

Educator Evaluation Reforms at a Glance—Public Act 102, (MCL 380.1249)

Prepared for members of the Michigan Association of School Administrators (MASA)

Requirements for districts regarding ADMINISTRATOR Evaluation (if not EXPRESSLY prohibited by CBA)

ALL districts must,
(for 2011-12 and beyond)

- (a) Evaluate teacher and school administrators **at least annually**
- (b) Incorporate **student growth measures** and provides teachers and school administrators with relevant data
- (c) Use **multiple rating categories** (highly effective, effective, minimally effective, and ineffective) that take into account **data on student growth as a significant factor**.
- (d) Uses the evaluations, at a minimum, **to inform decisions** regarding all of the following:
 - (i) The effectiveness of teachers and administrators,
 - (ii) Promotion, retention, and development of teachers and school administrators,
 - (iii) Granting of tenure or full certification, or both
 - (iv) Removing ineffective tenured and untenured teachers and administrators

* Section 1249 (1)

Districts declaring EXEMPTION by November 2011 must ALSO,
(for 2011-12 and beyond)

Everything in first column plus:

- **Most significant portion** of evaluation based on student growth and assessment data
- Use of **research based measures** to determine student growth
- Use of multiple direct **observations**
- Evaluation results used to **inform professional development**

* Section 1249 (7)

ALL districts without exempted tools
(beginning 2013-14)

Everything in first column plus:

- **Specific percentages** used for student growth data: 25% in 12-13; 40% in 2013-14; 50% in 14-15
Remaining portion must encompass

Administrator's training and proficiency in evaluation of teachers.

Progress made by the school or district in meeting improvement plan goals.

Pupil attendance
 - Student, parent, and teacher **feedback**, and any other information superintendent considers pertinent.
- **Adoption of state tool** or compatible system
- **Improvement plans** for educators rated minimally effective or ineffective
- **Required dismissal** for admins receiving 3 consecutive ineffective ratings
- **Biennial evaluation** of admins who receive 3 consecutive highly effective ratings (optional)

Education Evaluation Reforms at a Glance—Public Act 102, (MCL 380.1249)

Prepared for members of the Michigan Association of School Administrators (MASA)

Requirements for districts regarding TEACHER Evaluation (if not EXPRESSLY prohibited by CBA)

* Section 1249 (3)

ALL districts must,
(for 2011-12 and beyond)

- (a) Evaluate teacher and school administrators **at least annually**
- (b) Incorporate **student growth measures** and provides teachers and school administrators with relevant data
- (c) Use **multiple rating categories** (highly effective, effective, minimally effective, and ineffective) that take into account **data on student growth as a significant factor**.
- (d) Uses the evaluations, at a minimum, **to inform decisions** regarding all of the following:
 - (i) The effectiveness of teachers and administrators,
 - (ii) Promotion, retention, and development of teachers and school administrators,
 - (iii) Granting of tenure or full certification, or both

untentured teachers and administrators

* Section 1249 (1)

Districts declaring EXEMPTION by November 2011 must ALSO,
(for 2011-12 and beyond)

Everything in first column plus:

- **Most significant portion** of evaluation based on student growth and assessment data
- Use of **research based measures** to determine student growth
- Use of multiple direct **observations**
- Evaluation results used to **inform professional development**

* Section 1249 (7)

ALL districts without exempted tools
(beginning 2013-14)

Everything in first column plus:

- **Annual year-end evaluation**
 - **Specific percentages** tied to student growth data: 25%/ 40%/50%
 - Based on **data from most recent 3 consecutive years** (if available)
 - **Performance goals** (all) and **improvement plans/training** (some)
- A **midyear progress report** for some
- Classroom **observations**
- Adoption of the **state evaluation tool**, or consistent evaluation tool
- Assign an **effectiveness rating** to each teacher.
- A **mentor or coach** for teachers rated as minimally effective or ineffective.

