

MONTGOMERY COUNTY BOARD OF EDUCATION  
Rockville, Maryland

April 17, 2012

MEMORANDUM

To: Members of the Board of Education

From: Laura M. Steinberg, Staff Assistant, Legislative and Inter-Governmental Relations

Subject: Update on Legislated Education Reform Initiatives

Education policy at both the national and state level is in a state of transition. A number of earlier initiatives have either reached a critical stage or have stalled. As a result, the discussions surrounding school reform legislation have become bogged down in the morass of an election season. Three critical reform elements are all currently in flux: *Elementary and Secondary Education Act of 1965*, Common Core State Standards (CCSS), and *Maryland Education Reform Act of 2010*. These initiatives, while separate, are nevertheless interrelated (Attachment A). Below is a snapshot of the status of each of the three.

***Elementary and Secondary Education Act of 1965 Waiver***

The *Elementary and Secondary Education Act of 1965* (ESEA), amended in 2001 by No Child Left Behind (NCLB), was scheduled for reauthorization in 2007. Despite several false starts, as of now, there is no clear timeline for the reauthorization in the near future. Therefore, President Barack Obama directed Secretary of Education Arne Duncan to provide states with flexibility regarding specific requirements of NCLB.

In a September 23, 2011, letter to the Chief State School Officers, Secretary Duncan acknowledges that NCLB has become a barrier to the innovative reform efforts in many states. His letter offered Chief State School Officers:

“the opportunity to request flexibility on behalf of your State, your Local Education Agency (LEAs), and your schools, in order to better focus on improving student learning and increasing the quality of instruction. This voluntary opportunity will provide educators and State and local leaders with flexibility regarding specific requirements of NCLB in exchange for rigorous and comprehensive State-developed plans designed to improve educational outcomes

for all students, close achievement gaps, increase equity, and improve the quality of instruction. This flexibility is intended to build on and support the significant State and local reform efforts already under way in critical areas such as transitioning to college- and career-ready standards and assessments; developing systems of differentiated recognition, accountability, and support; and evaluating and supporting teacher and principal effectiveness. Of course, programs and activities your SEA or LEAs have been implementing under NCLB that are increasing the quality of instruction and improving student academic achievement may be incorporated into your implementation of this flexibility.”

Last November, 11 states applied to have flexibility by the end of the 2011–2012 school year. A waiver was granted to all 11 states. Although New Mexico was originally rejected, the U.S. Department of Education (USDE) worked with them to modify the plan so that it would be acceptable.

In late January, the Maryland State Board of Education was provided an update on plans for Maryland’s waiver application (Attachment B). In late February, Maryland filed an application for a waiver from NCLB (<http://www.marylandpublicschools.org/MSDE/programs/esea/ESEA>). The application revises the NCLB accountability standards while addressing four required principles: Principle 1: College- and Career-Ready Expectations for All Students; Principle 2: State-Developed Differentiated Recognition, Accountability, and Support; Principle 3: Supporting Effective Instruction, and Leadership; and Principle 4: Reducing Duplication, and Unnecessary Burden. Under Principle 1, the application describes Maryland’s adoption of the CCSS, and role with the Partnership for Assessment of Readiness for College and Careers (PARCC). Under Principle 3, Supporting Effective Instruction and Leadership, the state seeks to incorporate the work of the Educator Effectiveness Council with this requirement. Principle 4, Reducing Duplication and Unnecessary Burden, states that Maryland will review and reprise its administrative requirements. The critical components of the waiver request are addressed in Principle 2.

Principle 2 proposes significant changes to Maryland’s accountability system as evidenced by the request to revise the Annual Measurable Objective (AMO) formula which now requires 100 percent of students to be proficient by the 2013–2014 school year. The requested formula sets the AMO in annual equal increments toward a goal of reducing by half the percentage of students in the “all students” group and in each of the subgroups who are not proficient within six years. The baseline would use current state assessments, as required by the USDE, with 2010–2011 proficiency rates being used for the AMO.

