

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1263

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 8 and 9, strike “certain guidance and instruction and”; and in line 17, strike “establishing” and substitute “to establish certain”.

On pages 1 and 2, strike beginning with “for” in line 17 on page 1 down through “funds” in line 6 on page 2 and substitute “that include certain provisions; requiring certain employees to be tenured under certain circumstances; authorizing certain local school systems to extend a certain probationary period for certain employees under certain circumstances; requiring certain county boards to establish certain performance evaluation criteria that are mutually agreed upon by certain local school systems and certain exclusive employee representatives for certain teachers and principals based on certain standards; requiring certain performance evaluation criteria to include certain data as a certain component of the evaluation; requiring that a certain component of an evaluation be one of multiple measures; prohibiting certain performance evaluation criteria from being based solely on certain examinations or assessments; authorizing the use of certain examinations or assessments as one of certain measures; requiring the State Board to establish a certain program to support certain incentives for certain teachers and principals that may include certain elements; restricting certain use of Race to the Top grant funds for certain purposes; requiring the State Board to adopt certain guidelines to implement a certain program; authorizing the award of certain stipends in certain years to be based on obtainment of National Board Certification”.

AMENDMENT NO. 2

On page 3, in line 13, strike “SUBJECT TO” and substitute “EXCEPT AS PROVIDED IN”; in the same line, strike “(2)” and substitute “(3)”; and strike beginning with “AT” in line 31 down through “POINT” in line 32.

(Over)

On page 4, in line 4, strike "ANY" and substitute "A".

AMENDMENT NO. 3

On page 4, in line 28, after "(II)" insert "1."; and strike beginning with ", INCLUDING" in line 29 down through "MENTORED." in line 31 and substitute "THAT REQUIRE MENTORING TO BE PROVIDED AT LEAST 90 DAYS IN ADVANCE OF AN ADVERSE ACTION BEING TAKEN AGAINST AN EMPLOYEE THAT RELATES TO INCOMPETENCE OR OTHER INSTRUCTION-RELATED ISSUES."

2. THE REGULATIONS ADOPTED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL INCLUDE PROVISIONS TO ENSURE THAT MENTORS PROVIDE MENTORING THAT:

- A. IS FOCUSED;
- B. IS SYSTEMATIC;
- C. IS ONGOING;
- D. IS OF HIGH QUALITY;
- E. IS GEARED TO THE NEEDS OF EACH EMPLOYEE BEING MENTORED;
- F. INCLUDES OBSERVATIONS; AND
- G. INCLUDES FEEDBACK."

AMENDMENT NO. 4

On page 5, in line 4, strike "MEASURED" and substitute "ASSESSED"; in the same line, strike "CRITERIA" and substitute "MEASURES"; and strike in their entirety lines 6 through 20, inclusive, and substitute:

"(2) THE STATE BOARD SHALL ADOPT REGULATIONS THAT ESTABLISH GENERAL STANDARDS FOR PERFORMANCE EVALUATIONS FOR CERTIFICATED TEACHERS AND PRINCIPALS THAT INCLUDE OBSERVATIONS, CLEAR STANDARDS, RIGOR, AND CLAIMS AND EVIDENCE OF OBSERVED INSTRUCTION.

(3) A COUNTY BOARD SHALL ESTABLISH PERFORMANCE EVALUATION CRITERIA FOR CERTIFICATED TEACHERS AND PRINCIPALS IN THE LOCAL SCHOOL SYSTEM BASED ON THE GENERAL STANDARDS ADOPTED UNDER PARAGRAPH (2) OF THIS SUBSECTION THAT ARE MUTUALLY AGREED ON BY THE LOCAL SCHOOL SYSTEM AND THE EXCLUSIVE EMPLOYEE REPRESENTATIVE.

(4) THE PERFORMANCE EVALUATION CRITERIA DEVELOPED UNDER PARAGRAPH (3) OF THIS SUBSECTION:

(i) SHALL INCLUDE DATA ON STUDENT GROWTH AS A SIGNIFICANT COMPONENT OF THE EVALUATION AND AS ONE OF MULTIPLE MEASURES; AND

(ii) MAY NOT BE BASED SOLELY ON AN EXISTING OR NEWLY CREATED SINGLE EXAMINATION OR ASSESSMENT.

(5) AN EXISTING OR NEWLY CREATED SINGLE EXAMINATION OR ASSESSMENT MAY BE USED AS ONE OF THE MULTIPLE MEASURES."

(Over)

AMENDMENT NO. 5

On page 5, in line 23, after “GRANT” insert “FUNDS”; and in the same line, after “MEANS” insert “FEDERAL MONEY AWARDED TO THE STATE IN RESPONSE TO”.

On pages 5 and 6, strike in their entirety the lines beginning with line 34 on page 5 through line 3 on page 6, inclusive, and substitute:

“(II) 1. THE STATE BOARD SHALL ESTABLISH A PROGRAM TO SUPPORT LOCALLY NEGOTIATED INCENTIVES FOR HIGHLY EFFECTIVE CLASSROOM TEACHERS AND PRINCIPALS TO WORK IN PUBLIC SCHOOLS THAT ARE CATEGORIZED AS TITLE I SCHOOLS OR HAVE A LOCALLY DETERMINED PERCENTAGE OF STUDENTS WHO RECEIVE FREE AND REDUCED PRICE MEALS.

2. THE PROGRAM ESTABLISHED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH MAY INCLUDE:

A. OFFERING GROUP INCENTIVES IN ORDER TO ATTRACT A CRITICAL MASS OF HIGHLY EFFECTIVE TEACHERS;

B. REQUIRING THE REPLACEMENT OF CURRENT PRINCIPALS WITH HIGHLY EFFECTIVE PRINCIPALS;

C. DETERMINING THE SIZE OF THE STIPEND FROM DATA AND SUCCESSFUL PROGRAMS PROVEN TO WORK; AND

D. BASING STIPENDS ON PROVEN SKILLS OF THE TEACHER OR PRINCIPAL INCLUDING KNOWLEDGE, SKILLS, AND RESPONSIBILITIES.

(III) RACE TO THE TOP GRANT FUNDS MAY BE USED ONLY TO FUND INCENTIVES PROVIDED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH FOR HIGHLY EFFECTIVE CLASSROOM TEACHERS AND PRINCIPALS TO WORK IN PUBLIC SCHOOLS THAT ARE IN IMPROVEMENT, CORRECTIVE ACTION, OR RESTRUCTURING.

(IV) 1. THE STATE BOARD SHALL ADOPT GUIDELINES TO IMPLEMENT THIS PARAGRAPH.

2. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO PROHIBIT A LOCAL SCHOOL SYSTEM FROM EMPLOYING MORE STRINGENT STANDARDS THAN THE GUIDELINES ADOPTED UNDER THIS SUBPARAGRAPH.

SECTION 2. AND BE IT FURTHER ENACTED, That during the 2010 – 2011 and 2011 – 2012 school years, stipends awarded under § 6–306(b)(5) of the Education Article may be based on whether the teacher has obtained certification by the National Board for Professional Teaching Standards.”;

and in lines 4 and 8, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively.