



# **ProAC Committee Report**

## **Teacher Development and Evaluation**

**March 2012**

*Adopted by the Education Minnesota Governing Board, March 17, 2012*

## **PROFESSIONAL ADVOCACY COMMITTEE (ProAC) REPORT TEACHER DEVELOPMENT AND EVALUATION 2011-2012**

*Committee charge:*

*The committee will identify issues relating to the teacher evaluation statute and develop recommendations on the implementation of the statute at the state and local levels.*

The Professional Advocacy Committee (ProAC) met on Saturdays, September 17 and October 29, 2011, and January 7 and 28, 2012. The members are: Laura Bratland, Janet Kujat, Kaye Thompson Peters, Susan Witt, Lisa Schoelerman, Gale Theroux, Ellen Reykdal, Jamie Alsleben, Michelle Swenson, Bob Bathke, Dave Masters, Erik Sivertson, Cindy Ralston (chair), Catarina Alme, John Bellingham, Mitch Misialek, Tim Cochran, Jennifer Farnam, Mark Swenson, Lois Wendt, Julie Sandstede, Sherill Borgstahl, Sheryl Barton and Denise Specht. (See attachment for contact info and constituent groups.)

The committee divided itself into three small groups in order to address effectively the various provisions of the statute. Laura Bratland chaired a systems group that considered the overall requirements of the statute. The measurement group chaired by Erik Sivertson considered the provisions related to value added measurement and longitudinal data requirements. Jamie Alsleben chaired a group that considered applications to professional practice such as the operation of professional learning communities and staff development.

At each meeting the members of the subgroups spent time discussing the particulars of their assigned statutory provisions and also reconvened as a full committee in order to advise one another of the issues raised and the nature of their discussions. The subgroups then drafted the recommendations contained in this report and presented them to the full committee for adoption.

Education Minnesota staff members met periodically throughout the fall and early winter to support the ProAC work.

In addressing the statutory requirements, committee members consulted resources provided by the AFT and NEA, looked at various teacher development and evaluation systems from Minnesota and from other states and consulted policy briefs from a variety of sources. Throughout this process, the committee was cognizant of its duty to reconcile the new requirements of the 2011 legislation with Education Minnesota's principles on teacher development and evaluation, especially those identified by last year's ProAC committee and adopted last spring by the governing board.

*A note about language and terms: The ProAC charge requires that the recommendations be made based on statutory language. Although Education Minnesota refers to its members as educators in order to be as inclusive as possible, the statutes that are the subject of this report refer to licensed personnel as teachers.*

This report includes:

- I. A summary and overview of the teacher development and evaluation statute passed by the 2011 legislature.
- II. A discussion of the issues raised by the ProAC, covering
  - A. Successful Systems
  - B. Value-Added Assessment
  - C. Measuring Student Engagement and Connection
  - D. Professional Learning Communities
  - E. Peer Review Processes
  - F. Mentoring and Induction
  - G. Portfolio and Electronic Folio Option
- III. The Recommendations of the ProAC
  - A. To the Legislature
  - B. To Minnesota Department of Education (MDE)
  - C. To Education Minnesota
  - D. To Locals
- IV. Resources

## **I. Summary and Overview of the Teacher Development and Evaluation Statute**

During the 2011 session, the legislature amended Minnesota Statutes 2010, section 122A.40 and 122A.41 to include a new teacher development and evaluation mandate to be adopted locally in one of two ways. Through negotiated agreement a local school board and the exclusive representative of the teachers in the district may develop their own process. If no negotiated agreement is reached, the local school board and the exclusive representative of the teachers must implement the process created and published by the Minnesota Department of Education (MDE). The Teacher Development and Evaluation process must be in place for the 2014-15 school year.

The process, whether locally or MDE developed, must include a variety of characteristics listed in the amendment. They must:

- Be based on professional teaching standards established in rule. (Minnesota Administrative Rules, Chapter 8710)
- Provide for all probationary teacher evaluations required under MS 122A.40, subd.5.
- Require trained and qualified evaluators for summative evaluations.
- Coordinate with staff development activities under MS sections 122A.60 and 122A.61.