Among the key requests under Principle 2 are the following:

- School Choice and Supplemental Services no longer be required.
- School Improvement plans still required for all schools.
- Modified Maryland School Assessment (Mod-MSA) eliminated.

- The Maryland Performance Index, comprised of three components at each level, used to evaluate each school.
  - Elementary and Middle
    - Achievement—percentage of all students scoring proficient or advanced on the MSA in mathematics, reading, and science in Grades 3–8
    - Growth (Annual Individual Student Performance Growth)—percentage of all students and specific subgroups demonstrating growth in performance over the previous year
    - Gap Reduction—decrease in the performance gap between the highest and lowest performing subgroups
  - High School
    - Achievement—percentage of all students scoring proficient or advanced on High School Assessment in Algebra, Biology, and English in Grades 9–12
    - Gap Reduction—decrease in the performance gap between the highest and lowest performing subgroups
    - College and Career Readiness—cohort graduation rate, attendance, and career attainment (measured by the number of Career and Technology Education students who have achievement concentrator status at exit from high school in the reporting year)
- Priority and Focus school designation limited to Title I schools.
  - Priority Schools, identified as the five percent lowest achieving Title I schools in the state based on performance of all students, currently located in Prince George’s County and Baltimore City.
  - Focus Schools, identified by “gap analysis,” including some schools located in Montgomery County, are eligible to apply for supplemental funds for a three year period.

### **Common Core State Standards**

The Common Core State Standards (CCSS) in English language arts/content literacy and mathematics are the culmination of a broad-based effort by national experts to articulate standard expectations at grade levels or grade-level bands. The CCSS fulfill the charge issued by the states to create the next generation of K–12 standards to ensure that all students are college- and career-ready in English language arts/content literacy and mathematics no later than the end of high school. The authors describe the effort below:

“The CCSS, with development led by the Council of Chief State School Officers and the National Governors Association, builds on the foundation laid by states in their decades-long work on crafting high-quality education standards. The standards also draw on the most important international models as well as research and input from numerous sources, including state departments of education, scholars, assessment developers, professional organizations, educators from kindergarten through college, and parents, students, and other members of

the public. In their design and content, refined through successive drafts and numerous rounds of feedback, the standards represent a synthesis of the best elements of standards-related work to date and an important advance over previous work.”

In December 2010, the Montgomery County Board of Education unanimously approved the Elementary Integrated Curriculum (EIC) Framework, which incorporates the CCSS for English language arts and mathematics in Grades K–5. In December 2011, the Board approved the Secondary English Language Arts/Content Literacy and Mathematics Curriculum Frameworks, which fully incorporate the CCSS for Grades 6–12.

In order to address the need for assessments aligned with the CCSS, the Partnership for Assessment of Readiness for College and Careers (PARCC), a consortium of 24 states, including Maryland, came together to develop a common set of K–12 assessments in English and mathematics, as well as literacy in other content areas. The goal is to create an assessment system and supporting tools, with support from Achieve, Inc. Maryland is a governing state in the consortium, with Interim State Superintendent Dr. Bernard J. Sadusky serving on the governing board. On March 27, 2012, Interim State Superintendent Dr. Sadusky provided the Maryland State Board with an update on the status of the development and implementation of the PARCC assessments (Attachment C).

Under the current timeline, it is anticipated that there will be full implementation of the PARCC assessments by fall 2014 (Attachment D).

### ***Maryland Education Reform Act of 2010***

In July 2009, President Obama and Secretary of Education Duncan announced Race to the Top (RTTT), a \$4.35 billion competitive program created to spur innovation and reforms in education. The following April, the Maryland General Assembly passed the *Education Reform Act of 2010* to ensure the state would be competitive in the RTTT grant process. A significant area of reform identified in the Act pertained to recruiting, developing, and retaining effective teachers and principals. In June 2010, Maryland applied for a \$250 million RTTT grant, with 22 of the 24 school systems signing on to the application. Only Montgomery County Public Schools (MCPS) and Frederick County Public Schools did not agree to participate in the grant.

