



Aligning Teacher Evaluation Programs (ATEP)

The Minnesota state legislature amended the language on teacher development and evaluation (TDE) and the Alternative Teacher Professional Pay System (ATPPS) (commonly known as QComp). The amendments align the two programs, capitalizing on the best elements of both. Also, \$10M in funding is provided to non-QComp districts and charter schools for implementation of TDE.

Guidance

- **For all locals:**
 - Review your local TDE plan to determine what changes need to be made in order to align with the new requirements.
 - Work with your TDE design team and district to make necessary changes.
 - If necessary, amend your TDE joint agreement.
 - Note: The new statutory requirements on TDE must be in place *by the start of the 2014-15 school year*.
- **For ATPPS/QComp locals:**
 - Review your local ATPPS/QComp plan to determine what changes need to be made in order to align with the new requirements.
 - Work with your district to make necessary changes.
 - Note: The new statutory requirements do not take effect until *August 1, 2015*.

Following are the statutory changes on TDE for all districts, along with questions to consider in addressing the changes at the local level. Note that the changes to TDE requirements must be in place by the start of the 2014-15 school year.

- The new language removes professional learning communities (PLCs) as a requirement in TDE and instead allows the option of “job-embedded learning opportunities such as professional learning communities.”
Q: Does your TDE plan include PLCs? If so, do you wish to reconsider including PLCs in your plan?
Q: Does your TDE team wish to consider a model of job-embedded learning opportunities that differs from the PLC model?
- The law now mandates that training for summative evaluators be specific to TDE.
Q: In your TDE plan, is the training for summative evaluators based on effective best practices, specific to teacher development and evaluation?
- The language on peer review was amended to protect the notes shared between a teacher and his or her peer reviewer/coach. “Observation and interview notes” shared between the peer coach and the teacher may only be disclosed to others in the district with the consent of the teacher.
Q: How does your plan document interactions between the peer reviewer and the teacher?
Q: Do you need to consider redesigning forms or protocols in light of the new language protecting the notes shared between the peer coach and the teacher?
- The requirement for longitudinal data on student engagement and connection has been modified to include references to “academic literacy, oral academic language, and achievement of content areas of English learners”
Q: Does the data that informs student engagement in your TDE plan include data on all students, including English learners?
Q: Do you need to modify your plan so that measures of literacy and language for English learners are included?
- The requirement that 35% of a teacher’s evaluation be based on measures of student growth has been amended to include measures of literacy.
Q: Does your TDE plan already include measures of literacy among the student growth measures that make up 35% of the evaluation?
Q: Do you need to modify your plan so that literacy is included among the measures of student growth for each teacher?

Changes that affect ATPPS/QComp districts include the following. Note that these changes take effect August 1, 2015.

- The new language modifies the ATPPS/QComp student achievement requirement to align with the student growth requirement in TDE. Specifically, the ATPPS/QComp requirement to include “measures of student *achievement*” has been changed to “measures of student *growth and literacy*” as required in TDE.

Q: Measures of student growth demonstrate the academic growth of students between two points in time. Does your plan include growth measures?

Q: Do you need to revise your plan to include measures of student growth?

Q: The addition of the term literacy within this requirement is new for both TDE and ATPPS/QComp. Does your plan include measures of literacy?

Q: Do you need to modify your plan so that literacy is included among the measures of student growth for each teacher?

- In addition to the above, the language requiring measures of student growth and literacy (formerly student achievement) has been amended to include “academic literacy, oral academic language, and achievement of English learners.”

Q: Does your plan address growth in academic literacy and language for English learners? If not, what adjustments need to be made to meet the new requirement?

- The law now aligns the ATPPS/QComp observation requirements with those in TDE, specifically referring to the TDE language requiring a three-year professional review cycle, an individual growth and development plan, a peer review process, and a summative evaluation at least once every three years.

Q: Does your ATPPS/QComp plan align with the above TDE requirements?

Q: What adjustments need to be made to ensure alignment?

- The new statutory language adds a requirement for “job-embedded learning opportunities such as professional learning communities” to ATPPS/QComp plans.