- May allow for **one-year exemption of growth data** for particular student
 - **Required dismissal** for teachers receiving 3 consecutive ineffective ratings
 - **Biennial evaluation** of teachers receiving 3 consecutive highly effective ratings (optional)
 - Tenured teacher rated ineffective may request a **review** of the eval/rating
- * Section 1249 (3)

MCL 380.1249, as amended by Public Act 103 of 2011:

(1) Not later than September 1, 2011, and subject to subsection (9), with the involvement of teachers and school administrators, the board of a school district or intermediate school district or board of directors of a public school academy shall adopt and implement for all teachers and school administrators a rigorous, transparent, and fair performance evaluation system that does all of the following:

- (a) Evaluates the teacher's or school administrator's job performance at least annually while providing timely and constructive feedback.
- (b) Establishes clear approaches to measuring student growth and provides teachers and school administrators with relevant data on student growth.
- (c) Evaluates a teacher's or school administrator's job performance, using multiple rating categories that take into account data on student growth as a significant factor. For these purposes, student growth shall be measured by national, state, or local assessments and other objective criteria. If the performance evaluation system implemented by a school district, intermediate school district, or public school academy under this section does not already include the rating of teachers as highly effective, effective, minimally effective, and ineffective, then the school district, intermediate school district, or public school academy shall revise the performance evaluation system within 60 days after the effective date of the amendatory act that added this sentence to ensure that it rates teachers as highly effective, effective, minimally effective, or ineffective.
- (d) Uses the evaluations, at a minimum, to inform decisions regarding all of the following:
 - (i) The effectiveness of teachers and school administrators, ensuring that they are given ample opportunities for improvement.
 - (ii) Promotion, retention, and development of teachers and school administrators, including providing relevant coaching, instruction support, or professional development.
 - (iii) Whether to grant tenure or full certification, or both, to teachers and school administrators using rigorous standards and streamlined, transparent, and fair procedures.
 - (iv) Removing ineffective tenured and untenured teachers and school administrators after they have had ample opportunities to improve, and ensuring that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures



EXEMPTION Section 1249 (7)

If all of the following apply for a public school operated by a school district, intermediate school district, or public school academy, then the school district, intermediate school district, or public school academy is not required to comply with subsection (2) or (3) for that public school:

- (a) As of the effective date of this subsection [July 19, 2011], the school district, intermediate school district, or public school academy has already implemented and is currently using a performance evaluation system for that public school that meets all of the following requirements:
 - (i) Under the system, the most significant portion of a teacher's or school administrator's evaluation is based on student growth and assessment data, which may include value-added measures.
 - (ii) The system uses research-based measures to determine student growth, which may be measured by standards-based, nationally normed assessments.
 - (iii) The system determines professional competence through multiple direct observations of classroom practices and professional practices throughout the school year.
 - (iv) Under the system, teacher effectiveness and ratings, as measured by student achievement and growth data, are factored into teacher retention, promotion, and termination decisions.
 - (v) Under the system, teacher and school administrator performance evaluation results are used to inform teacher professional development for the succeeding year.
 - (vi) The system ensures that teachers and school administrators are evaluated at least annually.



STATE REQUIREMENT FOR ADMINISTRATORS Section 1249 (3)

Beginning with the 2013-2014 school year, the board of a school district or intermediate school district or board of directors of a public school academy shall ensure that the performance evaluation system for building-level school administrators and for central office-level school administrators who are regularly involved in instructional matters meets all of the following:

