

## HCS HB 1526 -- SCHOOL PERSONNEL

SPONSOR: Dieckhaus

COMMITTEE ACTION: Voted "do pass" by the Committee on Elementary and Secondary Education by a vote of 12 to 9.

This substitute changes the laws regarding school personnel.

### TEACHING AND ADMINISTRATOR STANDARDS AND TEACHER SALARIES

The substitute allows existing teaching and administrator standards to become part of a district's evaluation system. The provision specifying a minimum salary requirement for a teacher with a master's degree is repealed.

### TEACHER TENURE ACT

Currently, teachers in all school districts except the City of St. Louis must be notified concerning their reemployment by April 15 and presented with a contract by May 15. The substitute changes the deadline for the notification to May 15 and the contract date to June 15. Contracts fixing the amount of compensation for the following school year for tenured teachers may currently be modified each year as provided by the salary schedule applicable to all teachers. The substitute revises this provision to refer to the compensation plan adopted by the board of education rather than the salary schedule. The causes for terminating a teacher's contract are changed to remove a mental or physical condition unfitting the teacher to instruct or associate with children, incompetency, and inefficiency and adding unsatisfactory performance based on an evaluation that includes performance on specified teaching standards. The last-in, first-out provision is revised to remove the requirement that untenured teachers must be laid off before any tenured teacher is laid off and that layoff and eligibility for rehiring must be based on effective teacher performance as based on the school board's criteria.

### ST. LOUIS CITY SCHOOL EMPLOYEES

The substitute changes the laws regarding the St. Louis school district as follows:

(1) Requires all appointment and promotion of teachers and other employees to be based on character of service. Currently, they are to be based on length and character of service;

(2) Requires teacher contract notices for probationary teachers who will not be retained to be issued on or before May 15, rather

than or before April 15;

(3) Adds incompetency to the causes for which a teacher can be dismissed;

(4) Repeals a provision which specifies that a notification regarding removal for specified causes received by an employee during a vacation period will be considered as received on the first day of the following school term;

(5) Changes the time period for the notice of pending charges of incompetency or inefficiency from at least one semester to at least 30 days;

(6) Requires the teacher and the superintendent, or his or her representative, to meet and confer to resolve a notification of incompetency or inefficiency;

(7) Repeals the provision prohibiting a new teacher appointment after a reduction in force while teachers 70 years of age or younger and who are qualified and on leave of absence are available;

(8) Limits a leave of absence to not more than three years unless extended by the board and specifies that a leave cannot impair the tenure of a teacher; and

(9) Repeals the "last in, first out" policy for laying off noncertificated employees.

#### EVALUATIONS

Teachers and principals must undergo an evaluation that includes, at a minimum, the following:

(1) An evaluation system that uses multiple measures aligned with growth in student achievement, which will be used in personnel and compensation decisions. A district that does not develop its own system must use the model system developed by the Department of Elementary and Secondary Education. The district's system must be developed and implemented in consultation with teachers, principals, and parents of students;

(2) Multiple measures that are rigorous. At least 50% of a teacher's evaluation must be based on student achievement growth on state assessments. The substitute describes the process for the development of measures for teachers for whom performance on statewide assessments is not available; and

(3) A written notice to the teacher or principal in advance of

the evaluation of any specific indicators that will be used to evaluate him or her.

The substitute specifies that an evaluation will result in one of four rating levels. After July 1, 2013, a teacher who has received two successive annual evaluations as ineffective cannot be reemployed. Each school district board must develop the evaluation system for administration as a pilot project during the 2012-2013 school year and implemented during the 2013-2014 school year. The Department of Elementary and Secondary Education must develop standards for implementation of local systems, including processes for determining who is the teacher of record and to verify the minimum amount of instructional time given by the teacher to a student in order to assign the student's achievement scores to a teacher for the purposes of evaluating the teacher's performance. The department must also develop, implement, and publicly disseminate a statewide student growth model and a value-added system for determining student growth on assessments, provide technical assistance to districts, develop a default evaluation for use by districts lacking the resources to develop their own systems, monitor local systems for consistency results, and link teacher preparation programs with achievement data for individual students.

FISCAL NOTE: Estimated Net Cost on General Revenue Fund of Unknown - Could exceed \$100,000 in FY 2013, FY 2014, and FY 2015. No impact on Other State Funds in FY 2013, FY 2014, and FY 2015.

PROPOSERS: Supporters say that evaluation methods need to reflect both student performance and information that helps a teacher improve. Principals should be included, too. Multiple measures are required by the bill.

Testifying for the bill were Representative Dieckhaus; Pam Kingsley; Missouri Education Reform Council; Marisol Montero; Audrey Pribnow; George Parker; Amanda Henry; Rich Thomson, 100 Dads; Larry Doyle; Students First; and Missouri Chamber of Commerce.

OPPOSERS: Those who oppose the bill say that it imposes micromanagement. More focus needs to be placed on training evaluators.

Testifying against the bill were Missouri National Education Association; Andrea Flinders, American Federation of Teachers and Kansas City Federation of Teachers; and Missouri State Teachers Association.

OTHERS: Others testifying on the bill say that districts that are already doing a good job should not be required to change.

It is not clear if an average teacher can elicit above average performance from a student who has been performing below average.

Testifying on the bill were Steven Carroll, Special Administrative Board of the St. Louis Public Schools; Missouri School Boards Association; Missouri Council of School Administrators; and Jerry Hobbs.