- Establish a three-year professional review cycle that includes:
  - An individual professional development plan
  - Professional learning community (PLC) opportunities
  - A peer assistance and review (PAR) process to take place in the non-summative years.
  - At least one summative evaluation by a trained evaluator every three years.
- Include an option for teachers to develop and present a professional growth portfolio (See MS 122A.18, subd. 4, paragraph (b)).
- Use an agreed upon teacher value-added assessment model for the grade levels and subject areas for which value-added data are available and establish state or local measures of student growth for the grade levels and subject areas for which value-added data are not available as a basis for 35 percent of teacher evaluation results.
- Use longitudinal data on student engagement and connection and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible.
- Provide a teacher improvement process including goals and timelines for those teachers not meeting professional standards.
- “Discipline” those not making improvement. This discipline could consist of a warning, termination, discharge, nonrenewal, transfer, a leave of absence, etc.

In addition to the requirements listed above, the locally negotiated and state-developed processes may also include mentoring and induction programs and provide time during the school day or year for collaboration.

## II. Issues

### A. *Successful Systems*

In Minnesota, recently legislated teacher development and evaluation requirements mandate a number of processes that can support quality teaching and learning in schools. Many schools have incorporated these as an important part of their current operation; others have not. The mandate may provide an opportunity to tailor local teacher development and evaluation processes to meet the needs of local systems while building on a research-based set of state required characteristics.

Teacher development and evaluation should include regular, rigorous reviews of teaching performance by well-trained evaluators, including peers and principals, and it should be based on professional teaching standards, best practices and student achievement. The goal is to improve public education by helping promising teachers improve, enabling good teachers to become great and identifying those teachers who should not be in the classroom at all.

The new teacher development and evaluation processes considered by each local school board and exclusive representative must be complete systems clearly understood by all involved. Issues related to ongoing professional learning and employment fairness must be included and clearly articulated in joint agreements.

In its *New Compact for Student Success*, the U.S. Department of Education notes that administrators and teachers can build on the strength of partnerships and “use them as a vehicle to uphold rigorous academic standards, elevate the teaching profession, drive school and instructional improvement and make student achievement the heart of their relationship.”

An effective teacher development and evaluation system focuses on teachers as lifelong learners progressing through a continuum of career growth that includes preparation, induction, mentoring, evaluation and on-going professional development. The process should lead directly to teachers’ continuous, focused professional development and growth by addressing skills, knowledge and needs at all levels of the career continuum, from novice to veteran. Teachers naturally consider their students, colleagues and curriculum goals as they further refine their professional development goals.

The teaching profession requires a bridge connecting preparation, initial teaching practice and continuing professional practice. The teacher development and evaluation process must build on that research base with some fine-tuning to meet the unique needs of novice teachers as well as practicing experienced teachers.

### **New Teachers**

Each new Minnesota teacher should have the opportunity to take part in a quality, research-based induction program which welcomes and supports entry into the teaching profession. The Minnesota Teacher Support Partnership (TSP) has published a research-based set of guidelines for new teacher induction that provides a foundation for this work. Time and sustainable support are essential for a teacher induction program to take root and to provide transitional opportunities from preparation to beginning teaching practice.