- (a) The performance evaluation system shall include at least an annual year-end evaluation for all school administrators described in this subsection by the school district superintendent or his or her designee, intermediate superintendent or his or her designee, or chief administrator of the public school academy, as applicable, except that a superintendent or chief administrator shall be evaluated by the board or board of directors.
- (b) For the annual year-end evaluation for the 2013-2014 school year, at least 25% of the annual year-end evaluation shall be based on student growth and assessment data. For the annual year-end evaluation for the 2014-2015 school year, at least 40% of the annual year-end evaluation shall be based on student growth and assessment data. Beginning with the annual year-end evaluation for the 2015-2016 school year, at least 50% of the annual year-end evaluation shall be based on student growth and assessment data. The student growth and assessment data to be used for the school administrator annual year-end evaluation are the aggregate student growth and assessment data that are used in teacher annual year-end evaluations in each school in which the school administrator works as an administrator or, for a central-office level school administrator, for the entire school district or intermediate school district.
- (c) The portion of the annual year-end evaluation that is not based on student growth and assessment data shall be based on at least the following for each school in which the school administrator works as an administrator or, for a central-office level school administrator, for the entire school district or intermediate school district:
 - (i) If the school administrator conducts teacher performance evaluations, the school administrator's training and proficiency in using the evaluation tool for teachers described in subsection (2)(d), including a random sampling of his or her teacher performance evaluations to assess the quality of the school administrator's input in the teacher performance evaluation system. If the school administrator designates another person to conduct teacher performance evaluations, the evaluation of the school administrator on this factor shall be based on the designee's training and proficiency in using the evaluation tool for teachers described in subsection (2)(d), including a random sampling of the designee's teacher performance evaluations to assess the quality of the designee's input in the teacher performance evaluation system, with the designee's performance to be counted as if it were the school administrator personally conducting the teacher performance evaluations.
 - (ii) The progress made by the school or school district in meeting the goals set forth in the school's school improvement plan or the school district's school improvement plans.



STATE REQUIREMENT FOR ADMINISTRATORS Section 1249 (3) Cont'd

- (iii) Pupil attendance in the school or school district.
 - (iv) Student, parent, and teacher feedback, and other information considered pertinent by the superintendent or other school administrator conducting the performance evaluation or the board or board of directors.
- (d) For the purposes of conducting performance evaluations under the performance evaluation system, the school district, intermediate school district, or public school academy shall adopt and implement the state evaluation tool for school administrators described in this subsection that is required under legislation enacted by the legislature under subsection (6) after review of the recommendations contained in the report of the governor's council on educator effectiveness submitted under subsection (5). However, if a school district, intermediate school district, or public school academy has a local evaluation tool for school administrators described in this subsection that is consistent with the state evaluation tool, the school district, intermediate school district, or public school academy may conduct performance evaluations for school administrators using that local evaluation tool.
- (e) The performance evaluation system shall assign an effectiveness rating to each school administrator described in this subsection of highly effective, effective, minimally effective, or ineffective, based on his or her score on the evaluation tool described in subdivision (d).
- (f) The performance evaluation system shall ensure that if a school administrator described in this subsection is rated as minimally effective or ineffective, the person or persons conducting the evaluation shall develop and require the school administrator to implement an improvement plan to correct the deficiencies. The improvement plan shall recommend professional development opportunities and other measures designed to improve the rating of the school administrator on his or her next annual year-end evaluation.
- (g) The performance evaluation system shall provide that, if a school administrator described in this subsection is rated as ineffective on 3 consecutive annual year-end evaluations, the school district, public school academy, or intermediate school district shall dismiss the school administrator from his or her employment. However, this subdivision applies only if the 3 consecutive annual year-end evaluations are conducted using the same evaluation tool and under the same performance evaluation system. This subdivision does not affect the ability of a school district, intermediate school district, or public school academy to dismiss an ineffective school administrator from his or her employment regardless of whether the school administrator is rated as ineffective on 3 consecutive annual year-end evaluations.
- (h) The performance evaluation system shall provide that, if a school administrator is rated as highly effective on 3 consecutive annual year-end evaluations, the school district, intermediate school district, or public school academy may choose to conduct a year-end evaluation biennially instead of annually. However, if a school administrator is not rated as highly effective on 1 of these biennial year-end evaluations, the school administrator shall again be provided with annual year-end evaluations.



STATE REQUIREMENT FOR TEACHERS Section 1249 (2)

Beginning with the 2013-2014 school year, the board of a school district or intermediate school district or board of directors of a public school academy shall ensure that the performance evaluation system for teachers meets all of the following:

- (a) The performance evaluation system shall include at least an annual year-end evaluation for all teachers. An annual year-end evaluation shall meet all of the following:
 - (i) For the annual year-end evaluation for the 2013-2014 school year, at least 25% of the annual year-end evaluation shall be based on student growth and assessment data. For the annual year-end evaluation for the 2014-2015 school year, at least 40% of the annual year-end evaluation shall be based on student growth and assessment data. Beginning with the annual year-end evaluation for the 2015-2016 school year, at least 50% of the annual year-end evaluation shall be based on student growth and assessment data. All student growth and assessment data shall be measured using the student growth assessment tool that is required under legislation enacted by the legislature under subsection (6) after review of the recommendations contained in the report of the governor's council on educator effectiveness submitted under subsection (5).
 - (ii) If there are student growth and assessment data available for a teacher for at least 3 school years, the annual year-end evaluation shall be based on the student growth and assessment data for the most recent 3-consecutive-school-year period. If there are not student growth and assessment data available for a teacher for at least 3 school years, the annual year-end evaluation shall be based on all student growth and assessment data that are available for the teacher.
 - (iii) The annual year-end evaluation shall include specific performance goals that will assist in improving effectiveness for the next school year and are developed by the school administrator or his or her designee conducting the evaluation, in consultation with the teacher, and any recommended training identified by the school administrator or designee, in consultation with the teacher, that would assist the teacher in meeting these goals. For a teacher described in subdivision (b), the school administrator or designee shall develop, in consultation with the teacher, an individualized development plan that includes these goals and training and is designed to assist the teacher to improve his or her effectiveness.
- (b) The performance evaluation system shall include a midyear progress report for a teacher who is in the first year of the probationary period prescribed by section 1 of article II of 1937 (Ex Sess) PA 4, MCL 38.81, or who received a rating of minimally effective or ineffective in his or her most recent annual year-end evaluation. The midyear progress report shall be used as a supplemental tool to gauge a teacher's improvement from the preceding school year and to assist a teacher to improve. All of the following apply to the midyear progress report:
 - (i) The midyear progress report shall be based at least in part on student achievement.
 - (ii) The midyear progress report shall be aligned with the teacher's individualized development plan under subdivision (a)(iii).



STATE REQUIREMENT FOR TEACHERS Section 1249 (2)...cont'd

- (iii) The midyear progress report shall include specific performance goals for the remainder of the school year that are developed by the school administrator conducting the annual year-end evaluation or his or her designee and any recommended training identified by the school administrator or designee that would assist the teacher in meeting these goals. At the midyear progress report, the school administrator or designee shall develop, in consultation with the teacher, a written improvement plan that includes these goals and training and is designed to assist the teacher to improve his or her rating.
- (iv) The midyear progress report shall not take the place of an annual year-end evaluation.
- (c) The performance evaluation system shall include classroom observations to assist in the performance evaluations. All of the following apply to these classroom observations:
 - (i) Except as provided in this subdivision, the manner in which a classroom observation is conducted shall be prescribed in the evaluation tool for teachers described in subdivision (d).
 - (ii) A classroom observation shall include a review of the teacher's lesson plan and the state curriculum standard being used in the lesson and a review of pupil engagement in the lesson.
 - (iii) A classroom observation does not have to be for an entire class period.
 - (iv) Unless a teacher has received a rating of effective or highly effective on his or her 2 most recent annual year-end evaluations, there shall be multiple classroom observations of the teacher each school year.
- (d) For the purposes of conducting annual year-end evaluations under the performance evaluation system, the school district, intermediate school district, or public school academy shall adopt and implement the state evaluation tool for teachers that is required under legislation enacted by the legislature under subsection (6) after review of the recommendations contained in the report of the governor's council on educator effectiveness submitted under subsection (5). However, if a school district, intermediate school district, or public school academy has a local evaluation tool for teachers that is consistent with the state evaluation tool, the school district, intermediate school district, or public school academy may conduct annual year-end evaluations for teachers using that local evaluation tool.
- (e) The performance evaluation system shall assign an effectiveness rating to each teacher of highly effective, effective, minimally effective, or ineffective, based on his or her score on the annual year-end evaluation described in this subsection.
- (f) As part of the performance evaluation system, and in addition to the requirements of section 1526, a school district, intermediate school district, or public school academy is encouraged to assign a mentor or coach to each teacher who is described in subdivision (b).



