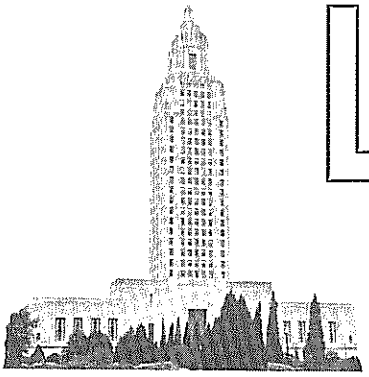
Vol. 41, No. 1 June 10, 1994



Legislative BULLETIN

Public Affairs Research Council of Louisiana, Inc.

Teacher Evaluation and Professional Development

Draft legislation to revise Louisiana's current educational accountability law was approved by the State Board of Elementary and Secondary Education (BESE) in early May. The bill (SB 27) is being considered in the special legislative session which began on June 6. The proposals would replace or repeal provisions of the 1988 Children First Act and other law dealing with teacher evaluation, internship, renewable certification and career options for superior teachers. The legislature suspended the evaluation provisions in 1991 and then set up a revision timetable leading to full implementation of a new teacher evaluation procedure during the 1994-95 school year.

This report summarizes the history of teacher evaluation in Louisiana and examines the proposed new law in comparison with the Children First Act.

Background

The history of educational accountability legislation in Louisiana goes back nearly two decades. (See Table 1.) Local school boards were first required to conduct evaluations of teachers and principals by a 1976 Act; however, most school systems were initially granted exemptions. The law was strengthened in 1977 and by 1978-79 all local systems were conducting evaluations based on their own plans which had to be approved by the State Department of Education (SDE) in compliance with guidelines that required establishing "criteria for expected teaching performance in each area of teaching" and job descriptions, teaching skills, and providing "ample assistance to the teacher in improving in learning new techniques and in being aware of new materials." There was no standard evaluation instrument.

Teachers were rated by their principals as "satisfactory," "in need of improvement" or "unsatisfactory." Typically, 99% of those evaluated were rated "satisfactory" according to data reported to the SDE. Teachers "found to lack specific skills" were required to participate in such remedial programs as might be provided by the local school board. It is not clear from SDE reports what happened to the several hundred teachers judged "unsatisfactory" each year. Some apparently were encouraged to resign while some were dismissed after tenure hearings. SDE reports do not disclose the number dismissed due to incompetency based on evaluations.

Traditionally, Louisiana has given new teachers certificates valid for a three-year probationary period during which the local school system determines whether to grant tenure. Following a successful probationary period, the teacher was given lifetime certification and tenure in the school district. A teacher with less than three years' experience could be dismissed by the school board at any time with "valid reasons."

A formal internship program (LaTIP) for new teachers was first legislated in 1984 requiring new teachers to be assigned to support teams for multiple observations and evaluations. The one-year internship was to be extended for another year for those judged unsatisfactory. The internship program was never implemented fully.

In 1988, the Children First Act required that teachers and interns be evaluated using a uniform, state-developed evaluation instrument. The instrument, called System for Teaching and Learning Assessment and Review (STAR), was developed by consultants with input from teachers and pilot tested in 1988-89 and again in 1989-90. Eight regional service centers (RSCs) were set up to administer the evaluation process.

