

Date of Hearing: April 25, 2018

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 2584 (Travis Allen) – As Amended March 13, 2018

SUBJECT: School accountability: local control and accountability plans: teacher evaluations

SUMMARY: Requires school districts to post on their Internet Web sites an explanation of their system of teacher evaluation and requires school districts and county offices of education (COEs) to include school-site expenditure information in their local control and accountability plans (LCAPs). Specifically, **this bill:**

- 1) Requires the superintendent of a school district and a county superintendent of schools to make available to the public, and post on the Internet Web site of the school district or county office of education, if it has one, all of the following:
 - a) An easily understandable explanation of how the evaluation of certificated teaching staff is conducted, including, but not limited to, all blank evaluation forms, all procedures to be used for the evaluation of certificated teachers contained in the current collective bargaining agreement, how evaluations include the progress of pupils toward the locally adopted standards of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments;
 - b) Aggregate data on the number of certificated teachers at each schoolsite that receive satisfactory or unsatisfactory evaluations, unless the posting of this data would reveal personally identifiable information; and
 - c) Whether or not the school district has adopted an evaluation system for school principals, and how it compares to the standards set forth in Sections 44670 and 44671.
- 2) Requires school districts and COEs, on or before July 1, 2015, to include in their LCAPs a listing and description of expenditures at the school district level and by schoolsite directed toward the following:
 - a) Specific actions included in the LCAP and changes made to the prior year LCAP to achieve LCAP goals; and
 - b) Serving unduplicated pupils (i.e., pupils who are low income, English learners, or foster youth) and pupils redesignated as fluent English proficient.

EXISTING LAW:

- 1) Requires school districts to evaluate and assess certificated employee performance as it reasonably relates to:
 - a) The progress of pupils toward the standards of expected pupil achievement established by the governing board and, if applicable, the state adopted academic content standards as measure by state adopted criterion referenced assessments;

- b) The instructional techniques and strategies used by the employee;
 - c) The employee's adherence to curricular objectives; and
 - d) The establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities.
- 2) Provides that the evaluation and assessment of the performance of each certificated employee shall be made on a continuing basis as follows:
- a) At least once each school year for probationary personnel;
 - b) At least every other year for personnel with permanent status; and
 - c) At least every five years for personnel with permanent status who have been employed at least 10 years with the school district, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree. The certificated employee or the evaluator may withdraw consent at any time.
- 3) Authorizes a school district to evaluate a principal in each of the first two years of employment as a new principal and to determine the frequency of evaluations thereafter.
- 4) Requires school districts, COEs, and charter schools to adopt and annually update LCAPs.
- 5) Requires LCAPs to include a listing and description of expenditures for the following:
- a) Specific actions included in the CAP and changes made to the prior year LCAP to achieve LCAP goals; and
 - b) Serving unduplicated pupils and redesignated English learners.

FISCAL EFFECT: Legislative Counsel has keyed this bill a state-mandated local program

COMMENTS: The author's office did not submit a background worksheet or fact sheet on this bill.

This bill contains two separate provisions. First, it requires school districts and COEs to post specified information regarding teacher evaluation on their websites, if they have one. Second, it requires school district and COE LCAPs to list and describe specified expenditures at the district or county and school site levels. Existing law requires the listing and description of specified expenditures, but does not specify the district or county and school site levels.

Teacher evaluation. Existing law requires teachers to be evaluated on a periodic basis. Probationary teachers must be evaluated at least once a year, and teachers with permanent status must be evaluated at least once every five years. However, a teacher who has been employed with a district for 10 years may be evaluated once every five years provided the previous evaluation rated the teacher as meeting or exceeding expectations.

Teacher performance must be evaluated on the basis of the following:

- The progress of pupils toward the standards of expected pupil achievement established by the governing board and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments;
- The instructional techniques and strategies used by the employee;
- The employee's adherence to curricular objectives; and
- The establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities.

Existing law provides that local governing boards may adopt additional evaluation guidelines and criteria. According to a survey of 1,482 local education agencies, 61% reported that their teacher evaluation systems are based on the California Standards for the Teaching Profession.¹ Those standards cover six domains of teaching practice:

- Engaging and Supporting all Students in Learning
- Creating and Maintaining Effective Environments for Student Learning
- Understanding and Organizing Subject Matter for Student Learning
- Planning Instruction and Designing Learning Experiences for all Students
- Assessing Students for Learning
- Developing as a Professional Educator

The evolving nature of teacher evaluation. The National Board Resource Center at Stanford University has identified several problems with the current system of teacher evaluation.² Among them are the following:

- The focus of evaluation is not on improving the quality of teaching. There is rarely substantive discussion that occurs either before or after an observation that is focused on ways to get better at teaching.
- The amount of time for principals to conduct effective evaluations is seriously limited.
- Most evaluations are not used to target the needs of individual teachers and help them select professional development to address those areas in which they need additional knowledge or skills.