Maryland’s successful RTTT application proposed a redesign of teacher and principal evaluation systems. Specifically, it required student growth to be a significant component of a teacher’s performance evaluation, lengthened the amount of time until a teacher gains tenure from two to three years, and established a program of incentives for teachers and principals who teach in low-achieving or other specified schools with a potentially challenging demographic or socioeconomic population. The Act also required non-tenured teachers to be evaluated annually and to be assigned mentors if they are not on track to qualify for tenure.

As required by the *Education Reform Act of 2010*, the Governor established by executive order the Maryland Council for Educator Effectiveness (MCEE) to develop model performance evaluation criteria. The Council—made up of teachers, principals, education experts, and elected officials—was charged with developing the model evaluation system for educators. Montgomery County Board of Education Member Christopher S. Barclay was appointed to the Council.

In June 2011, MCEE issued initial recommendations for a Statewide Educator Evaluation System (SEES) endorsing teacher and principal evaluation frameworks that will result in ratings of ineffective, effective, or highly effective (Attachment E). MCEE highlighted the importance of educator improvement as the primary goal of any evaluation, and that the local school systems and the state share responsibility for providing high-quality, effective, and relevant professional development.

The framework for teacher evaluation would have two parts. One part incorporates four qualitative, observable measures: planning and preparing; instruction; classroom environment; and professional responsibilities. The other part is a quantitative component measuring student growth using state assessments, specified state measures, and specified local measures. The framework for principal evaluation also would include both qualitative and quantitative measures with local school systems being allowed to include local priorities to which they may hold principals responsible.

Seven local school systems (Baltimore, Charles, Kent, Prince George's, Queen Anne's, and St. Mary's counties and Baltimore City) are currently piloting performance evaluation systems. MCEE reconvened in December 2011 to evaluate early implementation of the local pilots and will meet again in June 2012 to make additional recommendations based on a full year of experience in the seven pilot systems. Based on lessons learned from the pilot local evaluation systems, MSDE will develop a list of acceptable options for the components of a statewide evaluation system. This list will guide local school systems when they draft their final evaluation systems and will provide flexibility for local school systems within the parameters ultimately established by State Board of Education regulations.

Concurrent to the pilot efforts, an MCPS work group was convened to explore implications of the SEES on the existing MCPS professional growth systems (PGS). The work group had the opportunity to meet with Mr. David Volrath, Coordinator of Leadership Development Initiative for MSDE, who shared that the state is expecting all districts to field test a plan next school year using either the state "default model", their own model incorporating components of the default model, or a completely different tool.

The MCPS professional growth systems fall under the category of a different tool. The design of the PGS recognizes the complexity and importance of teaching in a high-performing school system, one in which there is an emphasis on continuous improvement and shared accountability for student achievement. A major component of each PGS is a rigorous evaluation process and a continuous program of professional development. The work group is continuing to study and explore the possibility of including growth measures within one or more of the current standards.