STATE REQUIREMENT FOR TEACHERS Section 1249 (2)...cont'd

- (g) The performance evaluation system may allow for exemption of student growth data for a particular pupil for a school year upon the recommendation of the school administrator conducting the annual year-end evaluation or his or her designee and approval of the school district superintendent or his or her designee, intermediate superintendent or his or her designee, or chief administrator of the public school academy, as applicable.
- (h) The performance evaluation system shall provide that, if a teacher is rated as ineffective on 3 consecutive annual year-end evaluations, the school district, public school academy, or intermediate school district shall dismiss the teacher from his or her employment. This subdivision does not affect the ability of a school district, intermediate school district, or public school academy to dismiss an ineffective teacher from his or her employment regardless of whether the teacher is rated as ineffective on 3 consecutive annual year-end evaluations.
- (i) The performance evaluation system shall provide that, if a teacher is rated as highly effective on 3 consecutive annual year-end evaluations, the school district, intermediate school district, or public school academy may choose to conduct a year-end evaluation biennially instead of annually. However, if a teacher is not rated as highly effective on 1 of these biennial year-end evaluations, the teacher shall again be provided with annual year-end evaluations.
- (j) The performance evaluation system shall provide that, if a teacher who is not in a probationary period prescribed by section 1 of article II of 1937 (Ex Sess) PA 4, MCL 38.81, is rated as ineffective on an annual year-end evaluation, the teacher may request a review of the evaluation and the rating by the school district superintendent, intermediate superintendent, or chief administrator of the public school academy, as applicable. The request for a review must be submitted in writing within 20 days after the teacher is informed of the rating. Upon receipt of the request, the school district superintendent, intermediate superintendent, or chief administrator of the public school academy, as applicable, shall review the evaluation and rating and may make any modifications as appropriate based on his or her review. However, the performance evaluation system shall not allow for a review as described in this subdivision more than twice in a 3-school-year period.





December 7, 2011, Testimony for the Governor's Council on Educator Effectiveness

Educator Evaluation Systems for Learning and Growth

Introduction of speakers

First, we want to thank the esteemed members of the Governor's Council on Educator Effectiveness for inviting our testimony on this critical effort. We represent two organizations whose members have a long commitment to improving student achievement and educator performance. We are dedicated to supporting the work of this Committee.

I am William Mayes, Executive Director of the Michigan Association of school Administrators (MASA), the only statewide association to primarily serve and represent school superintendents and their first line assistants.

I'd like to introduce my colleague, Patricia McNeill, Executive Director of the Michigan ASCD, which is the state affiliate of the largest national organization focusing primarily on teaching, learning and supervision.

Assumptions

Let's start with our assumptions, which are based on the work of early researchers in the field of performance evaluation of educators.

- 1) **The ultimate goal** of educator performance review and feedback is to
 - a. Achieve better results for students
 - b. By fostering improved effectiveness of our teachers and leaders
- 2) **There are enormous implications** for principals for their expertise and for the way they do business and spend their time.
- 3) There is a need to **balance high-stakes accountability with ongoing support** and feedback, focused on improvement.
- 4) Research tells us that employee evaluation systems work best when **evaluation is not something we do to people**, but rather when it is a shared process of adaptive learning and growth. An effective evaluation system allows employees to take responsibility for their own learning, growth, and performance.

This testimony offers a framework for guiding the committee in designing a comprehensive system that:

- (a) Meets the intent and the letter of the Michigan performance evaluation statutes;
- (b) Reflects the research on evaluation and feedback; and
- (c) Can be managed with available people resources.

To achieve all three, this framework emphasizes individual responsibility for building a body of evidence that can be used to evaluate each teacher's and administrator's work and guide their professional growth. The framework also emphasizes a collaborative process between the individual being evaluated, supervisors, and peers.