TABLE 1
Teacher Evaluation History

YEAR	ACT NUMBER	ACT NAME or TOPIC	PURPOSE
1976	709	Public School Accountability and Assessment	Required the SDE to develop guidelines for assessment and evaluation of school personnel to be adopted by each school board. Provided for employees to be evaluated every other year and those rated unsatisfactory to be notified and provided assistance for improvement. Parishes were given option to exempt themselves from the provisions of this act.
1977	621	Public School Accountability and Assessment	Same as above, but removed the parish exemption provision. Required evaluation every three years and employees rated unsatisfactory were **not** required to participate in a remediaton program. Guidelines established criteria of competent teachers. SDE was required to assist in preparing job descriptions for all positions.
	645	Teacher Certification	Required certification to be a reliable indicator of minimum ability and proficiency to teach the grade level and subjects assigned.
	756-757	Teacher Education	Required certain courses, grade point average and classroom experience for prospective teachers.
	9 (1st Ex. Sess.)	Teacher Evaluation	Required teachers to participate in remediation programs and local school boards to submit evaluation plans to SDE for approval to assure conformity with SDE guidelines. "Ample assistance" for skill improvement for all teachers, and post-evaluation conferences were required.
	16 (1st Ex. Sess.)	Teacher Education	Required prospective teachers to pass the National Teacher Exam (NTE) with minimum scores.
1980	207	Louisiana Educational Employees Professional Improvement Program	Program for all teachers with more than three years of teaching experience. The program encouraged teachers to improve their skills by participating in a professional improvement program to earn points (PIPs). Participating teachers received incentive pay increases.
	236	Teaching Professions Practices Act	Established a commission to establish a code of ethics for teachers, to recommend ways to improve the teaching profession, and to take and investigate complaints from parents and educators about teachers.
	605	Accountability Monitoring	Required the SDE to monitor all accountability programs and the BESE to impose sanctions on schools that did not implement accountability programs.
1984	757	Teaching Internship Program (LaTIP)	Provided a formal support network for new teachers for their first year in the system. The team was to evaluate interns and recommend activities for improvement where necessary. The support could be extended for an additional year.
	759	Career Ladder	Created Career Ladder Commission to develop a career ladder plan for teachers.
	834	Administrative Leadership Academy	Created to provide leadership training to administrators.
1985	190	Certification	Required administrators to pass the NTE before receiving certification.
	601	Teacher Incentive Pay	To develop proposals for incentive pay program.
	988	School Administrator Tenure Elimination	Allowed teachers promoted to administrators to keep tenure as teachers, but repealed ability to achieve administrative tenure.
1986	713	Professional Growth Program	Provided program in which experienced teachers served as mentors for new teachers.
1988	659	Children First Act (LaTEP)	Provided for statewide evaluation for experienced teachers once every five years; eliminated issuing new life-time teaching certificates; established career option program which provided extra pay for extra duty; required LaTIP to be implemented.
1990	630	Teacher Evaluation	Provided for teachers who were evaluated by Children First Act be exempt from local evaluation that year.
1991	326	Teacher Evaluation	Set up review team and timetable to review and update Children First Act and LaTIP.
	569	Teacher Evaluation	Provided for teachers who were evaluated by Children First Act or teaching internship program be exempt from local evaluation that year.
	SCR 66	Teacher Evaluation	Temporarily suspended the Teaching Intern Program and the Children First Act and required BESE to review the programs.
1992	506	Teacher Evaluation	Continued suspension of both evaluation programs until 1994-95 and required an update of both programs.

The Act called for full implementation of the 1984 internship program (LaTIP). Those successfully completing the internship were to be issued five-year renewable certificates.

Experienced teachers were to be evaluated under the Louisiana Teacher Evaluation Program (LaTEP) every five years by a three-person team including the principal, an SDE employee and a "master" teacher. The team was to use a standard evaluation instrument and rate teachers "superior," "satisfactory" or "nonsatisfactory." Those found unsatisfactory were to have up to two years of remediation to improve or lose their teaching certificates. Such teachers could continue to teach and could only be removed after a tenure hearing. However, state funds could not be used to pay uncertified teachers. Those rated "superior" were eligible for a "model career options" program with added responsibility and added pay. While participating in the options program, teachers would trade their lifetime certificate for a five-year renewable certificate. In addition to the LaTEP evaluation, local school systems were to continue their local, more frequent evaluations, required by the 1977 law.

Efforts to implement the new evaluation program for the first one-third of teachers in 1990-91 drew a heavy protest from teachers and their unions. They argued the evaluation instrument and process were unreliable and invalid and that the entire process was designed to punish teachers rather than help improve their performance. Critics claimed the program placed too much emphasis on the small percentage of unsatisfactory teachers, failed to provide development for good teachers, and lacked adequate pilot- and field-testing prior to enactment.

