



1 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-101.10, as  
2 last amended by Section 1, Chapter 331, O.S.L. 2014 (70 O.S. Supp.  
3 2014, Section 6-101.10), is amended to read as follows:

4 Section 6-101.10 A. Each school district board of education  
5 shall maintain and annually review, following consultation with or  
6 involvement of representatives selected by local teachers, a written  
7 policy of evaluation for all teachers and administrators. In those  
8 school districts in which there exists a professional negotiations  
9 agreement made in accordance with Section 509.1 et seq. of this  
10 title, the procedure for evaluating members of the negotiations unit  
11 and any standards of performance and conduct proposed for adoption  
12 beyond those established by the State Board of Education shall be  
13 negotiable items. Nothing in this section shall be construed to  
14 annul, modify or to preclude the renewal or continuing of any  
15 existing agreement heretofore entered into between any school  
16 district and any organizational representative of its employees.  
17 Every policy of evaluation adopted by a board of education shall:

18 1. Be based upon a set of minimum criteria developed by the  
19 State Board of Education, which shall be revised and based upon the  
20 Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE)  
21 developed by the State Board of Education as provided in Section 6-  
22 101.16 of this title. The revisions to each policy of evaluation  
23 shall be phased in according to the following schedule:

24

1 a. for evaluations of teachers and administrators  
2 conducted during the 2012-2013 school year, school  
3 districts shall for purposes of testing the TLE  
4 incorporate on a trial basis the qualitative  
5 components of the TLE as provided for in subparagraph  
6 b of paragraph 4 of subsection B of Section 6-101.16  
7 of this title into the evaluations used in all or a  
8 representative sampling of school sites within the  
9 district and may at the option of the school district  
10 incorporate on a trial basis the other academic  
11 measurement quantitative components of the TLE as  
12 provided for in division (2) of subparagraph a of  
13 paragraph 4 of subsection B of Section 6-101.16 of  
14 this title into the evaluations used in all or a  
15 representative sampling of school sites within the  
16 district,

17 b. for evaluations of teachers and administrators  
18 conducted during the 2013-2014 school year, school  
19 districts shall incorporate and put into operation the  
20 qualitative components of the TLE as provided for in  
21 subparagraph b of paragraph 4 of subsection B of  
22 Section 6-101.16 of this title into the evaluations  
23 used in all school sites within the district. For the  
24 2013-2014 school year one hundred percent (100%) of

1 the evaluation rating of teachers and administrators  
2 shall be based on the qualitative component of the  
3 TLE. In addition, for evaluations of teachers and  
4 administrators conducted during the 2013-2014 school  
5 year, school districts shall for purposes of testing  
6 the TLE incorporate on a trial basis the student  
7 academic growth and other academic measurement  
8 quantitative components of the TLE as provided for in  
9 subparagraph a of paragraph 4 of subsection B of  
10 Section 6-101.16 of this title into the evaluations  
11 used in all or a representative sampling of school  
12 sites within the district. However, nothing in this  
13 subparagraph shall preclude a school district with an  
14 average daily attendance of more than thirty-five  
15 thousand (35,000) from incorporating at its own  
16 expense the quantitative model of the TLE and basing  
17 up to fifty percent (50%) of the evaluation rating of  
18 teachers and administrators on the quantitative  
19 components of the TLE, as defined by the district's  
20 written policy, during the 2013-2014 school year,

21 c. for evaluations of teachers and administrators  
22 conducted during the 2014-2015, 2015-2016 and 2016-  
23 2017 school ~~year~~ years, school districts shall for  
24 purposes of establishing baseline data incorporate the

1 student academic growth and other academic measurement  
2 quantitative components of the TLE as provided for in  
3 subparagraph a of paragraph 4 of subsection B of  
4 Section 6-101.16 of this title into the evaluations  
5 used in all school sites within the district. For the  
6 2014-2015, 2015-2016 and 2016-2017 school ~~year~~ years  
7 one hundred percent (100%) of the evaluation rating of  
8 teachers and administrators shall be based on the  
9 qualitative component of the TLE, and no portion of  
10 the evaluation rating shall be based on the  
11 quantitative components of the TLE. However, nothing  
12 in this subparagraph shall preclude a school district  
13 with an average daily attendance of more than thirty-  
14 five thousand (35,000) from incorporating at its own  
15 expense the quantitative model of the TLE and basing  
16 up to fifty percent (50%) of the evaluation rating of  
17 teachers and administrators on the quantitative  
18 components of the TLE, as defined by the district's  
19 written policy, during the 2014-2015, 2015-2016 and  
20 2016-2017 school ~~year~~ years, and