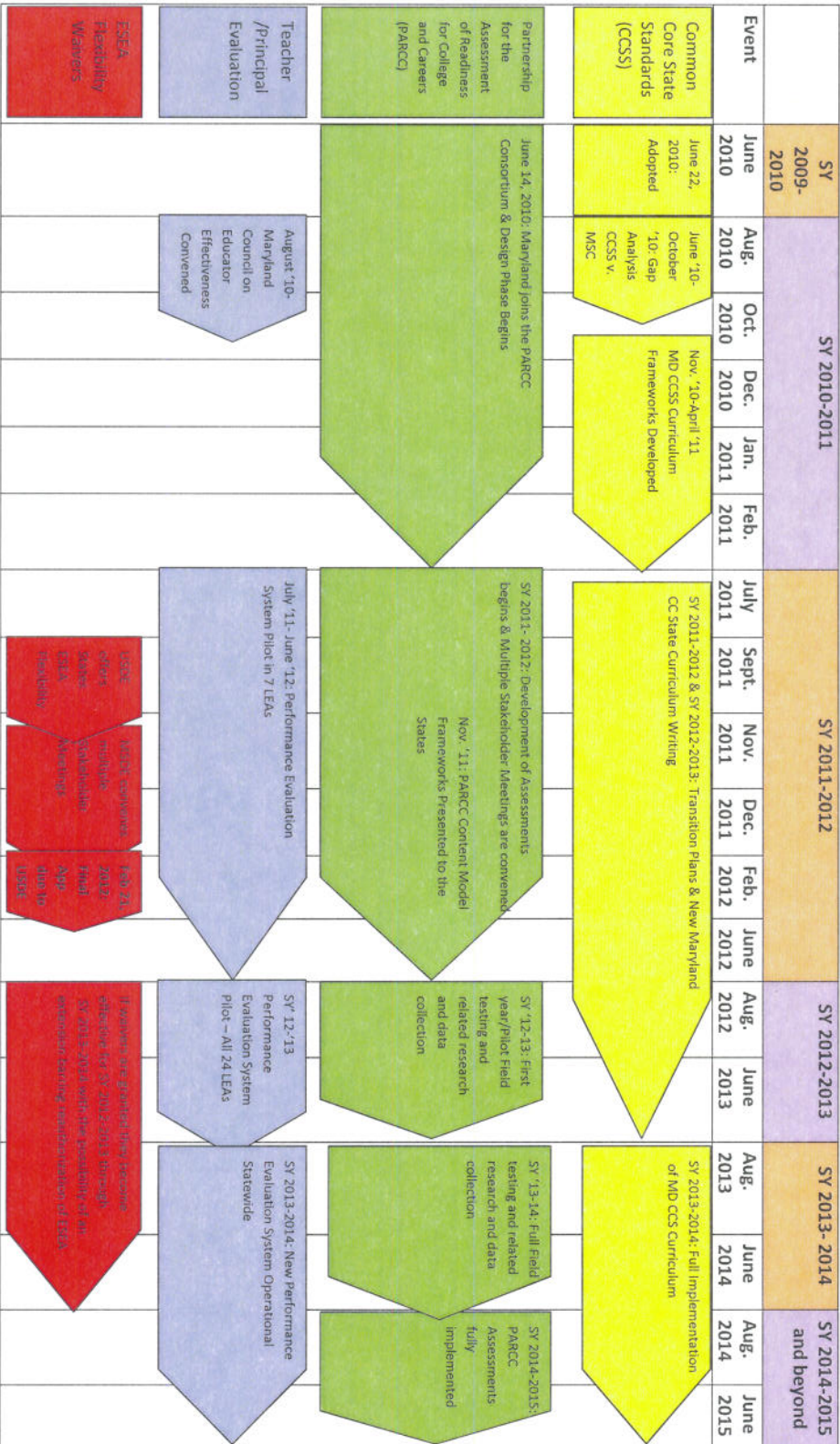
The State Board of Education is required to adopt regulations that would establish the general standards for teacher and principal evaluations. In November 2010, the Administrative, Executive, and Legislative Review Committee voted to oppose an early set of proposed regulations. Since then, alternative regulations have been drafted, with permission to publish granted at the March 2012 State Board of Education meeting (Attachment F). Comments are being solicited this month, with passage likely by early summer.

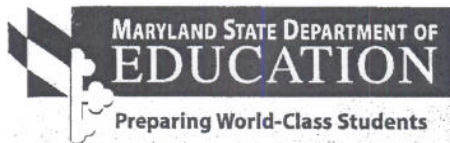
The proposed regulations require all teacher and principal evaluation systems to adhere to general standards. The regulation also appears to relieve those school systems that did not sign the RTTT application from the requirement that student growth account for 50 percent of a teacher's or principal's evaluation. However, the regulation continues to require an overall rating of highly effective, effective, or ineffective and that teachers and principals be evaluated annually.

At the table for today's discussion are Ms. Laura M. Steinberg, staff assistant, Office of the Montgomery County Board of Education; Mrs. Chrisandra A. Richardson, associate superintendent, Office of Special Education and Student Services; Mr. Adrian B. Talley, associate superintendent, Office of Shared Accountability; Mrs. Carole Goodman, associate superintendent, Office of Human Resources and Development; Ms. Betsy Brown, director, Department of Curriculum and Instruction; and Ms. Lori-Christina Webb, executive director to the deputy superintendent of schools, Office of the Deputy Superintendent of Schools.