Supporters of the 1988 law who were involved in developing the evaluation program continued to feel that the instrument used was valid, that the instrument had been adequately tested and that educators had ample opportunity for input into the development process. Supporters agreed that some adjustments were needed but felt the process had not been given a chance to work out its problems and prove itself.

Teachers lobbied for repeal of the evaluation law in 1991. Instead, the law was suspended and an outside review team called in to assess the programs. The review team pointed to "faulty validations and insufficient piloting as two primary problems with programs." In 1992, the suspension was extended to give the SDE time to redevelop a plan with the new outside consultants and task forces comprised largely of educators. The 1994 proposal adopted by BESE for recommendation to the Legislature grew out of this process. This effort also produced a revised statement of the "components of effective teaching" to be used in the evaluation. These components were issued as part of the state guidelines for local evaluations conducted during the 1993-94 school year.

Proposed 1994 Legislation

The proposed law is entitled "Professional Employee Quality Development" and includes two distinct and separate programs: a ***Teacher Assessment Program*** which deals with new, intern teachers and a ***School Personnel Evaluation Program*** which applies to experienced teachers, administrators and other personnel. The purpose of "assessment" would be to determine if a teacher ***can*** teach while "evaluation" would determine if a teacher ***does*** teach.

Teacher Assessment Program (For New Teachers)

The proposed Teacher Assessment Program is a uniform,t statewide internship process for new teachers. The purpose of the program is to provide support for new teachers in the first year of teaching and to determine eligibility for state certification. Each teacher would have a three-member support team of trained assessors including the principal or assistant principal or supervisor, an experienced teacher (nominated by peers) from the school and an outside evaluator who is an education professional. Individually, each team member would meet with the teacher in a conference before and after observing the class. The teacher's rating during the classroom observation is to be based on the "components of effective teaching." At the end of the first semester ("support semester"), the team, together with the intern, jointly develops a professional development plan based on the ratings and other data collected.

The conference and observation process is repeated in the second semester ("assessment semester"), providing a total of six separate formal observations during the year. If the team reports successful completion of the assessment, the teacher may acquire or retain a regular teaching certificate and enters the local evaluation program and must be evaluated annually for the remainder of the probationary period. Teachers who are not successful must repeat the assessment process another year. If still unsatisfactory, the teacher loses his or her teaching certificate or authority to teach and must leave the classroom for two years before entering the assessment program again. A second failure results in permanent loss of certification and authority to teach.

The successful intern must still complete the three-year probationary period before receiving tenure and a permanent regular teaching certificate. Regardless of the intern's ratings, the local school board would still be able to terminate the teacher at any time during the probationary period.

During the assessment process, the teacher is given orientation, information and opportunities to provide the team data. After the evaluation, the teacher may contest team findings and have any errors in the record corrected.

For a comparison of the proposed assessment program with the Children First Act and 1984 internship law, see Table 2.

TABLE 2
Comparison of Evaluation Programs for Interns (0-3 Years of Experience)

	1984 LOUISIANA TEACHING INTERNSHIP PROGRAM (LaTIP)	1988 CHILDREN FIRST ACT	1994 PROPOSED LEGISLATION
Teachers Evaluated	Yes	Yes, by LATIP rules until successfully complete LaTIP; then by LaTEP	Yes
Evaluator or Evaluation Team	Three member team: principal, "master teacher," college faculty member	Three member team: principal, "master teacher," college faculty member	Three member team: principal, peer teacher and outside educator
Frequency of Formal Evaluation	First year or first two years if found unsatisfactory	First year by LaTIP. If found satisfactory switched into LaTEP and evaluated again. All must be switched into LaTEP no later than end of second year	First year. If found satisfactory, switched into local evaluation program and evaluated every year until year four; if found unsatisfactory, re-evaluated for another year
Rating Scale	Satisfactory, unsatisfactory	Satisfactory, unsatisfactory	Successful, not successful
Improvement Period	One year	One year	One year
Consequence of Failing to Improve	None stated	Provisional certificate expires and renewable certificate not issued.	Regular teaching certificate not obtained or retained and unable to teach for two years
Professional Growth Requirements	Recommendations	Recommendations	Yes, regardless of rating
Means of Termination	Written recommendation stating "valid reasons"	Written recommendation stating "valid reasons"	Written recommendation stating "valid reasons"
Role of State	Appoints commission to develop evaluation criteria, report to legislature and implement program	Develop evaluation criteria and report to legislature	Establish assessment program, set standards for assessment teams, train assessors, and monitor assessment outcomes
Role of Local School System	Appoints master teacher, provides assistance to team and informs teachers of program	Appoint master teacher, provide assistance to team, and inform teachers of program	Provide an assessment team pool, support team, and inform teachers of program

TABLE 3
Comparison of Evaluation Plans for Experienced Teachers (4+ Years of Experience)

	1977 ACTS	1988 CHILDREN FIRST ACT (LaTEP)	1994 PROPOSED LEGISLATION
Certification Period	Lifetime	Lifetime continued for satisfactory teachers; five-year renewable for new teachers in program and model career option; provisional/in remediation for all found unsatisfactory	Lifetime
Teachers Evaluated	Yes*	Yes	Yes*
Evaluator or Evaluation Team	Principal	Three member team: principal, SDE employee and "Master" teacher	Principal
Frequency of Formal Evaluation	Every three years for permanent personnel and every year for probationary personnel	Every five years	Every three years; informal required every year. Teachers with less than three years or less are formally evaluated every year
Rating Scale	Satisfactory, in need of improvement, unsatisfactory	Superior, satisfactory, nonsatisfactory	Satisfactory, unsatisfactory
Improvement Period	Depends on local rules	Two years	Two years
Consequence of Failing to Improve	None stated	Teaching certificate lost for at least two years	Termination procedures initiated
Professional Growth Requirements	Yes, if rated unsatisfactory and "ample assistance" for improvement required to be provided to all	Remediation required if rated unsatisfactory	Yes, regardless of rating
Means of Terminating Tenured Teachers	Tenure hearing must be held	Tenure hearing must be held	Tenure hearing must be held
Role of State	Set guidelines, approve local evaluation programs, analyze results and report to legislature	Establish and administer evaluation program	Set guidelines and components of effective teaching, review local evaluation plans for compliance, and may withhold MFP funding for failure to implement programs or comply with the law
Role of Local School System	Evaluate teachers, establish evaluation programs, provide assistance to teachers and implement the program	Provide in-service training on program, cooperate with state, and run local evaluation system still in place	Establish evaluation program and performance standards, evaluate teachers, create job descriptions and train evaluators

* Also requires administrators and other school personnel to be evaluated.

School Personnel Evaluation (For Experienced Teachers)

The draft legislation would require each local school board to develop its own personnel evaluation plan and submit it for SDE review for compliance with state rules and guidelines. A local steering committee would develop, implement and monitor the plan. Each local school board would be responsible for having all experienced teachers, principals and other personnel evaluated formally at least once every three years and informally in the other years.

The evaluation process would include the following:

1. A written job description for each teacher incorporating the "components of effective teaching;"

2. A professional growth plan, developed cooperatively by the teacher and evaluator, based on identified strengths and weaknesses;

3. A self evaluation by the teacher based on the growth plan;

4. A classroom observation with conferences before and after; and,

5. Classroom visitation by the evaluator.

Informal evaluation would not include the observation and related conferences. All of the other elements would be addressed annually and a written evaluation report would have to be made each year.

A single evaluator, either the principal, assistant principal or equivalent level supervisor, annually would rate each teacher as "satisfactory" or "unsatisfactory" under the local board's standards of performance. A teacher who does not meet the local standards in the formal evaluation must be placed in an "intensive assistance program" and be re-evaluated formally. If the teacher does not meet the standards within two years, the school board would be required to initiate termination proceedings within six months.

For a comparison of the proposed evaluation program with the Children First Act and the earlier teacher evaluation law, see Table 3.