Q: Does your ATPPS/QComp plan include PLCs or another form of job-embedded learning opportunities for teachers? If not, what adjustments need to be made to meet the new requirement?

Statutory Language

Following is the statutory language on teacher development and evaluation in both 122A.40 and 122A.41. Language that is underscored is new language, while language that is struck has been removed from the statute. Later in this document you will find the amended ATPPS/QComp language, 122A.414.

122A.40

Subd. 8. **Development, evaluation, and peer coaching for continuing contract teachers.** (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), may develop a teacher evaluation and peer review process for probationary and continuing contract teachers through joint agreement. If a school board and the exclusive representative of the teachers do not agree to an annual teacher evaluation and peer review process, then the school board and the exclusive representative of the teachers must implement the state teacher evaluation plan for evaluation and review under paragraph (c). The process must include having trained observers serve as peer coaches or having teachers participate in professional learning communities, consistent with paragraph (b).

(b) To develop, improve, and support qualified teachers and effective teaching practices and improve student learning and success, the annual evaluation process for teachers:

- (1) must, for probationary teachers, provide for all evaluations required under subdivision 5;
- (2) must establish a three-year professional review cycle for each teacher that includes an individual growth and development plan, a peer review process, ~~the opportunity to participate in a professional learning community under paragraph (a),~~ and at least one summative evaluation performed by a qualified and trained evaluator such as a school administrator. For the years when a tenured teacher is not evaluated by a qualified and trained evaluator, the teacher must be evaluated by a peer review;
- (3) must be based on professional teaching standards established in rule;
- (4) must coordinate staff development activities under sections 122A.60 and 122A.61 with this evaluation process and teachers' evaluation outcomes;
- (5) may provide time during the school day and school year for peer coaching and teacher collaboration;
- (6) may include job-embedded learning opportunities such as professional learning communities;
- (7) may include mentoring and induction programs;
- ~~(7)~~ (8) must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;
- ~~(8)~~ (9) must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth and literacy that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;
- ~~(9)~~ (10) must 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, including academic literacy, oral academic

language, and achievement of content areas of English learners;;

~~(10)~~ (11) must require qualified and trained evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective evaluator training specific to teacher development and evaluation;

~~(11)~~ (12) must give teachers not meeting professional teaching standards under clauses (3) through ~~(10)~~ (11) support to improve through a teacher improvement process that includes established goals and timelines; and

~~(12)~~ (13) must discipline a teacher for not making adequate progress in the teacher improvement process under clause ~~(11)~~ (12) that may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator determines is appropriate.

Data on individual teachers generated under this subdivision are personnel data under section 13.43. The observation and interview notes of peer coaches may only be disclosed to other school officials with the consent of the teacher being coached.

(c) The department, in consultation with parents who may represent parent organizations and teacher and administrator representatives appointed by their respective organizations, representing the Board of Teaching, the Minnesota Association of School Administrators, the Minnesota School Boards Association, the Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and representatives of the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with research expertise in teacher evaluation, must create and publish a teacher evaluation process that complies with the requirements in paragraph (b) and applies to all teachers under this section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher evaluation and peer review process. The teacher evaluation process created under this subdivision does not create additional due process rights for probationary teachers under subdivision 5.

EFFECTIVE DATE. This section is effective for the 2014-2015 school year and later.

122A.41 (for cities of the first class)

Subd. 5. **Development, evaluation, and peer coaching for continuing contract teachers.** (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), may develop an annual teacher evaluation and peer review process for probationary and nonprobationary teachers through joint agreement. If a school board and the exclusive representative of the teachers in the district do not agree to an annual teacher evaluation and peer review process, then the school board and the exclusive representative of the teachers must implement the state teacher evaluation plan for evaluation and review developed under paragraph (c). The process must include having trained observers serve as peer coaches or having teachers participate in professional learning communities, consistent with paragraph (b).

