

FIRST REGULAR SESSION

SENATE BILL NO. 408

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EMERY.

Read 1st time February 27, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1698S.02I

AN ACT

To repeal sections 168.104, 168.110, 168.124, 168.128, 168.221, and 168.410, RSMo, and to enact in lieu thereof nine new sections relating to elementary and secondary education.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 168.104, 168.110, 168.124, 168.128, 168.221, and 168.410, RSMo, are repealed and nine new sections enacted in lieu thereof, to be known as sections 161.237, 168.104, 168.110, 168.124, 168.128, 168.221, 168.225, 168.410, and 168.420, to read as follows:

161.237. 1. The state board of education shall prepare annual reports of the results of the statewide assessment program that describe student achievement in the state, each district, each school, and each charter school. The state board of education shall prescribe the design and content of the reports, which shall include descriptions of the performance of all schools participating in the statewide assessment program and all of their major student populations. The reports shall include the percent of students performing at or above grade level and making a year's learning growth in a year's time in reading and mathematics.

2. The state board of education shall develop a simplified annual school report card, separately from the information required by section 160.522, that produces an annual letter grade of A, B, C, D, or F for each school attendance center, including charter schools.

3. Each letter grade shall have the following value:

(1) "A", the school is making excellent progress;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

- 17 (2) "B", the school is making above average progress;
18 (3) "C", the school is making satisfactory progress;
19 (4) "D", the school is making less than satisfactory progress;
20 (5) "F", the school is failing to make adequate progress.

21 4. Each school that has students who are tested and included in
22 the school grading system shall receive a school letter grade except for:

23 (1) A school shall not receive a school grade if the number of its
24 students tested and included in the school grading system is less than
25 the minimum sample size necessary, based on accepted professional
26 practice, for statistical reliability and prevention of the unlawful
27 release of personally identifiable student data;

28 (2) An alternative school may choose to receive a school letter
29 grade.

30 5. A school's letter grade shall be based on a combination of the
31 following:

32 (1) Student achievement scores, including scores on statewide
33 assessments and end-of-course examinations, and upon implementation,
34 student achievement scores on a value added model;

35 (2) Improvement of the lowest twenty-fifth percentile of students
36 in the school in reading and mathematics on the statewide assessments
37 or end-of-course assessments, unless these students are exhibiting
38 satisfactory performance.

39 6. Beginning with the 2014-2015 school year, for schools that
40 include high school grades nine through twelve, between forty and
41 sixty percent of the school grade as determined by the local school
42 board or charter school governing body, shall be based on the criteria
43 established in subsection 5 of this subsection, with the remaining
44 percentage based on the following factors:

45 (1) The high school graduation rate of the school;

46 (2) As valid data becomes available, the performance and
47 participation of the school's students in advanced placement courses,
48 international baccalaureate courses, dual enrollment courses, and
49 Advanced International Certificate of Education courses; and the
50 students' achievement of national industry certification identified in
51 the industry certification funding list;

52 (3) Postsecondary readiness of all of the school's on-time
53 graduates as measured by the SAT, the ACT, or the Postsecondary

54 Education Readiness Test, or the common placement test;

55 (4) The high school graduation rate of at-risk students; and

56 (5) As valid data becomes available, the performance of the
57 school's students on statewide, standardized end-of-course assessments.

58 7. The state board of education shall adopt appropriate criteria
59 for each school grade. The criteria shall give added weight to student
60 achievement in reading. Schools earning a grade of "C" shall be
61 required to demonstrate that adequate progress has been made by
62 students in the school who are in the lowest twenty-fifth percentile in
63 reading and mathematics on the program of statewide assessments
64 unless these students are making satisfactory progress.

65 8. The annual report card shall also identify each school's
66 performance as having improved, remained the same, or declined. This
67 rating shall be based on a comparison of the current year's and
68 previous year's student and school performance data.

69 9. Each local school board or charter school governing body shall
70 determine the percent of the school grade that shall be based on the
71 criteria established in subsection 5 of this section and shall notify the
72 commissioner of education accordingly. If any local school board or
73 charter school governing body fails to determine a percentage and
74 notify the commissioner of education, a value of fifty percent shall be
75 used.

76 10. The state board of education shall promulgate rules and
77 regulations to implement the provisions of this section.