These problems result from the historical practice of using teacher evaluations primarily (if not solely) to sort teachers into the categories of "satisfactory" or "unsatisfactory" to make decisions

¹ M. E. White, et al., *How California's Local Education Agencies Evaluate Teachers and Principals*. (REL Technical Brief, REL 2012-023). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory West.

² National Board Resource Center, Stanford University, "A Quality Teacher in Every Classroom: Creating a Teacher Evaluation System that Works for California," 2010.

about retention, dismissal, or promotion. There is growing recognition; however, that student performance is better served by an evaluation system that is directed toward improving teacher performance at all levels of effectiveness by linking it with targeted professional development and support. According to the California Teachers Association, "The purpose of an effective teacher development and evaluation system is to inform, instruct and improve teaching and learning; to provide educators with meaningful feedback on areas of strength and where improvement is needed; and to ensure fair and evidence-based employment decisions. An effective evaluation system must include both formative and summative indicators integrated with quality professional development and the necessary resources and support for teachers to improve their practice and enhance student learning."³

A case study of three districts that have "reinvented" teacher evaluation by "designing a system whose central purpose is to support teachers' continuous professional growth" shows promising practices for improving teacher effectiveness.⁴ These systems of continuous improvement do not always result in a determination of satisfactory or unsatisfactory. For example, a district may use "highly effective," "effective," or "ineffective." Other districts may have four or more categories.

Accordingly some districts are moving away from traditional, ineffective teacher evaluation practices that involve check boxes and blank forms and that result in a binary "satisfactory-unsatisfactory" designation. The requirements of this bill may be construed as to require districts to continue (or return) to these practices.

No guarantee of anonymity. This bill requires districts to post the number of teachers at each school site that receive satisfactory or unsatisfactory evaluations, unless the posting of this data would reveal personally identifiable information. Except in extremely large schools, it is highly unlikely that posting this information would not reveal personally identifiable information. Moreover, the bill does not specify who would make this determination, nor does it provide guidelines or criteria for how it would be made. Leaving this decision to the personal judgement of unspecified individuals is likely to result in an uneven application of the requirement across districts.

Teacher information is already in the SARC. The annual School Accountability Report Card (SARC) requires each school to report the total number of the school's fully credentialed teachers, the number of teachers relying upon emergency credentials, the number of teachers working without credentials, any assignment of teachers outside their subject areas of competence, misassignments, including misassignments of teachers of English learners, and the number of vacant teacher positions for the most recent three-year period.

Charter schools are left out. This bill does not apply the requirement to post teacher evaluation information to charter schools. The committee may wish to consider whether, if this information is important and useful to traditional school parents, it may also be important and useful to charter school parents.

³ California Teachers Association, "Teacher Evaluation Framework, June 2012.

⁴ Daniel C. Humphrey, et al., "Replacing Teacher Evaluation Systems with Systems of Professional Growth: Lessons from Three California School Districts and Their Teachers' Unions." SRI Education, J. Koppich & Associates, March 2016.

Changes to LCAPs. Existing law requires school district and COE LCAPs to list and describe expenditures to (1) implement specific actions and changes to prior actions to achieve the LCAP's goals and (2) serve their unduplicated pupils and pupils and pupils redesignated at fluent English proficient. **This bill** specifies that the expenditures must be detailed at both the district or county and school site levels. The federal Every Student Succeeds Act (ESSA) already requires states to collect and report school site expenditure data. Specifically, states must report, for each school, actual site-level expenditures disaggregated by federal, state, and local funding sources. "Actual" means that personnel costs must be the actual cost at each school site, rather than district average costs.

By contrast, this bill requires expenditures to be disaggregated by object of expenditure. For example, if a school hired counselors or other support personnel to work with unduplicated pupils, that would be reported on the LCAP. This bill would require the LCAP to also report the cost of that additional service. The committee may wish to consider whether the cost of producing this level of disaggregation justifies the value added of knowing what a new service costs. In addition, this would fail to capture services that are offered at the school site, but paid for by the district, thereby underreporting the value of services offered at a school site. This requirement would also add more levels of detail to a document that many parents and other end users complain is already too long and complex.

Arguments in opposition. Opponents argue that the requirement to disaggregate expenditure data by object of expenditure at the school site "would create a significant financial and administrative burden," and "would not properly indicate how school district initiatives are supporting school site level services such as mental health counselors, nurses, and enrichment programs." Opponents also question the value to the public of posting blank teacher evaluation forms on the Internet and argue that posting teacher evaluation data "distorts the purpose and intent of educator evaluations."

REGISTERED SUPPORT / OPPOSITION:

Support

None received

Opposition

California Association of School Business Officials
California Federation of Teachers
California School Boards Association
Riverside County Office of Education

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