

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013

A Bill

SENATE BILL 833

4
5 By: Senator Elliott
6 By: Representative Lenderman

For An Act To Be Entitled

9 AN ACT TO AMEND THE TEACHER EXCELLENCE AND SUPPORT
10 SYSTEM; AND FOR OTHER PURPOSES.

Subtitle

14 TO AMEND THE TEACHER EXCELLENCE AND
15 SUPPORT SYSTEM.

17
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19
20 SECTION 1. Arkansas Code § 6-17-2803(2)-(5), concerning the
21 definitions for the Teacher Excellence and Support System, is amended to read
22 as follows:

23 (2)(A) "Evaluation" means the process under this subchapter used
24 to:

25 (i) Assess with evidence what a teacher should know
26 and be able to do as measured by the ~~categories~~ domains and performance
27 ~~levels~~ ratings of an evaluation framework; and

28 (ii) Promote teacher growth through professional
29 learning.

30 (B) "Evaluation" does not include a teacher's performance
31 relating to competitive athletics and competitive extracurricular activities;

32 (3) "Evaluation framework" means a standardized set of teacher
33 evaluation ~~categories~~ domains that provide the overall basis for an
34 evaluation;

35 (4) "Evaluation rubric" means a set of performance ~~descriptors~~
36 components for each teacher evaluation ~~category~~ domain in the evaluation



1 framework;

2 (5) "Evaluator" means a person licensed by the State Board of
 3 Education as an administrator who is designated as the person responsible for
 4 evaluating teachers and who is an employee of the school district in which
 5 the evaluations are performed;

6
 7 SECTION 2. Arkansas Code § 6-17-2803(11)(B), concerning the definition
 8 of "interim teacher appraisal" for the Teacher Excellence and Support System,
 9 is amended to read as follows:

10 (B) Uses standards for teacher growth and performance that
 11 are consistent with the evaluation rubrics for the teacher evaluation
 12 ~~categories~~ domains of a summative evaluation;

13
 14 SECTION 3. Arkansas Code § 6-17-2803(18), concerning the definition of
 15 "summative evaluation" for the Teacher Excellence and Support System, is
 16 amended to read as follows:

17 (18) "Summative evaluation" means an evaluation of a teacher's
 18 performance that evaluates all ~~categories~~ domains of the evaluation framework
 19 that supports:

20 (A) Improvement in the teacher's teaching practices and student
 21 achievement; and

22 (B) A school district's employment decision concerning the
 23 teacher;

24
 25 SECTION 4. Arkansas Code § 6-17-2804(b)(6)-(8), concerning
 26 administrative agency responsibilities for the Teacher Excellence and Support
 27 System, is amended to read as follows:

28 (6) Ensure that student growth is analyzed at every ~~level~~ phase
 29 of the evaluation system to illustrate teacher effectiveness;

30 (7) Require annual evidence of student growth from artifacts and
 31 external assessment measures;

32 (8) Include clearly defined teacher evaluation ~~categories~~
 33 domains, performance ~~levels~~ ratings, and evaluation rubric ~~descriptors~~
 34 components for the evaluation framework;

35
 36 SECTION 5. Arkansas Code § 6-17-2805 is amended to read as follows:

1 6-17-2805. Summative evaluations.

2 (a) The evaluation framework for a summative evaluation for a
3 classroom teacher shall include:

4 (1) The following teacher evaluation ~~categories~~ domains:

5 (A) Planning and preparation;

6 (B) Classroom environment;

7 (C) Instruction; and

8 (D) Professional responsibilities; and

9 (2) An evaluation rubric using nationally accepted ~~descriptors~~
10 components that consists of the following four (4) performance ~~levels~~
11 ratings:

12 (A) Distinguished;

13 (B) Proficient;

14 (C) Basic; and

15 (D) Unsatisfactory.

16 (b) A summative evaluation shall result in a written:

17 (1) Evaluation determination for the teacher's performance ~~level~~
18 rating on each teacher evaluation ~~category~~ domain; and

19 (2) Summative evaluation determination of the teacher's
20 performance ~~level~~ rating on all teacher evaluation ~~categories~~ domains as a
21 whole.

22 (c) A summative evaluation shall use an appropriate evaluation
23 framework, evaluation rubric, and external assessment measurements for a
24 teacher who is not a classroom teacher, including without limitation:

25 (1) A guidance counselor;

26 (2) A library media specialist;

27 (3) A special education teacher; or

28 (4) Other teacher as identified by the State Board of Education.