78 11. Any rule or portion of a rule, as that term is defined in
79 section 536.010 that is created under the authority delegated in this
80 section shall become effective only if it complies with and is subject to
81 all of the provisions of chapter 536, and, if applicable, section
82 536.028. This section and chapter 536 are nonseverable and if any of
83 the powers vested with the general assembly pursuant to chapter 536,
84 to review, to delay the effective date, or to disapprove and annul a rule
85 are subsequently held unconstitutional, then the grant of rulemaking
86 authority and any rule proposed or adopted after August 28, 2013, shall
87 be invalid and void.

168.104. The following words and phrases when used in sections 168.102
2 to 168.130, except in those instances where the context indicates otherwise, mean:

3 (1) "Board of education", the school board or board of directors of a school

4 district, except a metropolitan school district, having general control of the affairs
5 of the district;

6 (2) "Demotion", any reduction in salary or transfer to a position carrying
7 a lower salary, except on request of a teacher, other than any change in salary
8 applicable to all teachers or all teachers in a classification;

9 (3) "Indefinite contract", every contract heretofore or hereafter entered
10 into between a school district and a permanent teacher;

11 (4) "Permanent teacher", any teacher who has been employed or who is
12 hereafter employed as a teacher in the same school district for five successive
13 years **and was first hired by a district before August 28, 2013**, and who
14 has continued or who thereafter continues to be employed as a teacher by the
15 school district or any supervisor of teachers who was employed as a teacher in the
16 same school district for at least five successive years prior to becoming a
17 supervisor of teachers and who continues thereafter to be employed as a
18 certificated employee by the school district; except that, when a permanent
19 teacher resigns or is permanently separated from employment by a school district,
20 and is afterwards reemployed by the same school district, reemployment for the
21 first school year does not constitute an indefinite contract but if he is employed
22 for the succeeding year, the employment constitutes an indefinite contract; and
23 except that any teacher employed under a part-time contract by a school district
24 shall accrue credit toward permanent status on a prorated basis. Any permanent
25 teacher who is promoted with his consent to a supervisory position including
26 principal or assistant principal, or is first employed by a district in a supervisory
27 position including principal or assistant principal, shall not have permanent
28 status in such position but shall retain tenure in the position previously held
29 within the district, or, after serving two years as principal or assistant principal,
30 shall have tenure as a permanent teacher of that system;

31 (5) "Probationary teacher", any teacher as herein defined who has been
32 employed in the same school district for five successive years or less. In the case
33 of any probationary teacher who has been employed in any other school system
34 as a teacher for two or more years, the board of education shall waive one year
35 of his probationary period;

36 (6) "School district", every school district in this state, except metropolitan
37 school district as defined in section 162.571;

38 (7) "Teacher", any employee of a school district, except a metropolitan
39 school district, regularly required to be certified under laws relating to the

40 certification of teachers, except superintendents and assistant superintendents
41 but including certified teachers who teach at the prekindergarten level in a
42 nonmetropolitan public school within a prekindergarten program in which no fees
43 are charged to parents or guardians.

168.110. The board of education of a school district may modify an
2 indefinite contract annually on or before the fifteenth day of May in the following
3 particulars:

4 (1) Determination of the date of beginning and length of the next school
5 year;

6 (2) Fixing the amount of annual compensation for the following school
7 year as provided by [the salary schedule adopted by the board of education
8 applicable to all teachers] **section 168.225**. The modifications shall be effective
9 at the beginning of the next school year. All teachers affected by the modification
10 shall be furnished written copies of the modifications within thirty days after
11 their adoption by the board of education.

168.124. 1. The board of education of a school district may place on leave
2 of absence as many teachers as may be necessary because of a decrease in pupil
3 enrollment, school district reorganization or the financial condition of the school
4 district. In placing teachers on leave, the board of education shall be governed
5 by the following provisions:

6 (1) [No permanent teacher shall be placed on leave of absence while
7 probationary teachers are retained in positions for which a permanent teacher is
8 qualified;

9 (2) Permanent teachers shall be retained on the basis of
10 performance-based evaluations and seniority (however, seniority shall not be
11 controlling) within the field of specialization;

12 (3) Permanent teachers shall be reinstated to the positions from which
13 they have been given leaves of absence, or if not available, to positions requiring
14 like training and experience, or to other positions in the school system for which
15 they are qualified by training and experience;

16 (4) No appointment of new teachers shall be made while there are
17 available teachers on unrequested leave of absence who are properly qualified to
18 fill such vacancies] **The primary basis for placing teachers on leave shall**
19 **be the results of teacher evaluations in section 168.420;**

20 [(5)] (2) A teacher placed on leave of absence may engage in teaching or
21 another occupation during the period of such leave;

22 [(6)] (3) The leave of absence shall not impair the tenure of a teacher;
23 [(7)] (4) The leave of absence shall continue for a period of not more than
24 three years unless extended by the board.