LMS:ls1

### Maryland's Third Wave of Reform: Timeline (Critical Elements)





Bernard J. Sadusky, Ed.D.  
Interim State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • MarylandPublicSchools.org

**TO:** Members of the State Board of Education  
**FROM:** Bernard J. Sadusky, Ed. D. *BJS*  
**DATE:** January 24, 2012  
**SUBJECT:** U.S. Department of Education ESEA Flexibility

**PURPOSE:**

To review and endorse progress on Maryland's application to the U. S. Department of Education Elementary and Secondary Education Act (ESEA) Flexibility which is designed to improve academic achievement and increase the quality of instruction for all students in a manner that was not originally contemplated by the No Child Left Behind Act of 2001.

**BACKGROUND/HISTORICAL PERSPECTIVE:**

Maryland has indicated (non-binding) that they will be submitting an ESEA Flexibility Application by the current deadline of February 21, 2012. Eleven states submitted an application in November 2011. The states include Colorado, Florida, Georgia, Indiana, Kentucky, Massachusetts, Minnesota, New Jersey, New Mexico, Oklahoma and Tennessee. At this time the U.S. Department of Education peer reviewers are reviewing these applications.

**EXECUTIVE SUMMARY:**

The U.S. Department of Education has offered the opportunity to request flexibility on behalf of the State, the LEAs and schools, in order to better focus on improving student learning and increasing the quality of instruction. This voluntary opportunity provides flexibility regarding specific requirements of NCLB in exchange for rigorous and comprehensive State-developed plans designed to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction.

As required, Maryland must submit an application that addresses four principles to increase the quality of instruction for students and improve student academic achievement in the State and LEAs. MSDE has conducted 33 meetings to date involving stakeholder groups with additional meetings planned in January with Title I Coordinators, Special Education Advocates, Local Assistant Superintendents, and others.



Maryland's request will address each of the four principles. For Principle 1, College- and Career-Ready Expectations for All Students, Maryland has adopted the Common Core standards, has developed a transition plan and is part of the Partnership for the Assessment of Readiness for Colleges and Careers (PARCC). Universal Design of Learning (UDL) and alignment for English Language Learners are important components of the new curriculum.

For Principle 2, State-Developed Differentiated Recognition, Accountability, and Support, Maryland is looking to revise Annual Measurable Objectives (AMOs) in annual equal increments toward a goal of reducing by half the percentage of students in the "all students" group and in each subgroup who are not proficient within six years. Maryland will use current proficiency rates based on assessments administered in the 2010–2011 school year as the starting point for setting its AMOs. Maryland is also developing a draft accountability System for all schools that includes achievement, gap closing, growth, and college and career readiness.

For Principle 3, Supporting Effective Instruction and Leadership, the work of supporting educator evaluation is aligned with the work of the Educator Effectiveness Council. The model, guided by work with the union colleagues, includes developing a model for 50% student growth, researching Student Learning Objectives (SLOs), identifying the Framework for Teaching by Charlotte Danielson as a model for Professional Practice, and ensuring that professional development is tied to all components. Additionally, Maryland continues to develop the principal model which will include the Maryland Leadership Instructional Framework and a student growth/achievement component.

Finally, for Principle 4, Reducing Duplication and Unnecessary Burden, Maryland must remove duplicative and burdensome reporting requirements that have little or no impact on student outcomes. Maryland agrees to review and, based on that review, revise its own administrative requirements to reduce duplication and unnecessary burden on LEAs and schools.

**ACTION:**

For information purposes.

BJS:mlg



Bernard J. Sadusky, Ed.D.  
Interim State Superintendent of Schools

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**TO:** Members of the State Board of Education  
**FROM:** Bernard J. Sadusky, Ed.D. *BS*  
**DATE:** March 27, 2012  
**SUBJECT:** PARCC Update

**PURPOSE:**

To provide an update concerning the status of the transition to the Maryland Common Core State Curriculum and the new assessment system under development by the Partnership for Assessment of Readiness for College and Careers (PARCC), the 24-state consortium of which Maryland is a Governing State.