- 21 d. for evaluations of teachers and administrators  
22 conducted during the ~~2015-2016~~ 2017-2018 school year  
23 and each school year thereafter, school districts  
24 shall fully implement the TLE and incorporate and put

1 into operation both the qualitative components of the  
2 TLE as provided for in subparagraph b of paragraph 4  
3 of subsection B of Section 6-101.16 of this title and  
4 the student academic growth and other academic  
5 measurement quantitative components of the TLE as  
6 provided for in subparagraph a of paragraph 4 of  
7 subsection B of Section 6-101.16 of this title into  
8 the evaluations used in all school sites within the  
9 district. For the ~~2015-2016~~ 2017-2018 school year and  
10 each school year thereafter, fifty percent (50%) of  
11 the evaluation rating of teachers and administrators  
12 shall be based on the qualitative component of the TLE  
13 and fifty percent (50%) shall be based on the  
14 quantitative component of the TLE;

15 2. Be prescribed in writing at the time of adoption and at all  
16 times when amendments to the policy are adopted. The original  
17 policy and all amendments to the policy shall be promptly made  
18 available to all persons subject to the policy;

19 3. Provide that all evaluations be made in writing and that  
20 evaluation documents and responses thereto be maintained in a  
21 personnel file for each evaluated person;

22 4. Provide that every probationary teacher receive formative  
23 feedback from the evaluation process at least two times per school  
24

1 year, once during the fall semester and once during the spring  
2 semester;

3 5. Provide that every teacher be evaluated once every year,  
4 except for career teachers receiving a "superior" or "highly  
5 effective" rating under the TLE, who may be evaluated once every two  
6 (2) years; and

7 6. Provide that, except for superintendents of independent and  
8 elementary school districts and superintendents of area school  
9 districts who shall be evaluated by the school district board of  
10 education, all certified personnel shall be evaluated by a  
11 principal, assistant principal, or other trained certified  
12 individual designated by the school district board of education.

13 B. All individuals designated by the school district board of  
14 education to conduct the personnel evaluations shall be required to  
15 participate in training conducted by the State Department of  
16 Education or training provided by the school district using  
17 guidelines and materials developed by the State Department of  
18 Education prior to conducting evaluations.

19 C. The State Department of Education shall develop and conduct  
20 workshops pursuant to statewide criteria which train individuals in  
21 conducting evaluations.

22 D. The State Board of Education shall monitor compliance with  
23 the provisions of this section by school districts.

24

1 E. Refusal by a school district to comply with the provisions  
2 of this section shall be grounds for withholding State Aid funds  
3 until compliance occurs.

4 F. Data collected pursuant to this section shall not be subject  
5 to the Oklahoma Open Meeting Act or the Oklahoma Open Records Act.

6 SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-101.16, as  
7 last amended by Section 3, Chapter 331, O.S.L. 2014 (70 O.S. Supp.  
8 2014, Section 6-101.16), is amended to read as follows:

9 Section 6-101.16 A. By December 15, 2011, the State Board of  
10 Education shall adopt a new statewide system of evaluation to be  
11 known as the Oklahoma Teacher and Leader Effectiveness Evaluation  
12 System (TLE). The Board shall work cooperatively with school  
13 districts to fully implement both the quantitative and qualitative  
14 components of the TLE in all school districts by the ~~2015-2016~~ 2017-  
15 2018 school year as provided for in Section 6-101.10 of this title,  
16 ~~including determining.~~ Until full implementation of the TLE, the  
17 Board shall continue working with school districts and the Teacher  
18 and Leader Effectiveness Commission to determine the final  
19 calculation of the student academic growth measurement as provided  
20 for in division (1) of subparagraph a of paragraph 4 of subsection B  
21 of this section and developing a teacher/student assignment  
22 verification system.

23 B. The TLE shall include the following components:

24 1. A five-tier rating system as follows:



- 1 a. superior,
- 2 b. highly effective,
- 3 c. effective,
- 4 d. needs improvement, and
- 5 e. ineffective;

6 2. Annual evaluations that provide feedback to improve student  
7 learning and outcomes, except as provided for in subsection C of  
8 this section;

9 3. Comprehensive remediation plans and instructional coaching  
10 for all teachers rated as needs improvement or ineffective;

11 4. Quantitative and qualitative assessment components measured  
12 as follows:

- 13 a. fifty percent (50%) of the ratings of teachers and  
14 leaders shall be based on quantitative components  
15 which shall be divided as follows:

- 16 (1) thirty-five percentage points based on student  
17 academic growth using multiple years of

- 18 standardized test data, as available, and

- 19 (2) fifteen percentage points based on other academic  
20 measurements, and