The Framework

With those assumptions in mind, we've identified some research-driven principles and critical elements that must be part of any **Comprehensive Educator Evaluation System** for teachers, principals, central office administrators and, superintendent: *The system must be: Authentic, Professional, Purpose-Driven, Adaptive, Data-informed, and Inclusive.*

We're going to look at each a little more in detail:

- **Authentic** – *The System recognizes and rewards the use of evidence based practice to achieve better student outcomes*
 - **Tools** – Sets of research validated standards, observation protocols and guides, research validated performance assessments, work samples
 - **Strategies** – Examine performance through the lens of standards, using multiple sources of evidence, including observations, assessments, work samples, and evidence of results.
- **Professional** – *The System builds personal commitment and efficacy for growth and improvement*
 - **Tools** – Performance assessment tools (self and external), S.M.A.R.T Goals, Professional Development Plans (PDPs), portfolios, professional work samples, web pages, social networking, tuning protocols, student work, and student achievement data
 - **Strategies** – Each educator builds a body of evidence that exemplifies their practice, performance, and results. This body of evidence can be used by evaluators against the standards for that position in that school (district).
- **Purpose Driven** - *The System is driven by measurable improvement targets for student success*
 - **Tools** – Student work, student achievement data, other sources of student results (attendance, behavioral, participation, academic, perception, etc.)
 - **Strategies** – Each individual completes a profile of student results and identifies targets for improved student results.
- **Adaptive** – *The System fosters exploration, action research, self-assessment, reflective practice and innovative ways of getting better student results*
 - **Tools** – S.M.A.R.T. Goals, action research plans, Individual Development Plans (PDPs), Differentiated Instruction Plans

- **Strategies** – Each educator develops performance improvement plans that account for variations in student characteristics, learning profiles, and special needs.
- **Data Informed** - *The System uses multiple sources of qualitative and quantitative data tied to student achievement and evidence based practice*
 - **Tools** – All the tools we’ve mentioned before: student achievement data, observation data, portfolios, work samples, to mention just a few.
 - **Strategies** – Build the capacity to combine and analyze data in an easy-to-use digital environment. Provide professional learning and technical assistance to help educators successfully use the system.
- **Inclusive** – *The System serves all, with alignment between student, teacher, administrator, and district improvement goals*
 - **Tools** – Digital tools for data capture, access, and system components
 - **Strategies** – Professional learning and technical support enriched with a feedback loop for continuous refinement and development of the system.

School Administrator Evaluation

In our conversations with Michigan administrators, we found a vast range of readiness to comply with best practice research and Michigan’s 2010 annual evaluation requirement. In order to meet their needs, MASA and Michigan ASCD have collaborated to begin development of a performance evaluation system for building and district administrators, using the research-based principles and critical elements we outlined just now.

The newly launched School ADvance System for Administrator evaluation complies with Michigan’s newest laws, aligns with state and national standards, and follows best practices for performance review. School ADvance includes assessment rubrics for principals, central office administrators and superintendents. The rubrics can be used alone or within an online management system such as STAGES, which can facilitate and enrich the annual evaluation process for all educators.

A growing number of districts are successfully turning to this system, because it’s user-friendly and meets Michigan’s laws and standards. MASA and Michigan ASCD are prepared to support districts with a full range of professional learning and adapt as necessary to be consistent with the Committee’s final recommendations.

Summary

In summary, the general principles we are recommending are grounded in the assumption that evaluation is not something we do to people; rather, it is a process of adaptive learning and growth that requires an internal locus of control.

The framework we envision—and that we urge you to consider as you form recommendations--includes six important elements. Evaluation systems designed for

learning and growth must be authentic, professional, purpose driven, adaptive, data-informed and inclusive. It must incorporate multiple sources of evidence, collaborative analysis of that evidence, and improvement plans that align with the purposes of the school and district.

A framework incorporating these elements can assist teachers, administrators, and boards of education in answering the three important questions for their own work:

- (a) Where am I right now in my learning and performance?
- (b) Where should I focus next to learn, grow, and improve?
- (c) How should I proceed to reach that next level of performance?