25 2. Should a board of education choose to utilize the mechanism for
26 reducing teacher forces as provided in subsection 1 of this section in an attempt
27 to manage adverse financial conditions caused at least partially by a withholding
28 of, or a decrease or less than expected increase in, education appropriations, then
29 the district additionally shall follow the provisions of subsection 3 of this section.

30 3. If a school district has an unrestricted combined ending fund balance
31 of more than ten percent of current expenditures in its teachers' and incidental
32 funds, and in the subsequent fiscal year such district, because of state
33 appropriations, places a contracted teacher on leave of absence after forty days
34 subsequent to the governor signing the elementary and secondary education
35 appropriation bill, the district shall pay the affected teacher the greater of his or
36 her salary for any days worked under the contract, or a sum equal to three
37 thousand dollars.

 168.128. The board of education of each school district shall maintain
2 records showing periods of service, dates of appointment, and other necessary
3 information for the enforcement of sections 168.102 to 168.130. In addition, the
4 board of education of each school district shall cause [a] **an annual**
5 **comprehensive, performance-based evaluation for each teacher employed by the**
6 **district]. Such evaluations shall be ongoing and of sufficient specificity and**
7 **frequency to provide for demonstrated standards of competency and academic**
8 **ability] as provided in section 168.420. All evaluations, including the**
9 **teacher's rating of highly effective, effective, needs improvement, or**
10 **ineffective, shall be maintained in the teacher's personnel file at the office of**
11 **the board of education. A copy of each evaluation shall be provided to the teacher**
12 **and appropriate administrator. The teacher's rating and evaluation**
13 **information shall be made available to the parent or legal guardian of**
14 **any student enrolled in the school who makes a request. The state**
15 **department of elementary and secondary education shall provide suggested**
16 **procedures for such an evaluation.**

 168.221. 1. The first five years of employment of all teachers [entering
2 the employment of] **employed before August 28, 2013, in** the metropolitan
3 school district shall be deemed a period of probation during which period all
4 appointments of teachers shall expire at the end of each school year. During the

5 probationary period any probationary teacher whose work is unsatisfactory shall
6 be furnished by the superintendent of schools with a written statement setting
7 forth the nature of his incompetency. If improvement satisfactory to the
8 superintendent is not made within one semester after the receipt of the
9 statement, the probationary teacher shall be dismissed. The semester granted
10 the probationary teacher in which to improve shall not in any case be a means of
11 prolonging the probationary period beyond five years and six months from the
12 date on which the teacher entered the employ of the board of education. The
13 superintendent of schools on or before the fifteenth day of April in each year shall
14 notify probationary teachers who will not be retained by the school district of the
15 termination of their services. Any probationary teacher who is not so notified
16 shall be deemed to have been appointed for the next school year. Any principal
17 who prior to becoming a principal had attained permanent employee status as a
18 teacher shall upon ceasing to be a principal have a right to resume his or her
19 permanent teacher position with the time served as a principal being treated as
20 if such time had been served as a teacher for the purpose of calculating seniority
21 and pay scale. The rights and duties and remuneration of a teacher who was
22 formerly a principal shall be the same as any other teacher with the same level
23 of qualifications and time of service.

24 2. After completion of satisfactory probationary services **of any teacher**
25 **employed before August 28, 2013**, appointments of teachers shall become
26 permanent, subject to removal for any one or more causes herein described and
27 to the right of the board to terminate the services of all who attain the age of
28 compulsory retirement fixed by the retirement system. In determining the
29 duration of the probationary period of employment in this section specified, the
30 time of service rendered as a substitute teacher shall not be included.

