit must be given an effectiveness rating before effectiveness ratings may  
12 be used to determine educator retention in the event of a reduction in force or nonrenewal  
13 of a contract.'

14 Amend the amendment in section 1 in subsection 3 in the 4th line (page 2, line 7 in  
15 amendment) by inserting after the following: "by" the following: 'requiring that members  
16 of the local education association be included in the initial group and'

17 Amend the amendment in section 1 by renumbering the subsections to read  
18 consecutively.

19 **SUMMARY**

20 This amendment amends Committee Amendment "A" to provide greater detail  
21 regarding the permissible elements of a professional evaluation and professional growth  
22 system; to provide that educator effectiveness ratings may not be used for a reduction in  
23 force or nonrenewal of a contract unless all educators in the school administrative unit  
24 have received a rating and to require that members of a local education association be  
25 part of the initial group of stakeholders collaborating to develop the professional  
26 evaluation and professional growth evaluation system.

27 **SPONSORED BY:** \_\_\_\_\_

28 **(Representative MACDONALD, W.)**

29 **TOWN: Boothbay**