

# PROGRAM BILL # 6

## GOVERNOR'S PROGRAM BILL 2011

### MEMORANDUM

AN ACT to amend the education law, in relation to establishing objective criteria for statewide teacher evaluation

#### PURPOSE:

This bill would ensure that a statewide system with objective criteria to evaluate teachers is in place for the 2011-12 school year.

#### SUMMARY OF PROVISIONS:

Section 1 of the bill establishes that annual performance reviews by school districts and boards of cooperative educational services shall be conducted on or after July 1<sup>st</sup>, 2011 for the 2011-2012 school-year for classroom teachers and building principals. A series of guidelines establishing objective criteria shall be developed by the commissioner, in consultation with an advisory committee, to be used in these evaluations and will take into account professional teaching standard, standards for professional context and standards for a continuum of system support. The criteria will examine student growth and classroom or building performance as well as other measurable means of determining teaching or administrative effectiveness.

Section 2 of the bill provides for an immediate effective date.

#### EXISTING LAW:

Currently, the State Education Department is required to develop criteria, based on performance, to evaluate teachers statewide. Pursuant to the new teacher evaluation system, teachers and principals would receive one of four ratings: "highly effective," "effective," "developing," or "ineffective." The evaluations would be a central component of employment decisions, including professional development, tenure determinations, selection for leadership opportunities and termination.

#### JUSTIFICATION:

It is time to move beyond the "last in, first out" system of relying exclusively on seniority because New York needs an objective evaluation system that both provides fairness for our teachers and fosters educational excellence for our children. This bill would expedite and expand ongoing plans to implement a statewide, objective teacher evaluation system, based on both performance and seniority, for school districts to use when making employment decisions.

Last year, New York State enacted Chapter 103 of the laws of 2010, as part of its effort to reform the State's education system and to secure funding under the federal "Race to the Top" program. Chapter 103 required an overhaul of the existing teacher and principal evaluation system. As a result of the legislation, a State Education Department taskforce is in the process of developing rigorous criteria for a new system that includes merit and other factors commencing for the 2011-2012 school year. However the original law only requires that math and English language arts teachers in grades 4-8 would initially be subject to these criteria, and they would not apply to any other subjects or grades until the 2012-2013 school year.

Under this proposal, implementation of an objective teacher evaluation system for school districts to use when making employment decisions would be expedited, and expanded. First, this bill would expedite completion of the process to provide objective teacher evaluation criteria for all grades and all subjects, so that it will be in place for the 2011-2012 school year. Second, this bill would set some basic standards and measures that must be included to ensure that teachers and classroom teachers are evaluated on objective and measureable criteria such as the use of specific, discrete, observable behaviors by students, teachers, principals and their staff. In addition, this bill would establish enhanced transparency requirements, including the posting of guidelines on all school districts' Web sites.

#### **LEGISLATIVE HISTORY:**

Chapter 103 of the Laws of 2010 enacted a statewide system of teacher evaluation, that would not be fully implemented before the 2012-13 school year.

#### **BUDGET IMPLICATIONS:**

This bill would have no fiscal implications.

#### **EFFECTIVE DATE:**

This bill would take effect immediately.