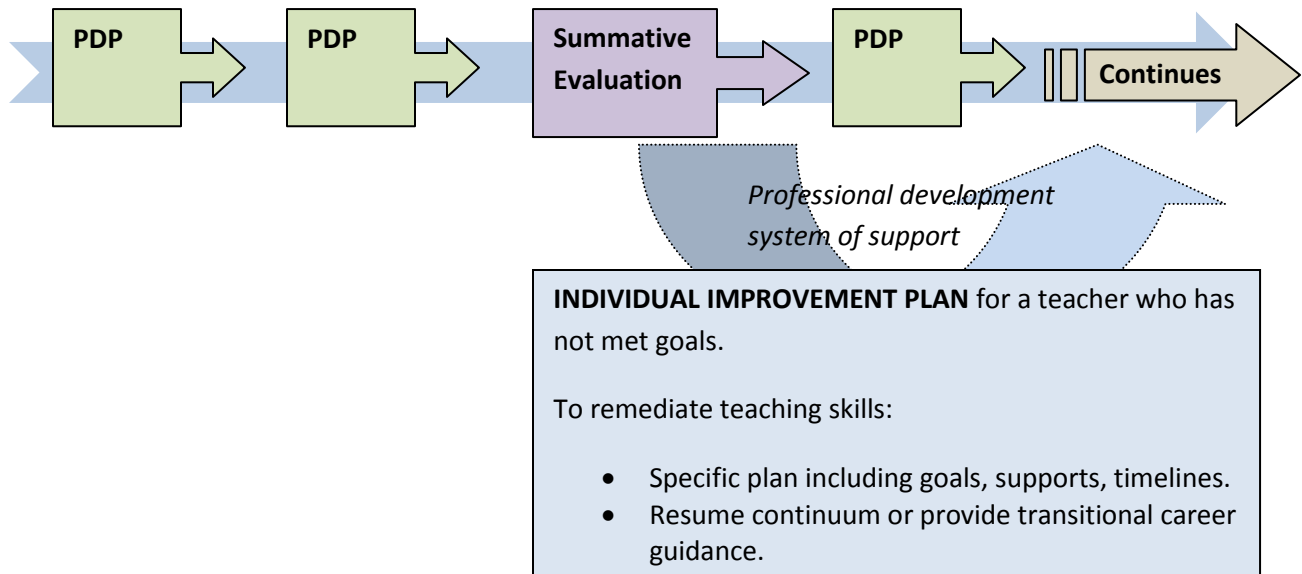
New teachers will also have an opportunity for exchanges with trained evaluators and coaches/mentors as they begin their practice. Details of a teacher’s probationary employment evaluation timelines are outlined in MS 122A.40/122A.41.

### **Professional Teacher Continuum**

Under the new mandates, continuing contract/tenured teachers must be evaluated annually. They must have a summative evaluation at least once every three years. Professional development including PLCs, trained peer reviewers, coaching/mentoring and the like must be available to them.

## Teacher Development and Evaluation Continuum

PEER ASSISTANCE AND REVIEW	SUMMATIVE EVALUATION
Negotiated agreement between local school board and exclusive representative of teachers or state model	
<p>To expand teaching skills:</p> <ul style="list-style-type: none"> <li>• Goals established in a Professional Development Plan (PDP)</li> <li>• Trained peer observer (mentor or coach)</li> <li>• PLC involvement</li> <li>• May include portfolio</li> </ul>	<ul style="list-style-type: none"> <li>• Trained evaluator</li> <li>• Ongoing PDP process, PLC, etc.</li> <li>• Observation likely to result in continuation along the continuum.</li> <li>• Improvement plan available for those few not meeting goals.</li> </ul>



If an individual teacher must attend to serious professional improvement, a detour from the three-year professional evaluation cycle may be taken. A realistic, clearly drafted and focused “improvement plan” must be designed to take the place of the annual PDP. The plan should include a clear articulation of goals, realistic timelines, and the supports available to the teacher. Most improvement plans will lead to new or enhanced professional skills and classroom application. The teacher successfully completing a directed improvement plan will re-enter the three-year continuum described above. Those who, in a reasonable time, cannot or will not work to obtain skills that enrich their professional practice may receive transitional career guidance.

Local school boards and exclusive representatives are greatly challenged by limited resources to support the number of the provisions of the legislated mandate, e.g. staff development funds, coaching/mentoring resources, specialized training, need of schedule flexibility. Funding and time (human resources) must be provided for these new mandates. Teaching and learning is a complex endeavor and requires thoughtful planning and adequate support.