- 21 b. fifty percent (50%) of the rating of teachers and  
22 leaders shall be based on rigorous and fair  
23 qualitative assessment components;

24

1           5. An evidence-based qualitative assessment tool for the  
2 teacher qualitative portion of the TLE that will include observable  
3 and measurable characteristics of personnel and classroom practices  
4 that are correlated to student performance success, including, but  
5 not limited to:

- 6           a. organizational and classroom management skills,
- 7           b. ability to provide effective instruction,
- 8           c. focus on continuous improvement and professional  
9           growth,
- 10          d. interpersonal skills, and
- 11          e. leadership skills;

12           6. An evidence-based qualitative assessment tool for the leader  
13 qualitative portion of the TLE that will include observable and  
14 measurable characteristics of personnel and site management  
15 practices that are correlated to student performance success,  
16 including, but not limited to:

- 17          a. organizational and school management, including  
18             retention and development of effective teachers and  
19             dismissal of ineffective teachers,
- 20          b. instructional leadership,
- 21          c. professional growth and responsibility,
- 22          d. interpersonal skills,
- 23          e. leadership skills, and
- 24          f. stakeholder perceptions;

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

1 7. For those teachers in grades and subjects for which there is  
2 no state-mandated testing measure to create a quantitative  
3 assessment for the quantitative portion of the TLE, the State Board  
4 of Education may adopt alternative percentages from those set forth  
5 in paragraph 4 of this subsection. Emphasis shall be placed on the  
6 observed qualitative assessment as well as contribution to the  
7 overall school academic growth; and

8 8. For first-year and second-year teachers, evaluations shall  
9 be based solely on qualitative components set forth in subparagraph  
10 b of paragraph 4 of this subsection and the State Board of Education  
11 shall adopt alternative percentages from those set forth in  
12 paragraph 4 of this subsection.

13 C. Career teachers receiving a "superior" or "highly effective"  
14 rating under the TLE may be evaluated once every two (2) years.

15 D. The Teacher and Leader Effectiveness Commission shall adopt  
16 recommendations on the student academic growth and other academic  
17 measurement quantitative components of the TLE as provided for in  
18 subparagraph a of paragraph 4 of subsection B of Section 6-101.16 of  
19 this title by May 1, ~~2014~~ 2016. The Commission shall provide  
20 oversight and advise the State Board of Education on the development  
21 and implementation of the TLE as provided for in Section 6-101.17 of  
22 this title.

23 E. A school district which has incorporated quantitative  
24 components of the TLE pursuant to subparagraphs b and c of paragraph

1 1 of subsection A of Section 6-101.10 of this title may continue  
2 using those quantitative components, as defined by the school  
3 districts' written policies, regardless of the State Board of  
4 Education's adoption of quantitative components pursuant to this  
5 section.

6 F. The State Department of Education shall provide to the  
7 Oklahoma State Regents for Higher Education and the Oklahoma  
8 Commission for Teacher Preparation timely electronic data linked to  
9 teachers and leaders derived from the TLE for purposes of providing  
10 a basis for the development of accountability and quality  
11 improvements of the teacher preparation system. The data shall be  
12 provided in a manner and at such times as agreed upon between the  
13 Department, the State Regents and the Commission.

14 G. For purposes of this section, "leader" means a principal,  
15 assistant principal or any other school administrator who is  
16 responsible for supervising classroom teachers.

17 H. The State Department of Education shall keep all data  
18 collected pursuant to the TLE and records of annual evaluations  
19 received pursuant to this section confidential.

20 SECTION 3. AMENDATORY 70 O.S. 2011, Section 6-101.17, is  
21 amended to read as follows:

22 Section 6-101.17 A. There is hereby created to continue until  
23 July 1, 2016, in accordance with the provisions of the Oklahoma  
24 Sunset Law, the Teacher and Leader Effectiveness Commission.

1 B. The membership of the Commission shall consist of:

2 1. The Superintendent of Public Instruction, or designee;

3 2. A member of the Senate, appointed by the President Pro  
4 Tempore of the Senate;

5 3. A member of the House of Representatives, appointed by the  
6 Speaker of the House of Representatives;

7 4. A member of the Senate, appointed by the Minority Leader of  
8 the Senate;

9 5. A member of the House of Representatives, appointed by the  
10 Minority Leader of the House of Representatives;

11 6. A representative from the Office of the Governor or the  
12 executive cabinet, appointed by the Governor;

13 7. The Executive Director of the Oklahoma Commission for  
14 Teacher Preparation, or designee;

15 8. A representative of a technology center school district,  
16 appointed by the Director of the Oklahoma Department of Career and  
17 Technology Education;

