

SENATE BILL 775

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By: **Senators King, Madaleno, Manno, Pinsky, and Young**

Introduced and read first time: February 1, 2013

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Model Performance Evaluation Criteria – Implementation**

3 FOR the purpose of prohibiting the State Board of Education from requiring a certain
4 model performance evaluation criteria to take effect unless certain conditions
5 are met; and generally relating to the model performance evaluation criteria
6 adopted by the State Board.

7 BY repealing and reenacting, with amendments,
8 Article – Education
9 Section 6–202(c)
10 Annotated Code of Maryland
11 (2008 Replacement Volume and 2012 Supplement)

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

14 **Article – Education**

15 6–202.

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

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

23 (ii) The regulations adopted under subparagraph (i) of this
24 paragraph shall include model performance evaluation criteria.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

13 (4) The performance evaluation criteria developed under paragraph
14 (3) of this subsection:

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

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

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

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

23 (6) If a local school system and the exclusive employee representative
24 fail to mutually agree under paragraph (3) of this subsection, **AND SUBJECT TO**
25 **PARAGRAPH (7) OF THIS SUBSECTION**, the model performance evaluation criteria
26 adopted by the State Board under paragraph (2)(ii) of this subsection shall take effect
27 in the local jurisdiction 6 months following the final adoption of the regulations.

28 (7) **NOTWITHSTANDING PARAGRAPH (6) OF THIS SUBSECTION,**
29 **THE STATE BOARD MAY NOT REQUIRE THE MODEL PERFORMANCE EVALUATION**
30 **CRITERIA ADOPTED UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION TO TAKE**
31 **EFFECT IN A LOCAL JURISDICTION UNLESS THE STATEWIDE ASSESSMENTS USED**
32 **IN THE CRITERIA ARE ALIGNED WITH:**

33 (I) **THE COMMON CORE STANDARDS; AND**

1 **(II) THE STATE CURRICULUM.**

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2013.