Principal Evaluation Process. The proposal would apply essentially the same evaluation procedure to administrators (principals) as to experienced teachers. A supervisor would serve as evaluator. A Principal Evaluation Process was recommended by a revision panel and included in the SDE bulletin on evaluation guidelines. The process sets out specific proficiency criteria for evaluating principals in major areas of leadership, human relations, parental/community involvement and management. The principal's effectiveness as a teacher evaluator also would be evaluated.

The State's Role Under the Proposal

The proposal authorizes BESE, through the SDE, to set and revise the components of effective teaching, adopt rules, set standards for assessment support teams, provide for training of assessors and the basis for training evaluators, have departmental teams review local evaluation plans, train evaluators through the eight regional service centers, monitor assessment and evaluation programs and set up a grievance procedure. If a local system fails to properly implement the evaluation program, BESE may withhold state funding under the Minimum Foundation Program (MFP).

Comments

Revision Process

The teacher evaluation revision process called for by the 1991 and 1992 acts is nearing completion. The state guidelines were revised; the components of effective teaching developed; the assessment program was designed; the new programs were tested; and, the state is scheduled to review the new local evaluation plans this summer for full implementation this fall. The 1994-95 budget includes funding to staff the professional development program, including the RSCs.

Assessment/Evaluation Instrument

The proposed revision retains a standardized, statewide assessment instrument for assessing intern teachers only. Experienced teachers would be appraised according to the local school board plans, following general state guidelines.

Under the Children First Act, a standardized, statewide assessment instrument was to be used in formal classroom observations to rate *both* interns and experienced teachers. The STAR instrument required the observer to rate the teacher on 90 indicators covering 23 teaching components.

In comparison, the "components of effective teaching," developed under the 1992 law to serve as the basis for classroom observations, is a shorter list of 27 general indicators used to examine eight major components of teaching.

The proposed assessment of interns would use the "components," not as a checklist, but as the basis for narrative descriptions of a teacher's performance on each of the indicators.

The BESE guidelines for drawing up the local evaluation plan require that the "components" be included in teachers' job descriptions. However, the guidelines stress that these criteria be used only as a "frame of reference for a descriptive review and analysis of teaching rather than only a rating scale or checklist of teaching effectiveness." In fact, the evaluation instrument, rating scale and standards of performance for experienced teachers can vary from system to system.

Evaluation Purpose

Developers of the proposed assessment and evaluation programs characterize them as positive efforts emphasizing professional development and growth. They contrast this with the "negative" emphasis of the 1988 act on identifying and eliminating a few bad teachers. This change in the perception of the purpose of evaluation is a beneficial one as long as evaluators are not discouraged from making hard decisions when called for.

Professional development has been a required part of the evaluation law since 1977. The proposal attempts to assure that professional growth will receive greater attention than in the past by requiring annual review and reports on individual growth plans.

State/Local Control

The assessment program for new teachers is detailed in the proposed legislation. The design of the assessment instrument, training of assessors and rules of procedure are under the control of BESE and the SDE. While the assessment procedure is considered a state program, the implementation is largely a local function. The "support team" is appointed by the principal, who is also a member, from the local board's pool of assessors. The state's regional services centers would have an important role in providing evaluator training and staff development programs. However, the SDE would have limited capacity to monitor and determine the actual effectiveness of the local assessment teams. The proposed state budget for 1994-95 would provide $3.3 million and 16 positions for the professional accountability program in the SDE. By contrast, full implementation of the 1988 act evaluation program was pegged at about $18 million a year in state funding.

Responsibility for the personnel evaluation program for experienced teachers is placed even more squarely in local hands. Local boards will prepare their own plans, within state guidelines, and apparently will set the "standards of performance" to be met. The principal continues to be the sole evaluator, as he or she has been for the last 15 years. However, the proposal would involve somewhat greater standardization and state monitoring than prior to the 1988 act.

Removal of Permanent Teachers

Dismissing a tenured teacher for incompetence is considered a difficult procedure under the state's tenure law. Over the past 15 years, SDE reports show only 243 tenured teachers terminated. However, these reports fail to show how many were dismissed for incompetence as opposed to other reasons. The threat of a tenure hearing also can result in resignation.