31 3. No teacher whose appointment has become permanent may be removed
32 except for one or more of the following causes: immorality, inefficiency in line of
33 duty, violation of the published regulations of the school district, violation of the
34 laws of Missouri governing the public schools of the state, or physical or mental
35 condition which incapacitates him for instructing or associating with children,
36 and then only by a vote of not less than a majority of all the members of the
37 board, upon written charges presented by the superintendent of schools, to be
38 heard by the board after thirty days' notice, with copy of the charges served upon
39 the person against whom they are preferred, who shall have the privilege of being
40 present at the hearing, together with counsel, offering evidence and making

41 defense thereto. Notifications received by an employee during a vacation period
42 shall be considered as received on the first day of the school term following. At
43 the request of any person so charged the hearing shall be public. During any
44 time in which powers granted to the district's board of education are vested in a
45 special administrative board, the special administrative board may appoint a
46 hearing officer to conduct the hearing. The hearing officer shall conduct the
47 hearing as a contested case under chapter 536 and shall issue a written
48 recommendation to the board rendering the charges against the teacher. The
49 board shall render a decision on the charges upon the review of the hearing
50 officer's recommendations and the record from the hearing. The action and
51 decision of the board upon the charges shall be final. Pending the hearing of the
52 charges, the person charged may be suspended if the rules of the board so
53 prescribe, but in the event the board does not by a majority vote of all the
54 members remove the teacher upon charges presented by the superintendent, the
55 person shall not suffer any loss of salary by reason of the suspension. Inefficiency
56 in line of duty is cause for dismissal only after the teacher has been notified in
57 writing at least one semester prior to the presentment of charges against him by
58 the superintendent. The notification shall specify the nature of the inefficiency
59 with such particularity as to enable the teacher to be informed of the nature of
60 his inefficiency.

61 4. No teacher whose appointment has become permanent shall be demoted
62 nor shall his salary be reduced unless the same procedure is followed as herein
63 stated for the removal of the teacher because of inefficiency in line of duty, and
64 any teacher whose salary is reduced or who is demoted may waive the
65 presentment of charges against him by the superintendent and a hearing thereon
66 by the board. The foregoing provision shall apply only to permanent teachers
67 prior to the compulsory retirement age under the retirement system. Nothing
68 herein contained shall in any way restrict or limit the power of the board of
69 education to make reductions in the number of teachers or principals, or both,
70 because of insufficient funds, decrease in pupil enrollment, or abolition of
71 particular subjects or courses of instruction, except that the abolition of particular
72 subjects or courses of instruction shall not cause those teachers who have been
73 teaching the subjects or giving the courses of instruction to be placed on leave of
74 absence as herein provided who are qualified to teach other subjects or courses
75 of instruction, if positions are available for the teachers in the other subjects or
76 courses of instruction.

77 5. Whenever it is necessary to decrease the number of teachers because
78 of insufficient funds or a substantial decrease of pupil population within the
79 school district, the board of education upon recommendation of the
80 superintendent of schools may cause the necessary number of teachers [beginning
81 with those serving probationary periods] to be placed on leave of absence without
82 pay[, but only in the inverse order of their appointment]. **The primary basis**
83 **for placing teachers on leave shall be the results of teacher evaluations**
84 **in section 168.420.** Nothing herein stated shall prevent a readjustment by the
85 board of education of existing salary schedules. No teacher placed on a leave of
86 absence shall be precluded from securing other employment during the period of
87 the leave of absence. [Each teacher placed on leave of absence shall be reinstated
88 in inverse order of his placement on leave of absence.] Such reemployment shall
89 not result in a loss of status or credit for previous years of service. No new
90 appointments shall be made while there are available teachers on leave of
91 absence who are seventy years of age or less and who are adequately qualified to
92 fill the vacancy unless the teachers fail to advise the superintendent of schools
93 within thirty days from the date of notification by the superintendent of schools
94 that positions are available to them that they will return to employment and will
95 assume the duties of the position to which appointed not later than the beginning
96 of the school year next following the date of the notice by the superintendent of
97 schools.

98 6. If any regulation which deals with the promotion of teachers is
99 amended by increasing the qualifications necessary to be met before a teacher is
100 eligible for promotion, the amendment shall fix an effective date which shall allow
101 a reasonable length of time within which teachers may become qualified for
102 promotion under the regulations.

103 7. A teacher whose appointment has become permanent may give up the
104 right to a permanent appointment to participate in the teacher choice
105 compensation package under sections 168.745 to 168.750 **or to participate in**
106 **a district's performance salary schedule.**

168.225. 1. The school board of each school district shall develop
2 **and adopt a performance salary schedule for all instructional personnel**
3 **by July 1, 2014.**

4 **2. The performance salary schedule shall incorporate the**
5 **following elements:**

6 **(1) The salary schedule shall provide annual salary adjustments**

7 based upon performance determined by the annual evaluation system
8 under section 168.420; and

9 (2) The performance salary schedule shall not use advanced
10 degrees in setting a salary schedule for instructional personnel or
11 school administrators unless the advanced degree is in the teacher's
12 area of certification or expertise.