(b) To develop, improve, and support qualified teachers and effective teaching practices and improve student learning and success, the annual evaluation process for teachers:

(1) must, for probationary teachers, provide for all evaluations required under subdivision 2;

(2) must establish a three-year professional review cycle for each teacher that includes an individual growth and development plan, a peer review process, ~~the opportunity to participate in a professional learning community under paragraph (a),~~ and at least one summative evaluation performed by a qualified and trained evaluator such as a school administrator;

(3) must be based on professional teaching standards established in rule;

(4) must coordinate staff development activities under sections 122A.60 and 122A.61 with this evaluation process and teachers' evaluation outcomes;

(5) may provide time during the school day and school year for peer coaching and teacher collaboration;

(6) may include job-embedded learning opportunities such as professional learning communities;

(7) may include mentoring and induction programs;

~~(7)~~ (8) must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;

~~(8)~~ (9) must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth and literacy that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;

~~(9)~~ (10) must 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, including academic literacy, oral academic language, and achievement of English learners;

~~(10)~~ (11) must require qualified and trained evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective evaluator training specific to teacher development and

evaluation;

~~(11)~~ (12) must give teachers not meeting professional teaching standards under clauses (3) through ~~(10)~~ (11) support to improve through a teacher improvement process that includes established goals and timelines; and

~~(12)~~ (13) must discipline a teacher for not making adequate progress in the teacher improvement process under clause ~~(11)~~ (12) that may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator determines is appropriate.

Data on individual teachers generated under this subdivision are personnel data under section 13.43. The observation and interview notes of peer coaches may only be disclosed to other school officials with the consent of the teacher being coached.

(c) The department, in consultation with parents who may represent parent organizations and teacher and administrator representatives appointed by their respective organizations, representing the Board of Teaching, the Minnesota Association of School Administrators, the Minnesota School Boards Association, the Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and representatives of the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with research expertise in teacher evaluation, must create and publish a teacher evaluation process that complies with the requirements in paragraph (b) and applies to all teachers under this section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher evaluation and peer review process. The teacher evaluation process created under this subdivision does not create additional due process rights for probationary teachers under subdivision 2.

EFFECTIVE DATE. This section is effective for the 2014-2015 school year and later.

122A.414

Subd. 2. **Alternative teacher professional pay system.** (a) To participate in this program, a school district, intermediate school district, school site, or charter school must have an educational improvement plan under section 122A.413 and an alternative teacher professional pay system agreement under paragraph (b). A charter school participant also must comply with subdivision 2a.

(b) The alternative teacher professional pay system agreement must:

(1) describe how teachers can achieve career advancement and additional compensation;

(2) describe how the school district, intermediate school district, school site, or charter school will provide teachers with career advancement options that allow teachers to retain primary roles in student instruction and facilitate site-focused professional development that helps other teachers improve their skills;

(3) reform the "steps and lanes" salary schedule, prevent any teacher's compensation paid before implementing the pay system from being reduced as a result of participating in this system, and base at least 60 percent of any compensation increase on teacher performance using:

(i) schoolwide student achievement gains under section 120B.35 or locally selected standardized assessment outcomes, or both;

(ii) measures of student achievement growth and literacy that may include value-added models or student learning goals, consistent with section 122A.40, subdivision 8, clause (9), or 122A.41, subdivision 5, clause (9), and other measures that include the academic literacy, oral academic language, and achievement of English learners under section 122A.40, subdivision 8, clause (10), or 122A.41, subdivision 5, clause (10); and

(iii) an objective evaluation program that includes under section 122A.40, subdivision 8, paragraph (b), clause (2), or 122A.41, subdivision 5, paragraph (b), clause (2):

(A) individual teacher evaluations aligned with the educational improvement plan under section 122A.413 and the staff development plan under section 122A.60; and

(B) objective evaluations using multiple criteria conducted by a locally selected and periodically trained evaluation team that understands teaching and learning;

(4) provide integrated ongoing site-based professional development activities for participation in job-embedded learning opportunities such as professional learning communities to improve instructional skills and learning that are aligned with student needs under section 122A.413, consistent with the staff development plan under section 122A.60 and led during the school day by trained teacher leaders such as master or mentor teachers;

(5) allow any teacher in a participating school district, intermediate school district, school site, or charter school that implements an alternative pay system to participate in that system without any quota or other limit; and

(6) encourage collaboration rather than competition among teachers.

EFFECTIVE DATE. The amendments made by this section are effective for agreements approved after August 1, 2015.