

HOUSE BILL 1167

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4lr2499
CF SB 911

By: **Delegates Hixson, Anderson, Barkley, Barve, Bates, Beitzel, Cane, Cardin, Conway, Cullison, DeBoy, Frick, Frush, Gaines, George, Glenn, Gutierrez, Guzzone, Haynes, Holmes, Howard, Hubbard, Ivey, Jones, Kaiser, Lafferty, Luedtke, A. Miller, Mitchell, Mizeur, Myers, Olszewski, Proctor, S. Robinson, Schulz, Serafini, Simmons, Sophocleus, Stukes, Summers, Swain, F. Turner, Vaughn, A. Washington, M. Washington, and Zucker**

Introduced and read first time: February 7, 2014

Assigned to: Ways and Means

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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

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

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

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

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

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

32 (6) If a local school system and the exclusive employee representative
33 fail to mutually agree under paragraph (3) of this subsection, the **DEFAULT** model
34 performance evaluation criteria adopted by the State Board under paragraph (2)(ii) of

1 this subsection shall take effect in the local jurisdiction 6 months following the final
2 adoption of the regulations.

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

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

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