

# An Act

ENROLLED HOUSE  
BILL NO. 1267

By: Sears and Hickman of the  
House

and

Ford of the Senate

An Act relating to education evaluation; amending Sections 6 and 7, Chapter 291, O.S.L. 2010 (70 O.S. Supp. 2010, Sections 6-101.16 and 6-101.17), which relate to the Teacher and Leader Effectiveness Evaluation System; renaming certain commission; deleting certain requirements for certain commission; providing an effective date; and declaring an emergency.

SUBJECT: Education evaluation

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

SECTION 1. AMENDATORY Section 6, Chapter 291, O.S.L. 2010 (70 O.S. Supp. 2010, Section 6-101.16), is amended to read as follows:

Section 6-101.16. A. By December 15, 2011, the State Board of Education shall adopt a new statewide system of evaluation to be known as the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE).

B. The TLE shall include the following components:

1. A five-tier rating system as follows:

- a. superior,
- b. highly effective,

- c. effective,
- d. needs improvement, and
- e. ineffective;

2. Annual evaluations that provide feedback to improve student learning and outcomes;

3. Comprehensive remediation plans and instructional coaching for all teachers rated as needs improvement or ineffective;

4. Quantitative and qualitative assessment components measured as follows:

- a. fifty percent (50%) of the ratings of teachers and leaders shall be based on quantitative components which shall be divided as follows:
  - (1) thirty-five percentage points based on student academic growth using multiple years of standardized test data, as available, and
  - (2) fifteen percentage points based on other academic measurements, and
- b. fifty percent (50%) of the rating of teachers and leaders shall be based on rigorous and fair qualitative assessment components;

5. An evidence-based qualitative assessment tool for the teacher qualitative portion of the TLE that will include observable and measurable characteristics of personnel and classroom practices that are correlated to student performance success, including, but not limited to:

- a. organizational and classroom management skills,
- b. ability to provide effective instruction,
- c. focus on continuous improvement and professional growth,
- d. interpersonal skills, and

e. leadership skills;

6. An evidence-based qualitative assessment tool for the leader qualitative portion of the TLE that will include observable and measurable characteristics of personnel and site management practices that are correlated to student performance success, including, but not limited to:

- a. organizational and school management, including retention and development of effective teachers and dismissal of ineffective teachers,
- b. instructional leadership,
- c. professional growth and responsibility,
- d. interpersonal skills,
- e. leadership skills, and
- f. stakeholder perceptions; and

7. For those teachers in grades and subjects for which there is no state-mandated testing measure to create a quantitative assessment for the quantitative portion of the TLE, an assessment using objective measures of teacher effectiveness including student performance on unit or end-of-year tests. Emphasis shall be placed on the observed qualitative assessment as well as contribution to the overall school academic growth.

C. ~~The Oklahoma Race to the Top Teacher and Leader Effectiveness Commission created in Section 7 of this act~~ shall provide oversight and advise the State Board of Education on the development and implementation of the TLE.

D. The State Department of Education shall provide to the Oklahoma State Regents for Higher Education and the Oklahoma Commission for Teacher Preparation timely electronic data linked to teachers and leaders derived from the TLE for purposes of providing a basis for the development of accountability and quality improvements of the teacher preparation system. The data shall be provided in a manner and at such times as agreed upon between the Department, the State Regents and the Commission.

E. For purposes of this section, "leader" means a principal, assistant principal or any other school administrator who is responsible for supervising classroom teachers.

SECTION 2. AMENDATORY Section 7, Chapter 291, O.S.L. 2010 (70 O.S. Supp. 2010, Section 6-101.17), is amended to read as follows:

Section 6-101.17. A. There is hereby created to continue until July 1, 2016, in accordance with the provisions of the Oklahoma Sunset Law, the ~~Oklahoma Race to the Top~~ Teacher and Leader Effectiveness Commission.

B. The membership of the Commission shall consist of:

1. The Superintendent of Public Instruction, or designee;
2. A member of the Senate, appointed by the President Pro Tempore of the Senate;
3. A member of the House of Representatives, appointed by the Speaker of the House of Representatives;
4. A member of the Senate, appointed by the Minority Leader of the Senate;
5. A member of the House of Representatives, appointed by the Minority Leader of the House of Representatives;
6. A representative from the Office of the Governor or the executive cabinet, appointed by the Governor;
7. The Executive Director of the Oklahoma Commission for Teacher Preparation, or designee;
8. A representative of a technology center school district, appointed by the Director of the Oklahoma Department of Career and Technology Education;
9. A representative of an institution within The Oklahoma State System of Higher Education, appointed by the Chancellor of Higher Education;

10. A representative of a statewide organization representing school district boards of education, appointed by the President Pro Tempore of the Senate;

11. A representative of a statewide organization representing public school superintendents, appointed by the Speaker of the House of Representatives;

12. A representative of a statewide organization representing business and education, appointed by the President Pro Tempore of the Senate;

13. An individual employed by a business or company located in this state, appointed by the Speaker of the House of Representatives;

14. Three (3) representatives, one (1) from each of the three (3) largest statewide organizations representing active public school teachers, appointed by the Governor;

15. A representative of a statewide parent-teacher organization, appointed by the Governor;

16. A representative of a philanthropic organization involved in education, appointed by the Governor; and

17. An individual involved in Science, Technology, Engineering and Mathematics (STEM) education, appointed by the Governor.

