

SENATE BILL No. 59

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-28-11.5-4.

Synopsis: Teacher evaluations. Provides that objective measures of student achievement and growth, including student results on a statewide assessment, may not account for more than 5% of the total performance evaluation score or result.

Effective: July 1, 2020.

Leising

January 6, 2020, read first time and referred to Committee on Education and Career Development.



Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

SENATE BILL No. 59

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-28-11.5-4, AS AMENDED BY P.L.275-2019,
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 4. (a) Each school corporation shall develop a
4 plan for annual performance evaluations for each certificated
5 employee. A school corporation shall implement the plan beginning
6 with the 2012-2013 school year.

7 (b) Instead of developing its own staff performance evaluation plan
8 under subsection (a), a school corporation may adopt a staff
9 performance evaluation plan that meets the requirements set forth in
10 this chapter or any of the following models:

11 (1) A plan using master teachers or contracting with an outside
12 vendor to provide master teachers.

13 (2) The System for Teacher and Student Advancement (TAP).

14 (3) The Peer Assistance and Review Teacher Evaluation System
15 (PAR).

16 (c) A plan must include the following components:

17 (1) Performance evaluations for all certificated employees,



1 conducted at least annually.

2 (2) Objective measures of student achievement and growth to
 3 significantly inform the evaluation. The objective measures **may**
 4 **not account for more than five percent (5%) of the total**
 5 **performance evaluation score or result and** must include:

6 (A) student assessment results from statewide assessments for
 7 certificated employees whose responsibilities include

8 instruction in subjects measured in statewide assessments;

9 (B) methods for assessing student growth for certificated
 10 employees who do not teach in areas measured by statewide
 11 assessments; and

12 (C) student assessment results from locally developed
 13 assessments and other test measures for certificated employees
 14 whose responsibilities may or may not include instruction in
 15 subjects and areas measured by statewide assessments.

16 (3) Rigorous measures of effectiveness, including observations
 17 and other performance indicators.

18 (4) An annual designation of each certificated employee in one
 19 (1) of the following rating categories:

20 (A) Highly effective.

21 (B) Effective.

22 (C) Improvement necessary.

23 (D) Ineffective.

24 (5) An explanation of the evaluator's recommendations for
 25 improvement, and the time in which improvement is expected.

26 (6) A provision that a teacher who negatively affects student
 27 achievement and growth cannot receive a rating of highly
 28 effective or effective.

29 (7) For annual performance evaluations for school years
 30 beginning after June 30, 2015, provide for a pre-evaluation
 31 planning session conducted by the superintendent or equivalent
 32 authority for the school corporation with the principals in the
 33 school corporation.

34 (d) In developing a performance evaluation plan, a school
 35 corporation may consider the following:

36 (1) Test scores of students (both formative and summative).

37 (2) Classroom presentation observations.

38 (3) Observation of student-teacher interaction.

39 (4) Knowledge of subject matter.

40 (5) Dedication and effectiveness of the teacher through time and
 41 effort on task.

42 (6) Contributions of teachers through group teacher interactivity



- 1 in fulfilling the school improvement plan.
- 2 (7) Cooperation of the teacher with supervisors and peers.
- 3 (8) Extracurricular contributions of the teacher.
- 4 (9) Outside performance evaluations.
- 5 (10) Compliance with school corporation rules and procedures.
- 6 (11) Other items considered important by the school corporation
- 7 in developing each student to the student's maximum intellectual
- 8 potential and performance.
- 9 The state board and the department may recommend additional factors,
- 10 but may not require additional factors unless directed to do so by the
- 11 general assembly.
- 12 (e) The state board may create a method or model to align currently
- 13 used performance evaluation plan factors with each of the following
- 14 indicators:
- 15 (1) Maximizing instructional time.
- 16 (2) Student engagement.
- 17 (3) Developing student understanding and mastery of lesson
- 18 objectives.
- 19 (4) Tracking student data and analyzing progress.
- 20 (5) Checking for student understanding.
- 21 (f) This subsection applies to plans applicable to annual
- 22 performance evaluations for school years beginning after June 30,
- 23 2015. The plan must:
- 24 (1) be in writing; and
- 25 (2) be explained to the governing body in a public meeting;
- 26 before the evaluations are conducted. Before explaining the plan to the
- 27 governing body, the superintendent of the school corporation shall
- 28 discuss the plan with teachers or the teachers' representative, if there
- 29 is one. This discussion is not subject to the open door law
- 30 (IC 5-14-1.5). The plan is not subject to bargaining, but a discussion of
- 31 the plan must be held.
- 32 (g) The evaluator shall discuss the evaluation with the certificated
- 33 employee.