**HISTORICAL BACKGROUND:**

PARCC, with support from Achieve, Inc., is designing a set of assessments aligned to the Common Core State Standards (CCSS) in English Language Arts and mathematics. The assessments will track student progress over time and will report status on a trajectory towards college- and career-readiness. The assessments will include a mix of item types, will involve the use of technology, and will be accompanied by an array of tools designed to help teachers implement CCSS and to prepare students for the cognitive demands of the tests. The assessment development under the leadership of PARCC is occurring concurrently with the implementation of CCSS in the classroom.

**EXECUTIVE SUMMARY:**

PARCC is providing support to member states through publications, training sessions, and conferences to guide the transition process. At a recent conference in Baltimore, representatives from all Consortium states shared concerns and plans related to implementation challenges including communication, developing and using timelines as planning tools, and integrating technology in instruction and assessment.

Additional updates include the following:

- Plans are underway for the development of training models and rubrics to be delivered electronically and used by states, school districts, and schools as they evaluate, design, or revise curriculum materials, instructional guides, and lessons to be aligned with CCSS.

Members of the State Board of Education

March 27, 2012

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- Item development for the PARCC assessments will begin shortly. Educators representing all PARCC member states will be engaged in the item review process beginning in Summer, 2012.
  
- Detailed plans and strategies for item try-out and field-testing are being finalized. Some items will be ready for tryout in Spring, 2013, and test forms will be field-tested in Spring, 2014. PARCC envisions that all students will have some opportunity to participate in some sort of field-testing during 2014 although results may be available only on a limited basis.
  
- By Spring, 2015, it is expected that all PARCC assessments will be operational, and standard-setting is expected to occur during Summer, 2015.
  
- A standard-setting work group has been convened to consider the language to be used in reporting levels of student performance aligned with college and career readiness.