A detailed and thoroughly vetted cost analysis must be conducted in order to be sure that adequate money and other resources are provided so the teacher evaluation system can be implemented properly.

Appropriate checks and balances must be in place to ensure the system is implemented consistently and with fidelity.

*B. Value-added assessment*

The ProAC committee identified several issues in the elements of the law that deal with measurement. The statute requires that an annual teacher evaluation process “must use an agreed upon teacher value-added assessment model for the grade levels and subject areas for which value-added data are available and establish state or local measures of student growth for the grade levels and subject areas for which value-added data are not available as a basis for 35 percent of teacher evaluation results.” The members’ concerns fall into four categories:

**1. The use of standardized tests scores for teacher evaluation and employment decisions is not valid.**

Teachers agree that student performance data is an important tool for instructional decision-making, but it should not be used for high stakes employment decisions. Standardized achievement tests are designed to measure student performance, not teacher effectiveness.

There is often a lack of alignment between the content assessed by a standardized test and the teaching assignment of a particular teacher. Assessments often address curriculum taught over multiple years by multiple teachers. In addition, testing schedules often do not align with the schedule for curriculum delivery.

There are flaws in the design of many of the standardized tests currently in use in Minnesota schools, particularly the Minnesota Comprehensive Assessments (MCA’s). Flawed assessments should not be used as part of an employment evaluation.

This requirement will place even more emphasis on standardized testing in Minnesota schools, narrowing the curriculum and appropriating too much time from student instruction. Increasing reliance on standardized tests when student learning and growth cannot be fully assessed through such means for all students is ill advised.

**2. The majority of teachers work in subjects for which there is no state-wide standardized assessment.**

Applying a one-size-fits-all approach to the use of standardized testing in teacher evaluation is problematic for a number of reasons. First, required tests are not in place for all teaching areas; in fact, state tests address only about 30% of the teachers in the state. Certainly tests like the NWEA, which has been adopted by many Minnesota school districts, provide data on more than just a few subject areas, but there are still many areas left out, such as social studies, music, art, physical education, vocational education, and more. Also, numerous complexities are introduced by mixed teaching assignments, team teaching, and student mobility, not to mention questions about members who are not serving as classroom teachers, e.g. teachers on special assignment and “other school professionals.”

**3. Value-added does not provide for factors beyond the control of the teacher.**

Value-added methods provide consideration of some but certainly not all of the factors that affect student learning. The value-added statistical methods can account only for data that is collected systematically, such as information on race/ethnicity, language status, and eligibility for free or reduced-price lunch. There are numerous additional factors that affect student learning for which no data exist, for example physical or mental illness, families in crisis, peer effects on learning, and class size.

**4. Value-added is an emerging but not yet mature statistical method; while worth exploring, it is premature to adopt it as a system-wide measure for making high-stakes employment decisions.**

Although the use of value-added methods represent an advancement in the ability of statisticians to calculate the influences on student achievement as measured by standardized tests, it is known that there is a lack of reliability in value-added scores. In other words, teachers’ value-added scores often vary from year to year. Until the methods for calculating value-added produce consistent results, we must move forward with great caution. In addition to the lack of reliability in value-added methods, there are several value-added models in existence, each of which is different from the other, resulting in different ratings for teachers and schools.

Since value-added methods are not proven to be reliable, and because understanding how to use student achievement data for instructional purposes is a critical skill for teachers today, it is more fitting to emphasize the skill of using the data, not the scores themselves.

Ultimately, members question the cost in time and resources that it would take to implement value-added component of the statute.



C. *Measuring Student Engagement and Connection*

Members cited several concerns about the provisions of the statute requiring longitudinal data, that is, data in which the same subject is observed on multiple occasions over time, on student engagement and connection as well as other areas related to the curriculum taught by a particular teacher. First, the meanings of the terms engagement and connection are not clear. What is meant by these two terms as they are used in the language of the statute? Does the language imply an emphasis on student motivation, connection to the curriculum being taught, connection to the community and its resources, personal connection with the teacher? What does an engaged and connected student look like?