The proposal would not change the tenure procedure. The local superintendent would still have to prepare well substantiated charges and defend them in an adversarial tenure hearing. However, the proposal would require the local board to "initiate termination proceedings," within six months, when an experienced teacher fails to improve after two years' remediation.

The proposed evaluation program could strengthen the administration's hand by providing written documentation over a three-year period which could be used to support a charge of incompetence or willful neglect of duty. However, the proposal does not specifically state that a tenure hearing must be held--much less completed--nor is a deadline provided. Neither does it specify that "unsatisfactory performance" is to be considered evidence of incompetence in a tenure hearing. This leaves a question as to what weight the performance rating might be given in future court challenges of dismissals.

Those teachers, who are truly incompetent and unsalvageable, would have a right to a two-year remediation period. A local board would be required to wait until a teacher had failed the two years' remediation before initiating termination.

Removal of Untenured Teachers

As at present, the proposal would allow a school board to dismiss a teacher at any time during the three-year probationary period upon written recommendation by the local superintendent with "valid reasons." The board would not be required to keep for a second year an intern who receives an unsatisfactory rating.

A teacher who failed the internship program would be effectively removed from the classroom for two years by the loss of all certification.

Impact on Certification

A major departure from the 1988 act is that Louisiana would return to the practice of issuing lifetime teaching certificates rather than five-year renewable teaching certificates tied to evaluation results.

New teachers would become eligible, after successful completion of the internship program, for permanent lifetime teaching certificates rather than five-year renewable certificates provided under the 1988 act. However, the proposal would remove the unsatisfactory intern from the classroom for two years by removing all certification (including temporary certificates) and permanently after failing a second internship.

Experienced teachers would retain their lifetime teaching certificates, under the proposal, regardless of the evaluation results or even if they were ultimately terminated. Under the 1988 act, experienced teachers failing remediation would lose their certificates, but teachers who already had permanent certificates could keep them as long as they were evaluated "satisfactory."

Goals 2000

Earlier this year; Congress enacted the Goals 2000: Educate America Act with the purpose of providing a framework to meet stated national education goals by year 2000. Among these, was the goal to assure that all teachers and administrators will have access to continuing professional development. BESE has begun planning to meet the requirements of the Goals 2000 act by adopting a similar list of goals for Louisiana including the statement that every school shall "support teachers" and "provide performance-based accountability." BESE approval of the draft Professional Employee Quality Development Program can be viewed as an effort to meet these specific goals. As urged by the Goals 2000 Act, BESE's professional development program gives local school systems flexibility within broad statewide guidelines.

Conclusions

The proposed law would revise the state's internship and teacher evaluation programs which existed prior to the Children First Act of 1988 but were never fully developed. The revision effort of the past two years has designed a new implementation and monitoring process and a new set of state guidelines.

The plan repeals some of the significant provisions of the 1988 law which many teachers found objectionable. These include the requirement of renewable certificates, standardized evaluation instruments for all teachers and state-level evaluation of experienced teachers. In their place, the proposal emphasizes professional development, a strong statewide internship program and local flexibility and control over evaluation of experienced teachers. The plan would retain some other aspects of the 1988 law including the regional service centers and school profiles program.

The "teeth" provided in the plan include allowing BESE to deny MFP funding to school boards which do not comply, requiring local boards to initiate termination proceedings against unsuccessful experienced teachers and denial of any certification to unsuccessful intern teachers, thus removing them from the classroom.

The importance of having an effective teacher in every classroom is obvious. However, no evaluation program alone can guarantee this will happen. BESE, the SDE, the education colleges, school boards and school administrators must all fully accept responsibility for seeing the job is done. Ultimately, an evaluation plan is only as good as its implementation.

Non-Profit Org.
U.S. Postage
P A I D
Baton Rouge, LA
Permit No. 330

Public Affairs Research Council of Louisiana, Inc.
4664 Jamestown Avenue, No. 300 • P.O. Box 14776
Baton Rouge, LA 70898-4776 • (504) 926-8414
FAX # (504) 926-8417

PAR