

# SENATE BILL 676

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By: **Senator King**

Introduced and read first time: January 31, 2014

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Teachers and Principals – Performance Evaluation Criteria – Use of Student**  
3 **Growth Data**

4 FOR the purpose of renaming certain model performance evaluation criteria;  
5 prohibiting certain performance evaluation criteria from requiring the use of  
6 certain student growth data before a certain year; prohibiting a county board of  
7 education from being required to adopt certain model performance evaluation  
8 criteria; and generally relating to the use of student growth data in performance  
9 evaluation criteria.

10 BY repealing and reenacting, with amendments,  
11 Article – Education  
12 Section 6–202(c)  
13 Annotated Code of Maryland  
14 (2008 Replacement Volume and 2013 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Education**

18 6–202.

19 (c) (1) In this subsection, “student growth” means student progress  
20 assessed by multiple measures and from a clearly articulated baseline to one or more  
21 points in time.

22 (2) (i) Subject to subparagraph (iii) of this paragraph, the State  
23 Board shall adopt regulations that establish general standards for performance  
24 evaluations for certificated teachers and principals that include observations, clear  
25 standards, rigor, and claims and evidence of observed instruction.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) The regulations adopted under subparagraph (i) of this  
2 paragraph shall include **DEFAULT** model performance evaluation criteria.

3 (iii) Before the proposal of the regulations required under this  
4 paragraph, the State Board shall solicit information and recommendations from each  
5 local school system and convene a meeting wherein this information and these  
6 recommendations are discussed and considered.

7 (3) Subject to paragraph (6) of this subsection:

8 (i) A county board shall establish performance evaluation  
9 criteria for certificated teachers and principals in the local school system based on the  
10 general standards adopted under paragraph (2) of this subsection that are mutually  
11 agreed on by the local school system and the exclusive employee representative.

12 (ii) Nothing in this paragraph shall be construed to require  
13 mutual agreement under subparagraph (i) of this paragraph to be governed by  
14 Subtitles 4 and 5 of this title.

15 (4) **[The] SUBJECT TO PARAGRAPH (7) OF THIS SUBSECTION, THE**  
16 **performance evaluation criteria developed under paragraph (3) of this subsection:**

17 (i) Shall include data on student growth as a significant  
18 component of the evaluation and as one of multiple measures; and

19 (ii) May not be based solely on an existing or newly created  
20 single examination or assessment.

21 (5) (i) An existing or newly created single examination or  
22 assessment may be used as one of the multiple measures.

23 (ii) No single criterion shall account for more than 35% of the  
24 total performance evaluation criteria.

25 (6) If a local school system and the exclusive employee representative  
26 fail to mutually agree under paragraph (3) of this subsection, the **DEFAULT** model  
27 performance evaluation criteria adopted by the State Board under paragraph (2)(ii) of  
28 this subsection shall take effect in the local jurisdiction 6 months following the final  
29 adoption of the regulations.

30 **(7) ANY PERFORMANCE EVALUATION CRITERIA DEVELOPED**  
31 **UNDER THIS SUBSECTION MAY NOT REQUIRE STUDENT GROWTH DATA BASED**  
32 **ON STATE ASSESSMENTS TO BE USED TO MAKE PERSONNEL DECISIONS BEFORE**  
33 **THE 2016–2017 SCHOOL YEAR.**

1                   **(8) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO**  
2 **REQUIRE A COUNTY BOARD TO ADOPT THE DEFAULT MODEL PERFORMANCE**  
3 **EVALUATION CRITERIA DEVELOPED UNDER PARAGRAPH (2)(II) OF THIS**  
4 **SUBSECTION.**

5                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 June 1, 2014.