Once the terms are defined, an evaluation system will need to be developed and implemented. Care will need to be taken when collecting information from students and families so that it does not become unintentionally detrimental to a specific educator.

To use longitudinal data, schools would need to have been collecting data on a particular skill or trait in order to determine how a given individual or group of individuals were developing the trait of engagement and connection over time. What particular measures are expected to be used to document engagement and connection? Are there baseline data now regarding engagement and connection?

Research will need to be conducted to find existing instruments that can be adapted for district needs or new methods will need to be developed that are flexible and efficient.

D. *Professional Learning Communities (PLC'S)*

The statute provides that teacher evaluation plans “must include having trained observers serve as peer coaches or having teachers participate in professional learning communities.” Members articulated three primary concerns regarding the implementation of professional learning communities by districts:

1. PLC's must be relevant and, to the extent possible, directed by teachers;
2. Districts and locals must carefully negotiate PLC time so that teachers are fully compensated and their preparation time is preserved, and
3. PLC's provide a structure for a new way of organizing teachers' work; they should not be an add-on to teacher workloads.

With the understanding that student learning improves when teachers have the opportunity for meaningful collaboration—to write common goals, design coherent lessons, share student work and create common assessments – teachers should be able to exercise flexibility and autonomy in designing and directing their work in PLC's. It is important that assignment to PLC's be relevant to the teacher's professional role, particularly for specialists. In addition, PLC time must be honored and must be focused on professional learning and growth.

E. *Peer Assistance and Review Process*

The statute further provides“...to improve student learning and success, a school board and an exclusive representative of the teachers in the district... may develop a teacher evaluation and peer review process for probationary teachers through joint agreement. ...The process must include having trained observers serve as peer coaches ...For the years when a tenured [non-probationary] teacher is not evaluated by a qualified and trained evaluator, the teacher must be evaluated by a peer review.” MS 122.41 Subd. 5 (a).

The first and most basic underpinning of the peer review process is that it is developmental. Designed to foster continuous improvement of all teachers, the locally negotiated system must begin and end with a professional development plan. The “review” offered by peers should feed and challenge the teacher and should be formative in its application. The process must take into account the realities of culture and budget present in the district and building and local in which teachers work.

It is necessary to define the term “trained observers”; this definition should include an understanding that those who observe teachers must have a broad base of preparation in effective instruction as well as solid content preparation. Consistent with this definition, provision should be made for observation of those teachers whose work is specialized and who may need to find trained observers within a region, especially in smaller districts.

What is the underlying understanding of peer review? It should be clear to all involved that peer review, especially in the case of non-probationary teachers, should consist of observations and feedback from a trained peer reviewer to be used for teacher growth and development. Peer coaching is an integral part of a peer review process. Peer review should help teachers identify ways they can continue to grow and improve their practice.

**Peer Assistance and Review**

PAR is a carefully negotiated and very specific process adopted by certain locals; it warrants consideration. Careful planning and an established culture of collaboration between districts and locals are key prerequisites for a successful program.

**Peer Coaching**

Peer coaching is a professional development strategy in which two or more professional colleagues work together to reflect on current practices; expand, refine and build new skills; share ideas; teach one another; conduct classroom research; or solve problems in the workplace.

Any peer review process should be one in which all teachers have had significant input to ensure engagement and acceptance. Training should include all licensed staff. The teachers should be involved in coaching one another under a procedure that ensures consistency. There should be a way for teachers to respond to any score or feedback they receive. Evaluators should be highly trained and demonstrate their ability to back up their scores or assertions with examples and other data.

#### *F. Mentoring and Induction Programs*

Formal, reliable and consistent mentoring and induction programs are needed for all beginning teachers. Some districts provide comprehensive programs for their beginning teachers, complete with consistent, ongoing, research-based professional development and regular meetings with well-trained mentors. In other districts, beginning teachers receive little more than a tour of the building and an invitation to stop by and see their mentors if questions come up. A quality mentoring and induction experience can set the stage for a career of continuous improvement, for teachers whose lifelong learning serves as an inspiration to their colleagues and an example to their students.