13 3. The performance salary schedule may also offer additional
14 salary supplements for differentiated pay based on assignment to a title
15 I school, teaching in a subject area for which there is a shortage of
16 teachers as determined by the department of elementary and secondary
17 education, or teaching in the subject areas of math, science or special
18 education.

19 4. The performance salary schedule shall apply to all
20 probationary teachers and any new teachers hired on or after July 1,
21 2014.

22 5. Any permanent teacher, as defined in section 168.104, may opt
23 out of his or her indefinite contract, or any teacher whose appointment
24 has become permanent under section 168.221 may relinquish his or her
25 permanent appointment and may choose to participate in the new
26 salary schedule in exchange for receiving an annual contract. Any
27 permanent teacher, as defined in section 168.104, or any teacher whose
28 appointment has become permanent under section 168.221 may choose
29 to remain on the district's grandfathered salary schedule.

30 6. Employees who choose to move from the grandfathered salary
31 schedule to the performance salary schedule shall be compensated
32 under the performance salary schedule once they have received the
33 appropriate performance evaluation for this purpose.

34 7. For purposes of this section, the term "grandfathered salary
35 schedule" shall mean the district's salary schedule that was in place
36 prior to July 1, 2014.

168.410. School administrators and school district superintendents shall
2 be evaluated in the following manner:

3 (1) The board of education of each school district shall cause a
4 comprehensive performance-based evaluation for each administrator employed by
5 the district. Such evaluation shall be [ongoing and of sufficient specificity and
6 frequency] **done annually** to provide for demonstrated standards of competency
7 and academic ability;

8 (2) All evaluations, including the teacher's rating of highly
9 effective, effective, needs improvement, or ineffective, shall be maintained
10 in the respective administrator's personnel file at the office of the board of
11 education of the school district. A copy of each evaluation shall be provided to the
12 person being evaluated and to the appropriate administrator. **The**
13 **administrator's rating and evaluation information shall be made**
14 **available to the parent or legal guardian of any student enrolled in the**
15 **school who makes a request;**

16 (3) The state department of elementary and secondary education shall
17 provide suggested procedures for the evaluations performed under this section.

168.420. 1. **Each school district's board of education shall**
2 **develop and implement an evaluation system for elementary and**
3 **secondary school teachers and principals that uses multiple measures**
4 **aligned with growth in student achievement, and shall use the**
5 **evaluation system as the basis for personnel and compensation**
6 **decisions about teachers and principals, consistent with this section**
7 **and the district's performance salary schedule established in section**
8 **168.225 and with regulations promulgated by the department of**
9 **elementary and secondary education. If a district board of education**
10 **fails to adopt an evaluation system consistent with the requirements**
11 **and time lines of this section, or at the election of the district board of**
12 **education, the district board of education shall use the model**
13 **evaluation system developed by the department under this section.**

14 2. **The district's evaluation system shall be developed and**
15 **implemented in consultation with teachers and principals and with**
16 **parents of students and include continuing input from teachers,**
17 **principals, and parents through open feedback sessions, surveys, and**
18 **specific focus groups by subject matter and grade level.**

19 3. **Teachers and principals shall be evaluated using multiple,**
20 **fair, rigorous, transparent, and valid measures, consistent with**
21 **definitions of these terms by the department. Evaluation measures**
22 **shall include the following:**

23 (1) **For teachers who teach courses that are subject to state**
24 **assessments aligned with state standards and for the principals of**
25 **elementary or secondary schools that use these assessments, student**
26 **achievement growth on such assessments shall count for between forty**
27 **and sixty percent of the evaluation, as determined by the local school**

28 **board;**

29 **(2) For teachers who do not directly instruct students in subjects**
30 **and grades subject to assessments aligned with state standards, but**
31 **who are expected to contribute to student performance on such**
32 **assessments, growth in student achievement on such assessments shall**
33 **be used as an evaluation measure and shall count for between forty and**
34 **sixty percent of the evaluation, as determined by the local school**
35 **board;**

36 **(3) Student achievement growth shall be measured through such**
37 **assessments in accordance with a state-level growth model and with**
38 **value-added methods developed by the department;**

39 **(4) Multiple additional measures for teachers may be correlated**
40 **with impacts on student achievement results. These measures shall**
41 **include student surveys and multiple classroom observations each year**
42 **by trained teachers, principals, administrators, or other professionals,**
43 **using clear and consistent observation rubrics provided to the teacher**
44 **in advance and may include other measures aligned with student**
45 **achievement as designated by the school district;**

46 **(5) Multiple additional measures for principals shall be**
47 **correlated with impacts on student achievement results for students in**
48 **all subgroups and shall include the principal's ability to attract and**
49 **retain highly effective teachers; management of the school, including**
50 **its finances, space, and legal compliance; and parental engagement in**
51 **the school; and shall include between forty and sixty percent from**
52 **measures aligned with student achievement, as determined by the local**
53 **school board.**

54 **4. Notice of evaluation measures and effectiveness ratings shall**
55 **be based on the following:**

56 **(1) Teachers and principals shall be given written notice in**
57 **advance of the measures and any specific indicators that will be used**
58 **to evaluate them;**

59 **(2) Each teacher and principal shall be given one of four rating**
60 **levels that are designated as "Highly Effective", "Effective", "Needs**
61 **Improvement", or "Ineffective", as further defined by the department of**
62 **elementary and secondary education or district board of education.**

63 **5. Each teacher and principal contract and collective bargaining**
64 **agreement entered into after July 1, 2015, shall authorize use of**

65 evaluation results.

66 **6. Each district board of education, with such assistance as may**
67 **be available from the department, shall develop the evaluation system**
68 **for administration as a pilot program during the 2013-14 school year**
69 **and shall review the results of the pilot program to determine the**
70 **professional development needs of teachers and principals and to make**
71 **adjustments to the system for full implementation during school year**
72 **2014-15.**

73 **7. The department of elementary and secondary education shall:**

74 **(1) Develop standards for implementation of local evaluation**
75 **systems under this section, including, but not limited to:**

76 **(a) Processes to determine the teacher of record for purposes of**
77 **assigning student achievement scores to a teacher in evaluating the**
78 **teacher's performance;**

79 **(b) Processes to verify the minimum amount of instructional time**
80 **given by the teacher to a student in order to assign the student's**
81 **achievement scores to the teacher for the purposes of evaluating the**
82 **teacher's performance;**

83 **(c) Standards for rating levels to be assigned to teachers and**
84 **principals, consistent with this section;**

85 **(d) Processes and requirements for value-added methods to be**
86 **used in measuring student achievement growth for purposes of teacher**
87 **and principal evaluation; and**

88 **(e) Minimum training requirements for evaluators of teachers**
89 **and principals;**

90 **(2) Develop, implement, and publicly disseminate a statewide**
91 **student growth model and a value-added system for determining**
92 **student growth on assessments for purposes of teacher and principal**
93 **evaluation in order to standardize student academic growth measures**
94 **and ensure teachers are measured according to the value they add to**
95 **student growth;**

96 **(3) Provide technical assistance to district boards of education**
97 **in developing and implementing a local evaluation system under this**
98 **section, including providing or helping to develop training for**
99 **evaluators and a resource bank that identifies assessments, processes,**
100 **tools, and policies that a district board of education may use to develop**
101 **its evaluation system. The resource bank shall include resources that**

102 are appropriate to districts of different sizes, demographics, and
103 locations and shall be updated periodically to reflect new research and
104 experience in implementing an evaluation system;

105 (4) Develop a model evaluation system, consistent with this
106 section, that shall be used by districts that are not able to develop their
107 own system or that elect to use the state model evaluation system
108 developed by the department of elementary and secondary
109 education. The model evaluation system shall comply with the
110 department of elementary and secondary education's waiver from the
111 federal Elementary and Secondary Education Act. A district that uses
112 the state model evaluation system may revise or adapt policies or
113 processes in the system to the extent consistent with this section and
114 regulations of the department;

115 (5) Provide or approve evaluation forms to be used in evaluating
116 teachers and principals;

117 (6) Include in its longitudinal data system links between data for
118 teacher preparation programs in the state and achievement data for
119 individual students; and

120 (7) Monitor local evaluation systems established under this
121 section to ensure that evaluation outcomes are consistent in the
122 aggregate with student achievement results at the district and school
123 levels and that the evaluation systems meet the requirements of this
124 section and direct any appropriate corrective actions.

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