C. Initial appointments pursuant to the provisions of this section shall be made no later than August 1, 2010. Members shall serve at the pleasure of the appointing authority. Vacancies shall be filled by the original appointing authority. The State Superintendent of Public Instruction, or designee, shall serve as chair of the Commission. Members of the Commission shall select a vice-chair from the membership of the Commission. Meetings of the Commission shall be held at the call of the chair. A majority of the members of the Commission shall constitute a quorum for the transaction of any business.

D. Members of the Commission shall receive no compensation for serving on the Commission, but shall receive travel reimbursement as follows:

1. State employees who are members of the Commission shall be reimbursed for travel expenses incurred in the performance of their duties by their respective agencies in accordance with the State Travel Reimbursement Act;

2. Legislative members shall be reimbursed in accordance with Section 456 of Title 74 of the Oklahoma Statutes; and

3. All other members of the Commission shall be reimbursed by the State Department of Education for travel expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act.

E. Staff support for the Commission shall be provided by the State Department of Education and the Oklahoma Commission for Teacher Preparation.

F. Members who serve on the Commission shall be exempt from the dual-office-holding prohibitions of Section 6 of Title 51 of the Oklahoma Statutes.

G. The Commission shall comply with the provisions of the Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

H. The duties of the Commission, as specified in ~~paragraphs 6 and 7~~ of subsection I of this section, shall not be contingent upon the state being selected to receive or the state actually receiving any federal Race to the Top funding.

I. The Commission shall:

~~1. Coordinate and report on the effort of the state to implement the federal Race to the Top program;~~

~~2. Work closely with members of the executive cabinet, the State Board of Education, executives of state agencies, and legislative leaders to determine the requirements imposed on and opportunities afforded to the state by the federal Race to the Top program, as well as the most efficient and productive use of Race to the Top funding;~~

~~3. Monitor the flow of federal Race to the Top program funds to ensure compliance with all requirements of the law and transparency of the process;~~

~~4. Ensure that adequate reporting and compliance mechanisms and safeguards regarding the federal Race to the Top program are in place;~~

~~5. Ensure full, thorough and easily accessible public disclosure of the use of all funds received under the federal Race to the Top program;~~

~~6. Monitor progress of results in areas described in the state Race to the Top plan, including:~~

~~a. raising student achievement overall and by subgroup and closing gaps in achievement;~~

~~b. adopting common high quality curricular standards;~~

~~c. supporting the transition to enhanced standards and high quality assessments;~~

~~d. accessing and using state education data;~~

~~e. using data to improve instruction;~~

~~f. providing high quality pathways for aspiring teachers and administrators;~~

~~g. development of effectiveness measures for teachers and administrators;~~

~~h. improving teacher and administrator effectiveness based on performance;~~

~~i. ensuring equitable distribution of effective teachers and administrators;~~

~~j. improving the effectiveness of teacher and administrator preparation programs;~~

~~k. providing effective support to teachers and administrators;~~

~~l. turning around the lowest achieving schools; and~~

~~m. ensuring successful conditions for high performing charter school and other innovative schools; and~~

~~7. Provide~~ provide oversight and advise the State Board of Education on the development and implementation of the Oklahoma Teacher and Leader Effectiveness ~~and~~ Evaluation System (TLE) as created in Section ~~6 of this act~~ 6-101.16 of this title, including:

~~a. making~~

1. Making recommendations to the State Board regarding the development and implementation of the TLE prior to adoption of any permanent rules or policies by the State Board<sub>7i</sub>

~~b. regularly~~

2. Regularly reviewing progress toward development and implementation of the quantitative and qualitative measures that comprise the TLE<sub>7i</sub>

~~c. regularly~~

3. Regularly reviewing progress toward timely access to student growth data<sub>7i</sub>

~~d. regularly~~

4. Regularly reviewing the correlation between the quantitative and qualitative scores and other data to ensure that the TLE is being implemented with validity and that evaluations of individuals conducted by school districts are meaningful and demonstrate that reasonable distinctions are being made relating to performance<sub>7i</sub>

~~e. assuring~~

5. Assuring input and participation from teachers and leaders on the development and implementation of the TLE<sub>7i</sub>

~~f. gathering~~

6. Gathering public comment on the development and effectiveness of the TLE<sub>7i</sub> and

~~g. assuring~~

7. Assuring that the TLE is based on research-based national best practices and methodology.

J. The Commission shall issue a report by December 31 of each year and submit a copy of the report to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

SECTION 3. This act shall become effective July 1, 2011.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 2nd day of May, 2011.

Presiding Officer of the House  
of Representatives

Passed the Senate the 20th day of April, 2011.

Presiding Officer of the Senate

**OFFICE OF THE GOVERNOR**

Received by the Governor this 3<sup>rd</sup>  
day of May, 20 11,  
at 12:22 o'clock P.M.

By: Maria Maul

Approved by the Governor of the State of Oklahoma the 9<sup>th</sup> day of  
May, 20 11, at 10:16 o'clock A.M.

  
Governor of the State of Oklahoma

**OFFICE OF THE SECRETARY OF STATE**

Received by the Secretary of State this  
9<sup>th</sup> day of May, 20 11,  
at 1:20 o'clock P.M.

By: Michelle R. Day