In order to attract and retain high quality educators, districts must offer them consistent support, encouragement and guidance. Motivated mentors with adequate time to devote to their new colleagues can help improve the quality of instruction for the new teachers and can help ensure the stability of the teaching work force.

#### *G. Portfolio or Electronic Folio Option*

A portfolio or electronic folio consisting of a variety of artifacts serves to show evidence of teacher growth, demonstrates teachers' versatility in providing differentiated instruction for the students in their classes, and serves as a source for reflection and improving practice through examination of data collected from student work, assessment data. Portfolios serve as invaluable tools for teachers' connections to students and their families and for teachers' self-directed professional development. Teachers should strategically and carefully select the pieces that go into a submitted portfolio, taking care to separate their ongoing developmental work product from items that are appropriately used for a review process.

### **III. Recommendations**

#### *A. To the Legislature*

1. Eliminate the language in the teacher evaluation statute requiring that 35% of a teacher's evaluation score be based on value-added measures. At the very least, the percentage should be reduced substantially.
2. If the language remains requiring that 35% of the score be based on student achievement data, this calculation should be based on how teachers utilize data from their own classrooms to inform and improve instruction.
3. Fund high quality teacher induction and mentoring programs for all beginning teachers in the state based on guidance provided by the Minnesota Board of Teaching (BOT).
4. Establish a valid and effective teacher evaluation system grounded in the research base and focused on teacher growth and student learning.

5. Charge MDE to analyze and report on the costs of implementing a quality teacher evaluation process that includes peer review. Provide sufficient financial and human resources for mandates imposed. Fund and reinstate the two percent set-aside for professional development.
6. Provide districts flexibility to select and develop formative and summative student assessments to meet local needs in all grade levels and content areas as well as in special education.

*B. To the Minnesota Department of Education (MDE)*

1. Evaluate and report the costs to local school districts of developing the required measures for implementing the value-added and student engagement portions of the law as well as maintaining related data systems and the costs of peer review.
2. Issue a research-based reference to districts that outlines the characteristics of effective PLC's in general.
3. Address the needs of small school districts in sparsely populated areas as well as districts in larger towns and cities.
4. Address the professional evaluation needs of those teachers who are not responsible for direct instruction.
5. Adopt the Learning Forward (formerly National Staff Development Council) standards for quality professional development.

*C. To Education Minnesota*

1. Provide several professional development-based matrices to use for evaluation to give teachers guidance for growth so that locals can select and negotiate a matrix to use for effective educator development.
2. Collect and disseminate samples of the practices of effective PLC's serving a wide variety of locals regardless of their size or location as part of a larger database of effective teacher evaluation to serve as a resource for locals.
3. Create a set of tools for local leaders and members including checklists, references, successful professional development plan frameworks, etc. Include clear definitions. The tool kit should include:
  - Sample bargaining language on effective Peer Assistance and Review (PAR) language, to include clear definitions of all terms and appropriate distinctions among the relevant terms of art.
  - Minnesota Standards for Teachers (8710).
  - A reference for peer assistance and review that may be used in training.
  - Teacher rights resources specific to the evaluation process.
  - The essentials of "improvement plans" and related procedures.

- Models of various NEA and AFT research-based practices that contribute to effective schools.
4. Expand local leadership to strengthen the role of education issues contacts, and integrate their roles with those of their executive committee, especially the negotiators, membership chairs, and member rights representatives.
  5. Provide training to membership in portfolio, reflection and peer review.

#### *D. To Locals*

1. Negotiate appropriate contract language to ensure that educators are fairly compensated for their time and that preparation time is preserved.
2. Negotiate language giving teachers autonomy in selecting their PLC's and in directing their work.
3. Create a peer review process with an emphasis on professional development.
4. Investigate the use of portfolios and electronic folios as a basis for teacher development and evaluation.
5. Negotiate a process for the use of professional development funds in the contract.