29 (d)(1) In a tested content area, ~~one-half (1/2) of~~ among the artifacts
30 considered by the teacher and evaluator shall be external assessment measures
31 chosen by the teacher and evaluator, or by the evaluator if the teacher and
32 evaluator are unable to agree.

33 (2)(A) Except as provided in subdivision (d)(2)(B), in a
34 nontested content area, ~~one-half (1/2) of~~ among the artifacts considered by
35 the teacher and evaluator, or by the evaluator if the teacher and evaluator
36 cannot agree, shall be external assessments.

1 (B)(i) If an external assessment ~~measure~~ measurement does
2 not exist for the nontested content area, the Department of Education shall
3 by rule determine the type of artifact that may be used otherwise to satisfy
4 the external assessment ~~measure~~ measurement requirement under subdivision
5 (d)(2)(A) of this section.

6 (ii) In a tested content area, the teacher and
7 evaluator shall choose the summary growth statistic associated with the
8 state-mandated assessment for the tested content area as one (1) of the
9 external assessment measures to satisfy the requirements under subdivision
10 (d)(1) of this section.

11 (iii) In tested and nontested content areas, the
12 department may authorize school districts to create external assessment
13 measures to include without limitation formative assessments.

14 (iv) If an external assessment measure does not
15 exist for the nontested content area and a school district does not create an
16 external assessment measure for the nontested content area, the department
17 may prescribe a state-mandated assessment to satisfy the requirements of
18 subdivision (d)(2) of this section.

19 (e) A summative evaluation process shall include:

20 (1) A pre-observation conference and post-observation
21 conference;

22 (2) A formal classroom observation and informal classroom
23 observation;

24 (3) Presentations of artifacts chosen by the teacher, the
25 evaluator, or both;

26 (4) An opportunity for the evaluator and teacher to discuss the
27 review of external assessment measures used in the evaluation;

28 (5) A written evaluation determination for each teacher
29 evaluation ~~category~~ domain and a written summative evaluation determination;

30 (6) Feedback based on the evaluation rubric that the teacher can
31 use to improve teaching skills and student learning; and

32 (7) Feedback from the teacher concerning the evaluation process
33 and evaluator.

34
35 SECTION 6. Arkansas Code § 6-17-2807(a), concerning intensive support
36 status, is amended to read as follows:

1 (a)(1) An evaluator shall place a teacher in intensive support status
 2 if the teacher has a rating of "Unsatisfactory" in any one (1) entire teacher
 3 evaluation ~~category~~ domain of the evaluation framework.

4 (2) An evaluator may place a teacher in intensive support status
 5 if the teacher has a rating of "Unsatisfactory" or "Basic" in a majority of
 6 ~~descriptors~~ components in a teacher evaluation ~~category~~ domain.

7
 8 SECTION 7. Arkansas Code § 6-17-2807(d), concerning intensive support
 9 status, is amended to read as follows:

10 (d) The evaluator shall work with the teacher to:

11 (1) Develop a clear set of goals and tasks that correlate to:

12 (A) The professional learning plan; and

13 (B) Evidence-based research concerning the evaluation
 14 ~~category~~ domain that forms the basis for the intensive support status; and

15 (2) Ensure the teacher is offered the support that the evaluator
 16 deems necessary for the teacher to accomplish the goals developed and to
 17 complete the tasks assigned while the teacher is in intensive support status.

18
 19 SECTION 8. Arkansas Code § 6-17-2808(b)(2)(C), concerning
 20 implementation and applicability of the Teacher Excellence and Support
 21 System, is amended to read as follows:

22 (C) During the two (2) years in which a summative
 23 evaluation is not required, a public school may conduct an evaluation that is
 24 lesser in scope than a summative evaluation but uses the portions of the
 25 evaluation framework and evaluation rubrics that are relevant to the
 26 ~~evaluation~~ teacher's professional growth plan.

27
 28 SECTION 9. Arkansas Code § 6-17-2809 is amended to read as follows:

29 6-17-2809. Administrator evaluations.

30 ~~(a) The Department of Education shall provide technical assistance to~~
 31 ~~school districts for developing and implementing instruments~~ may develop and
 32 implement an administrator evaluation system for school districts to evaluate
 33 administrators that weight an administrator evaluation on student performance
 34 and growth to the same extent as provided for teachers under the Teacher
 35 Excellence and Support System.

36 (b) The State Board of Education may promulgate rules as necessary for

1 the administration of this section.

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