



# Legislative BULLETIN

Public Affairs Research Council of Louisiana, Inc.

## Evaluating Teacher Evaluation

*No one is proposing the statewide teacher evaluation program remain as is. Thirty-two legislative proposals offer a wide range of options—dump it, improve it or shift it to local control. Its fate should be decided on what is best for improving education.*

The 1988 Children First Act called for a statewide teacher evaluation program to assure citizens that each public school classroom has quality instruction; clear expectations of teacher performance while protecting teacher dignity and rights to fair and equitable treatment; and a way for teachers to have career advancement while remaining in the classroom.

The evaluation instrument, System for Teaching and Learning Assessment and Review (STAR) was based on research in many other states, had teacher input, and was pilot tested during 1989-90. Implementation began October 1, 1990 after evaluators were selected and trained, and teachers to be evaluated were randomly selected, notified and received training and orientation. About one fifth of the teachers were evaluated; 91% were rated satisfactory, including almost 28% rated superior. Less

than 10% were "not yet satisfactory." Those rated satisfactory will not be evaluated again for five years. Those rated superior and who have a master's degree and seven years of teaching experience can enter a career options program with extra pay for extra duties. Those "not yet satisfactory" will undergo remediation and if still not satisfactory but improving, another year of remediation. If still unsatisfactory, certificates are to be revoked but this depends on a Louisiana Supreme Court decision expected shortly.

### Proposed Legislation

Thirty-two bills and resolutions propose changes regarding statewide teacher evaluation and teacher certification. They run the gamut from outright repeal; suspension until 60 days after the 1992 regular session (maximum suspension period the constitution allows); substituting local evaluations, with state guidelines, training and oversight; providing an independent review and basing revisions on those recommendations; formulating separate evaluation procedures/instruments for interns, special education assessment teachers and those who wish a superior rating; tying state pay increases to participation in state evaluation; and

evaluating principals and assistant principals by their teachers.

HB 1913 (Dimos and Long), recommended by the Governor, proposes changes to improve the Louisiana Teaching Internship Program (LaTip) and the Louisiana Teacher Evaluation Program (LaTep). The state Board of Elementary and Secondary Education (BESE) has approved some of the changes. Unlike other proposals, the changes would not interrupt continuation of the evaluation program. HB 1913 would:

- Require that teachers to be evaluated receive a minimum of 16 hours' training and orientation. This would either be release time or compensated with state/local shared costs.
- Reduce required teacher paperwork and activities.
- Notify teachers by May 15 if they are to be evaluated that fall.
- Require that evaluators meet with a teacher prior to an observation to discuss special classroom situations, nature of the lesson or other concerns.

### *In This Issue*

*Teacher Evaluation*

*Term Limits*

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- Require evaluators to meet with a teacher immediately after an observation to clarify any confusion.

- Provide a grievance procedure to assure evaluations were fair, objective and consistent.

- Check on evaluators' performance, identify evaluators whose scores are inconsistent with others assessing the same teacher, and take appropriate action.

- Specify qualifications of the three-member evaluator team: teacher's principal, peer teacher who would have to be certified and actively teaching in the same general area as the teacher being evaluated, and an independent evaluator hired by the State Department of Education who was outside the local school system.

- Require annual review of the evaluation program and its implementation by a team to include out-of-state consultants, with selection based on Southern Regional Education Board recommendations. Team recommendations would be reviewed by BESE and the legislative education committees. BESE would have to order the education department to implement approved recommendations.

- Change "provisional/in-remediation certificate" to "in development certificate."

- Require uncertified teachers to participate in LaTip and then be evaluated under LaTep.

- Allow teachers evaluated in the fall of 1990 and spring of 1991 whose evaluation was not high enough for a satisfactory or superior rating to have another assessment in the fall of 1991 to improve their scores. Such teachers could select the best two of three.

- Those completing an internship would be evaluated under LaTep the following year.

SB 879 (Picard) and HB 1910 (Salter), identical bills, contain many provisions of HB 1913 but also differences.

- The teacher evaluation program would be suspended by SCR 66 (Picard) while undergoing revisions.

- Those who successfully completed an internship would not have to be evaluated for five years.

- The regular evaluation instrument would be revised to include only "essential" teaching skills.

- Teachers could choose to be evaluated for a superior rating but by an evaluation instrument with additional indicators.

## Comment

Louisiana is suffering because many of its children are not being educated as demonstrated by almost 40% of ninth graders in public school who drop out before high school graduation; remediation for half of the freshmen who enter Louisiana public colleges and universities; and a ranking of 26 on ACT test scores among the 27 states that use the ACT college-entrance test.

Teachers cannot be blamed for all of the problems. There are many other factors including socioeconomic background of the children, lack of parental involvement, and inadequate books and supplies. However, re-

search has shown that the classroom teacher is the most variable factor in classroom performance. The statewide teacher evaluation program addresses that important factor. Its objective is to improve teacher classroom performance and college teacher training programs.

The teacher evaluation program, in its early stages, has had problems in its implementation. It has been under attack since initiation. BESE approved a number of revisions in response to valid teacher complaints. Other valid complaints are addressed in the administration-backed HB 1913 and also in SB 879 and HB 1910. Some proposed changes are to assure the evaluation is fair and effective in meeting its objectives.

The statewide teacher evaluation program is based on the premise that good teaching is good teaching, regardless of locality, grade level, subject and student characteristics. The evaluation allows flexibility and does not require that all of the 91 indicators be demonstrated to receive a passing score.

Proposals to repeal or suspend the program offer no satisfactory alternative. Local evaluations have been occurring under a 1977 act but have been ineffective in identifying unsatisfactory teachers and improving teacher performance.

Most professional and business persons have to compete for clients and customers and thus have continuing evaluation. Teachers do not compete for their students and thus evaluation is important.

## Terms: Limited or Unlimited?

*Three states have adopted legislative term limits. Should this be in Louisiana's future?*

Eight proposed constitutional amendments would limit the number

of consecutive terms a person could serve in various elected offices. (See Table 1.)

### State Legislative Terms

Oklahoma's new 12-year limit was the first adopted for state legislators.

Colorado set an eight-year limit, and California limited its senate members to eight years (two terms) and its assembly to six years (three terms).

Roughly one third of the Louisiana Legislature has been replaced in each four-year period since 1976, counting

mid-term replacements. Yet incumbents are difficult to unseat. In the 1987 election, 84% of the incumbents won their seat or a seat in the other house. Only 20 incumbents were defeated and half of those had served only one term.

A three-term limit, applied to the 1991 election, would bar 19 of the 39 current senators and 39 of the 105 representatives from running, if prior service was counted. A two-term limit would bar 27 senators and 61 representatives—a large majority of each house. Either way, most of the legislative leadership would not return.

Only one proposal would count prior service in applying limits; the rest would begin counting in 1992 or later and would not have any impact for another eight to 12 years.

### Governor and State Officers' Terms

Louisiana is one of 28 states which limit the number of consecutive terms a governor may serve. Most of these states, including Louisiana, have a two-consecutive-term limit. Three states have single-term limits. Only nine of the states which limit governors' terms also limit terms of lieutenant governors.

Other statewide elected officials' terms are unlimited in most states;

however, the treasurer has term limits in nine states. No state limits PSC or education board members' terms.

Three of Louisiana's eight statewide elected officials have been in office more than one term. One is in his fifth term and two are in their third. Lengthy tenure in various of these offices has been common over the years.

### U.S. Senate and House Terms

The constitutionality of Colorado's term limit provision for U. S. senators and representatives is being challenged. If it stands, other states may follow suit. Efforts also are underway nationally to limit congressional terms by amending the U. S. Constitution.

As is the case nationally, Louisiana senators and representatives seldom face serious election opposition. Incumbents have the advantage of paid staff, multiple offices, free travel, free mailings and special interest funding. In 1988, only seven of the 435-member U. S. House lost re-election bids.