18 9. A representative of an institution within The Oklahoma State  
19 System of Higher Education, appointed by the Chancellor of Higher  
20 Education;

21 10. A representative of a statewide organization representing  
22 school district boards of education, appointed by the President Pro  
23 Tempore of the Senate;

1 11. A representative of a statewide organization representing  
2 public school superintendents, appointed by the Speaker of the House  
3 of Representatives;

4 12. A representative of a statewide organization representing  
5 business and education, appointed by the President Pro Tempore of  
6 the Senate;

7 13. An individual employed by a business or company located in  
8 this state, appointed by the Speaker of the House of  
9 Representatives;

10 14. Three (3) representatives, one (1) from each of the three  
11 (3) largest statewide organizations representing active public  
12 school teachers, appointed by the Governor;

13 15. A representative of a statewide parent-teacher  
14 organization, appointed by the Governor;

15 16. A representative of a philanthropic organization involved  
16 in education, appointed by the Governor; and

17 17. An individual involved in Science, Technology, Engineering  
18 and Mathematics (STEM) education, appointed by the Governor.

19 C. Initial appointments pursuant to the provisions of this  
20 section shall be made no later than August 1, 2010. Members shall  
21 serve at the pleasure of the appointing authority. Vacancies shall  
22 be filled by the original appointing authority. The State  
23 Superintendent of Public Instruction, or designee, shall serve as  
24 chair of the Commission. Members of the Commission shall select a

1 vice-chair from the membership of the Commission. Meetings of the  
2 Commission shall be held at the call of the chair. A majority of  
3 the members of the Commission shall constitute a quorum for the  
4 transaction of any business.

5 D. Members of the Commission shall receive no compensation for  
6 serving on the Commission, but shall receive travel reimbursement as  
7 follows:

8 1. State employees who are members of the Commission shall be  
9 reimbursed for travel expenses incurred in the performance of their  
10 duties by their respective agencies in accordance with the State  
11 Travel Reimbursement Act;

12 2. Legislative members shall be reimbursed in accordance with  
13 Section 456 of Title 74 of the Oklahoma Statutes; and

14 3. All other members of the Commission shall be reimbursed by  
15 the State Department of Education for travel expenses incurred in  
16 the performance of their duties in accordance with the State Travel  
17 Reimbursement Act.

18 E. Staff support for the Commission shall be provided by the  
19 State Department of Education and the Oklahoma Commission for  
20 Teacher Preparation.

21 F. Members who serve on the Commission shall be exempt from the  
22 dual-office-holding prohibitions of Section 6 of Title 51 of the  
23 Oklahoma Statutes.

24

1 G. The Commission shall comply with the provisions of the  
2 Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

3 H. The duties of the Commission, as specified in subsection I  
4 of this section, shall not be contingent upon the state being  
5 selected to receive or the state actually receiving any federal Race  
6 to the Top funding.

7 I. The Commission shall provide oversight and advise the State  
8 Board of Education on the development and implementation of the  
9 Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as  
10 created in Section 6-101.16 of this title, including:

11 1. Making recommendations to the State Board regarding the  
12 development and implementation of the TLE prior to adoption of any  
13 permanent rules or policies by the State Board. The Commission  
14 shall evaluate, conduct research and advise the Board on the use of  
15 and changes to the value-added models and student learning and  
16 outcome objective sets of goals approved by the Board for  
17 calculating student academic growth after the evaluation and  
18 research. The Commission shall adopt recommendations on calculating  
19 student academic growth and other academic measures by May 1, 2016.  
20 The Board shall not adopt final permanent rules or policies until  
21 the recommendations of the Commission are adopted;

22 2. Regularly reviewing progress toward development and  
23 implementation of the quantitative and qualitative measures that  
24 comprise the TLE;



1 3. Regularly reviewing progress toward timely access to student  
2 growth data;

3 4. Regularly reviewing the correlation between the quantitative  
4 and qualitative scores and other data to ensure that the TLE is  
5 being implemented with validity and that evaluations of individuals  
6 conducted by school districts are meaningful and demonstrate that  
7 reasonable distinctions are being made relating to performance;

8 5. Assuring input and participation from teachers and leaders  
9 on the development and implementation of the TLE;

10 6. Gathering public comment on the development and  
11 effectiveness of the TLE; and

12 7. Assuring that the TLE is based on research-based national  
13 best practices and methodology.

14 J. The Commission shall issue a report by December 31 of each  
15 year and submit a copy of the report to the Governor, the Speaker of  
16 the House of Representatives and the President Pro Tempore of the  
17 Senate.

18 SECTION 4. It being immediately necessary for the preservation  
19 of the public peace, health and safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

22  
23 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/17/2015  
24 - DO PASS, As Coauthored.