### **IV. Resources**

The ProAC Committee considered several reports and other resources in examining the issue of teacher development and evaluation. The list below includes selected materials considered by the committee as well as other useful resources that provide background on the issues discussed by the committee.

American Federation of Teachers (2011). *A Guide for Developing Multiple Measures for Teacher Development and Evaluation*. Available at:  
<http://www.educationminnesota.org/issues.aspx>

Baker, E.L., et al. (2010). Problems with the Use of Student Test Scores to Evaluate Teachers. *EPI Briefing Paper #278*, Economic Policy Institute. Retrieved from:  
<http://www.epi.org/publication/bp278/>.

Education Minnesota (2010). *2010-2011 ProAC Report on Teacher Development and Evaluation*. Available at:  
[http://www.educationminnesota.org/\\_Utility/Search.aspx?keyword=ProAc%20teacher%20Evaluation](http://www.educationminnesota.org/_Utility/Search.aspx?keyword=ProAc%20teacher%20Evaluation)

Foley Professional Growth and Evaluation (2011). Available at:  
<http://www.educationminnesota.org/issues.aspx>

Goe, L., Bell, C., Little, O. (2008). *Approaches to Evaluating Teacher Effectiveness: A Research Synthesis*. National Comprehensive Center for Teacher Quality, Washington, D.C. Retrieved from: <http://www.tqsource.org/publications/EvaluatingTeachEffectiveness.pdf>.

Hord, S. M., Roussin, J. L., and Sommers, W. A. (2009). *Guiding Professional Learning Communities: Inspiration, Challenge, Surprise, and Meaning*. Corwin Press, Thousand Oaks, CA.

Kahlenberg, R. D. (2007). Peer Assistance and Review, *American Educator*, American Federation of Teachers, Fall 2007.

Kruse, S. D. and Louis, K. S. (2008). *Building Strong School Cultures: A Guide to Leading Change*. Corwin Press, Thousand Oaks, CA.

Minnesota Administrative Rules, Chapter 8710. Retrieved from: <https://www.revisor.mn.gov/rules/?id=8710>

Minnesota's Teacher Evaluation Law. Retrieved from: <https://www.revisor.mn.gov/statutes/?id=122A.40>; <https://www.revisor.mn.gov/statutes/?id=122A.41>

National Education Association (2011 July). *Policy Statement on Teacher Evaluation and Accountability*. Retrieved from: <http://www.nea.org/grants/46326.htm>.

Neill, M. (2011). Student Test Scores: An Inaccurate Way to Judge Teachers. *FairTest – National Center for Fair & Open Testing*. Retrieved from: [http://www.fairtest.org/sites/default/files/Student\\_Test\\_Scores\\_dangerous\\_way\\_to\\_evaluate\\_teachers\\_-\\_4-24-11.pdf](http://www.fairtest.org/sites/default/files/Student_Test_Scores_dangerous_way_to_evaluate_teachers_-_4-24-11.pdf).

New York State United Teachers (NYSUT) (2011). *NYSUT Teacher Development and Evaluation Handbook: An integrated system for advancing teacher growth and student learning, developed by labor/management Innovation Initiative Teams*. Retrieved from: [http://www.nysut.org/files/TED\\_Handbook.pdf](http://www.nysut.org/files/TED_Handbook.pdf).

Teacher Support Partnership (2009). *Minnesota Educator Induction Guidelines*. Retrieved from: <http://teachersupportpartnershipmn.org/pdf/TSP%20guidelines%20final%203%2031%2009.pdf>.

U.S. Department of Education (2011). *A New Compact for Student Success: The Principles of Student-Centered Labor-Management Relationships*. Retrieved from: <http://www.ed.gov/labor-management-collaboration/conference/compact>.

Value-Added Research Center, University of Wisconsin-Madison (2011). *Oak Tree Analogy* (A resource for understanding value-added methodology). Retrieved from: <http://varc.wceruw.org/tutorials/Oak/index.htm>.