### Comment

The following are the pros and cons of legislative term limits. Some

would apply to executive office limits as well.

*Proponents* argue that term limits would:

- Remove the advantages of incumbency.
- Reduce the power of special interest groups.
- Promote a "citizen" rather than "professional" Legislature.
- Increase concern for issues over re-election.
- Put legislators on more equal footing.
- Clean out the "dead wood."

*Opponents* argue that term limits would:

- Eliminate continuity.
- Weaken leadership.
- Prevent developing special area expertise.
- Increase dependence on the executive branch, staff and lobbyists.
- Restrict the voters' right to elect who they want.

Unlike those states which have adopted legislative term limits, Louisiana does not have an initiative procedure; two thirds of the legislators must approve limiting their terms before the voters get a chance to decide.

TABLE 1  
Proposed Constitutional Amendments to Limit Terms

Bill	Author	Governor	Maximum Number of Full Consecutive Terms							Beginning Date	Type of Limit	
			State Sen.	State Rep.	U.S. Sen.	U.S. Rep.	Statewide Elected Officials	PSC	BESE			
SB 8	Cox		2	2							1/92	A
SB 15	Bagert		2	2	2	6	2	2	2		Prior service counted	A
SB 31	Kelly		3	3			2				1/13/92	B
HB 1	St. Raymond		2	2							1/96	B
HB 13	Bacque, et al		3	3							1/13/92	B
HB 25	Bruneau	1									1995	C
HB 64	Lancaster				2	6					1/3/93	B
HB 138	Donelon		2	3			2				1/13/92	B

- A Allows the number of full consecutive terms shown, even if initially elected to a partial term.  
 B Counts election to fill more than one half of a term as a full term.  
 C Prohibits succeeding term to which elected.

## Proposals to Dedicate Lottery Proceeds

Bill No.	Dedication of Proceeds	Amount/Percent Dedicated
SB 45* (Johnson) and HB 136* (Copellin)	50% any purpose, 25% municipalities on per capita basis, 25% municipalities based on ticket sales	50%
HB 1162 (Alario)	50% to incorporated municipalities on per capita basis	50%
HB 1236 (Armstrong)	Reimburse local taxing bodies for losses from inventory tax exemption	
HB 137*, HB 966 (Herring)	Higher Education Quality Trust Fund	After first \$5 million or 5%, all proceeds
HB 146* (Triche)	Public education, COLAs for certain state retirees and pay increases for local law enforcement officers, noninstructional school employees and state employees	100%
HB 804 (Toomy)	Supplemental pay for police, firemen and deputy sheriffs	Amount needed
HB 872 (Montgomery)	COLAs for eligible retirees of certain systems	Amount needed
SB 613 (Jumonville) and HB 904, 1310 (Heitmeier)	Louisiana Health Insurance Association, high risk pool for uninsured	\$5 million or 5%, whichever is greater
SB 742 (Poston) and HB 932 (Cain)	Parish councils on aging	2%
SB 950 (McPherson)	1. To following trust funds: 50% to Lottery Proceeds Education, 25% to Lottery Proceeds Land Conservation Preservation, 25% to Lottery Proceeds Economic Development, 2. Louisiana Charity Hospital System Trust Fund	First \$100 million Next \$25 million
HB 798 (Hebert)	Association for Retarded Citizens	.07%
HB 1001 (Sittig)	Supplemental Parish Transportation Fund	\$10 million
SB 686 (Bagneris) and HB 969 (Landriau)	Louisiana Homeless Trust Fund	10% of unclaimed prize money

\* Proposed constitutional amendments.

### Comment

The lottery is anticipated to start by Labor Day, and the scramble for dedication of proceeds already has begun. An estimated \$80 million to \$100 million will be available for appropriation annually.

Many programs can use more money, but dedication of lottery proceeds is not the answer. Experience in other states shows that dedications often are a shell game, as over time these causes get fewer state dollars from other sources and end up with the same or lesser share of total expenditures.

The state faces huge budget gaps in the next few years. Lottery proceeds should go to the state general fund to reduce the need for increased taxes.



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