

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 HOUSE BILL 3769

 By: Waldron

7 AS INTRODUCED

8 An Act relating to schools; amending 70 O.S. 2011,
9 Section 6-101.10, as last amended by Section 2,
10 Chapter 301, O.S.L. 2016 (70 O.S. Supp. 2019, Section
11 6-101.10), which relates to teacher evaluations;
 providing requirements for individuals conducting
 evaluations of teachers; defining term; and providing
 an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-101.10, as
16 last amended by Section 2, Chapter 301, O.S.L. 2016 (70 O.S. Supp.
17 2019, Section 6-101.10), is amended to read as follows:

18 Section 6-101.10 A. Each school district board of education
19 shall maintain and annually review, following consultation with or
20 involvement of representatives selected by local teachers, a written
21 policy of evaluation and corresponding professional development for
22 all teachers and administrators. In those school districts in which
23 there exists a professional negotiations agreement made in
24 accordance with Section 509.1 et seq. of this title, the procedure

1 for evaluating members of the negotiations unit and any standards of
2 performance and conduct proposed for adoption beyond those
3 established by the State Board of Education shall be negotiable
4 items. Nothing in this section shall be construed to annul, modify
5 or to preclude the renewal or continuing of any existing agreement
6 heretofore entered into between any school district and any
7 organizational representative of its employees. Every policy of
8 evaluation adopted by a board of education shall:

9 1. Be based upon a set of minimum criteria developed by the
10 State Board of Education, which shall be revised and based upon the
11 Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE)
12 developed by the State Board of Education as provided in Section 6-
13 101.16 of this title. The revisions to each policy of evaluation
14 shall be phased in according to the following schedule:

15 a. for the 2014-2015, 2015-2016 and 2016-2017 school
16 years, the evaluation rating of teachers and
17 administrators shall be based on the qualitative
18 component of the TLE. For the 2016-2017 school year,
19 the State Department of Education shall work with
20 school districts to develop individualized programs of
21 professional development as described in subsection B
22 of this section. However, nothing in this
23 subparagraph shall preclude a school district with an
24 average daily attendance of more than thirty-five

1 thousand (35,000) from continuing to use quantitative
2 components which the district has incorporated at its
3 own expense prior to the 2015-2016 school year into
4 its evaluation system of teachers and administrators,
5 as defined by the district's written policy,

6 b. for evaluations of teachers and administrators
7 conducted during the 2017-2018 school year, and each
8 school year thereafter, school districts shall
9 incorporate and put into operation the qualitative
10 component of the TLE as provided for in subsection B
11 of Section 6-101.16 of this title into the evaluations
12 used in all school sites within the district. For the
13 2017-2018 school year, and each school year
14 thereafter, teachers and administrators shall receive
15 a district evaluation rating based on the components
16 of the TLE as set forth in subsection B of Section 6-
17 101.16 of this title. For the 2017-2018 school year,
18 school districts shall incorporate the individualized
19 programs of professional development as described in
20 subsection B of this section on a pilot program basis,
21 and

22 c. for evaluations of teachers and administrators
23 conducted during the 2018-2019 school year, and each
24 school year thereafter, school districts shall fully

1 incorporate and put into operation the individualized
2 programs of professional development as described in
3 subsection B of this section;

4 2. Be prescribed in writing at the time of adoption and at all
5 times when amendments to the policy are adopted. The original
6 policy and all amendments to the policy shall be promptly made
7 available to all persons subject to the policy;

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

11 4. Provide that every probationary teacher receive formative
12 feedback from the evaluation process at least two times per school
13 year, once during the fall semester and once during the spring
14 semester;

15 5. Provide that every teacher be evaluated once every year,
16 except for career teachers receiving a district evaluation rating of
17 "superior" or "highly effective" under the TLE who may be evaluated
18 once every three (3) years; and

19 6. Provide that, except for superintendents of independent and
20 elementary school districts and superintendents of area school
21 districts who shall be evaluated by the school district board of
22 education, all certified personnel shall be evaluated by a
23 principal, assistant principal, designee of the principal,
24 supervisor, content expert, department chair, peer committee or

1 other trained persons or groups of persons designated by the school
2 district board of education.

3 B. 1. Every policy of professional development adopted by a
4 school district board of education shall provide for the development
5 of a focused and individualized program of professional development
6 for the teacher or administrator that is consistent with the
7 qualitative component of the TLE. The policy of professional
8 development shall:

9 a. establish an annual professional growth goal for the
10 teacher or administrator that is developed by the
11 teacher or administrator in collaboration with the
12 evaluator,

13 b. be tailored to address a specific area or criteria
14 identified through the qualitative component of the
15 TLE,

16 c. allow the teacher or administrator to actively engage
17 with learning practices that are evidence-based,
18 researched practices that are correlated with
19 increased student achievement, and

20 d. be supported by resources that are easily available
21 and supplied by the school district and the State
22 Department of Education.

23 2. School districts shall monitor compliance with each
24 individualized program of professional development implemented

1 pursuant to this subsection. All professional development completed
2 pursuant to an individualized program of professional development
3 shall count toward the total number of points a teacher or
4 administrator is required to complete as established by a school
5 district board of education pursuant to Section 6-194 of this title.
6 The implementation of the individualized program of professional
7 development required by this subsection shall not be construed as
8 increasing the professional development points requirements.

9 3. Individualized programs of professional development required
10 by this subsection may include but are not limited to the following
11 learning practices:

- 12 a. presenter-led workshops,
- 13 b. individual or faculty studies of books, scholarly
14 articles and video productions,
- 15 c. peer observations,
- 16 d. committee studies to address student achievement
17 issues,
- 18 e. work related to a specific subject area or areas
19 associated with obtaining an advanced degree or
20 professional certification,
- 21 f. action research projects designed to improve student
22 achievement, and

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1 g. participation in local, regional or state initiatives
2 associated with the development or implementation of
3 curriculum standards.

4 C. All individuals designated by the school district board of
5 education to conduct the personnel evaluations shall be required to
6 participate in training conducted by the State Department of
7 Education or training provided by the school district using
8 guidelines and materials developed by the State Department of
9 Education prior to conducting evaluations. An individual an
10 conducting evaluation of a teacher shall be an administrator
11 employed at the same school as the teacher being evaluated. For
12 purposes of this section the term "administrator" shall include
13 employees who are employed and certified as superintendents,
14 assistant superintendents, principals and assistant principals and
15 who have responsibilities for supervising classroom teachers.

16 D. The State Department of Education shall develop and conduct
17 workshops pursuant to statewide criteria which train individuals in
18 conducting evaluations.

19 E. The State Board of Education shall monitor compliance with
20 the provisions of this section by school districts.

21 F. The State Board of Education shall study continued
22 implementation of the TLE to produce a system that promotes
23 reflection and professional growth for teachers and leaders.

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1 G. 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 H. 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. This act shall become effective November 1, 2020.

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8 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/18/2020
9 - DO PASS.

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