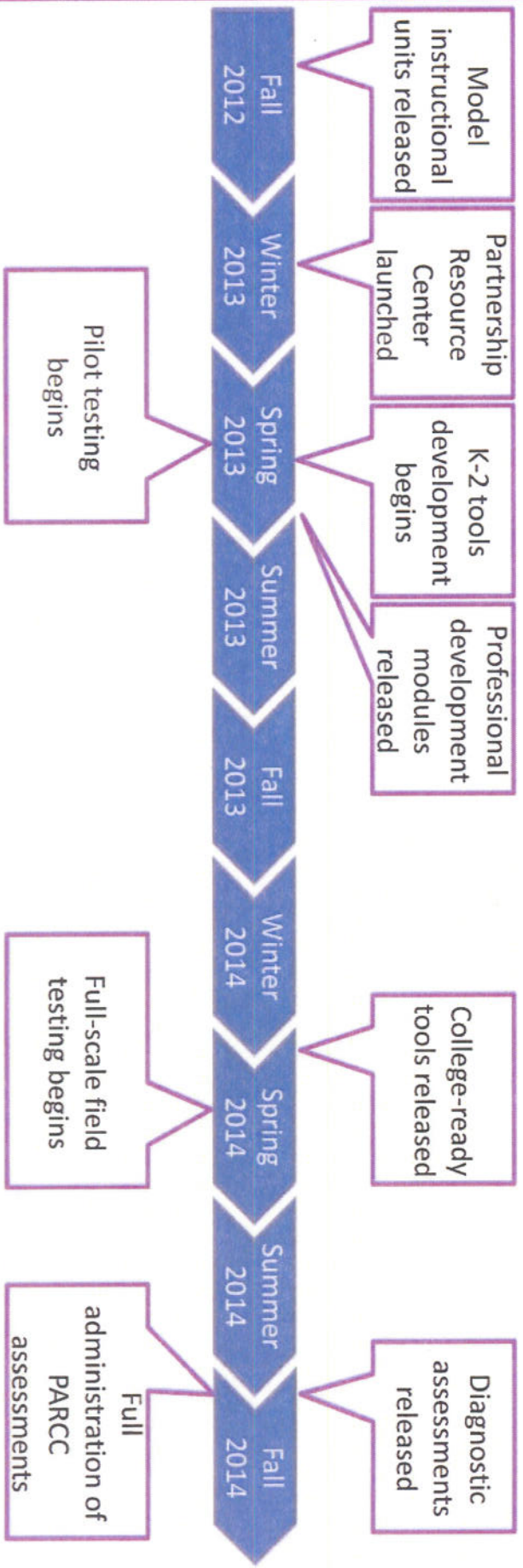
**ACTION:**

For information and discussion only.



# Timeline Through First PARCC Administration in 2014-2015

PARCC Tools & Resources

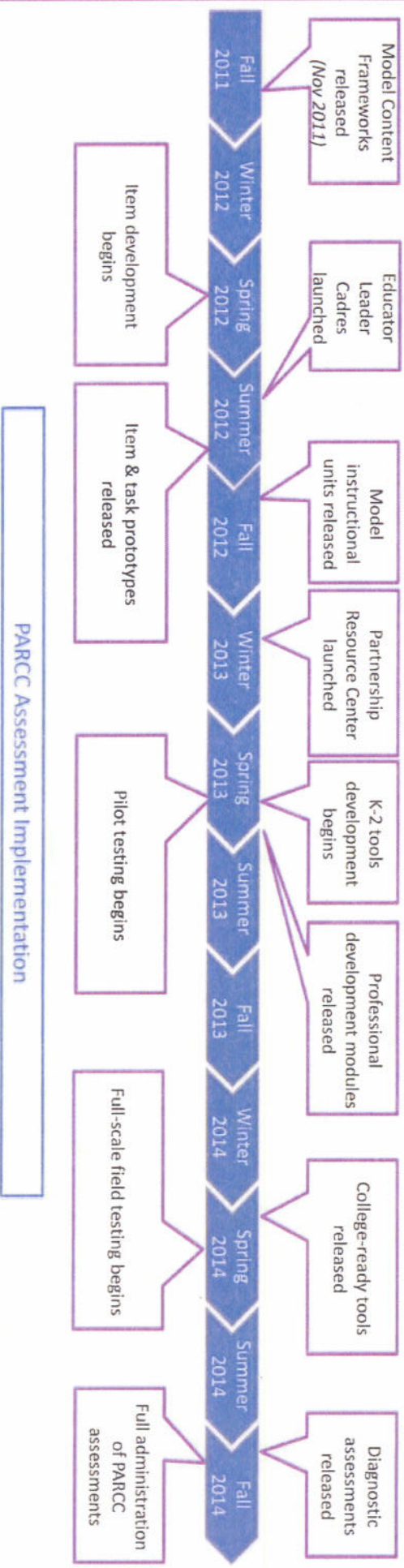


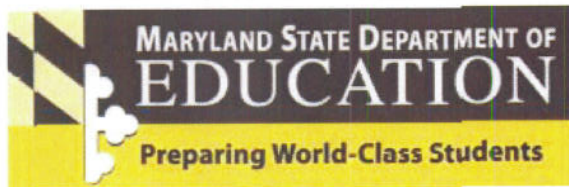
PARCC Assessment Implementation



# Timeline Through First PARCC Administration in 2014-2015

## PARCC Tools & Resources





**Nancy S. Grasmick**  
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

June 22, 2011

The Honorable Martin O'Malley  
State House  
100 State Circle  
Annapolis, Maryland 21401

The Honorable Thomas V. Mike Miller  
State House  
H-107 State House  
Annapolis, Maryland 21401

The Honorable Michael E. Busch  
State House  
H-101 State House  
Annapolis, Maryland 21401

Mr. James DeGraffenreidt, President  
Maryland State Board of Education  
200 W. Baltimore Street  
Baltimore, Maryland 21201

Dear Governor O'Malley, President Miller, Speaker Busch, and Mr. DeGraffenreidt:

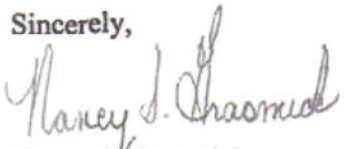
Executive Order 01.01.2010.12, signed on June 1, 2010, established the Maryland Council for Educator Effectiveness. The Executive Order required the Council to submit to the Governor, the General Assembly and the Maryland State Board of Education recommendations for the development of the model evaluation system for educators required by Chapter 1989 of the 2010 Laws of the General Assembly of Maryland – Educator Reform Act of 2010. Due to the enormity of this important work, by letter of November 22, 2010, the Council requested an extension of time to submit its initial recommendations for the model evaluation system until June 30, 2011.


The Council, consisting of 21 educators, legislators and representatives of the business community, met 17 times through June 2011. After nearly a year of discussions, deliberations, and hard work, the Council, on a vote of 13-7, recommended moving the attached "*Maryland Council for Educator Effectiveness Initial Recommendations Statewide Educator Evaluation System*" for your review.

Seven pilot jurisdictions will begin implementation of the evaluation systems in the fall of 2011. The Council looks forward to receiving their recommendations and further refining the framework when we reconvene in December 2011.

We thank you for this opportunity to Chair the Educator Effectiveness Council and look forward to collaboration as we work together over the coming years to develop final recommendations and continue to move education forward in Maryland.

Sincerely,

  
Nancy S. Grasmick  
State Superintendent of Schools

  
Betty Weller  
MSEA Vice President

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**Maryland Council for Educator Effectiveness**  
**Initial Recommendations**  
**Statewide Educator Evaluation System**

**Submitted to Governor Martin O'Malley, the Maryland General  
Assembly, and the Maryland State Board of Education**

**June 21, 2011**

### **Membership of the Council**

Dr. Nancy Grasmick, State Superintendent of Schools, Co-chair

Elizabeth Weller, Vice President, Maryland State Education Association, Co-chair

Dr. Andres A. Alonso, Chief Executive Officer, Baltimore City Public Schools

Christopher S. Barclay, Board of Education, Montgomery County Public Schools

Bridgette Helen Blue, Teacher, Prince George's County Public Schools

Cheryl Bost, President, Teachers' Association of Baltimore County Public Schools

David Burton, Principal, Long Reach High School, Howard County Public Schools

Dr. Bonita Coleman-Potter, Deputy Superintendent, Prince George's County Public Schools

Dr. Mary Kay Finan, Member, Maryland State Board of Education

Donna Hanlin, Assistant Superintendent, Washington County Public Schools

The Honorable Anne R. Kaiser, Maryland House of Delegates

The Honorable Delores G. Kelley, Maryland State Senate

Maleeta Kitchen, Teacher, Howard County Public Schools

Dr. Lawrence Leak (ret.), University of Maryland, University College

Enrique Melendez, former member, Anne Arundel County Board of Education

Dr. Dennis Pataniczek, Dean of Education & Professional Studies, Salisbury University

Pamela A. Pedersen, Member, Charles County Board of Education

Dawn Pipkin, Teacher, St. Mary's County Public Schools

Lee J. Rutledge, Teacher, Baltimore City Public Schools

June Streckfus, Executive Director, Maryland Business Roundtable for Education

Judith C. Walker, Principal, Carroll County Public Schools

#### Office of the Governor

John Ratliff, Director of Policy

#### Staff

Patricia A Foerster, Office of the Governor

Debbie Lichter, Maryland State Department of Education

Renee Spence, Maryland State Department of Education



## **Legislative Background**

During the 2010 General Assembly Session, the Maryland legislature passed the Education Reform Act of 2010 (see Appendix 1). This legislation had the following components:

1. 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 of evidence of observed instruction.
2. The regulations shall include model performance evaluation criteria.
3. The State Board shall solicit information and recommendations from each local school system and convene a meeting wherein this information and these recommendations are discussed and considered.
4. A county board shall establish performance evaluation criteria for certified teachers and principals in the local school system based on the general standards that are mutually agreed on by the local school system and the exclusive employee representative. These criteria shall include:
  - a) Data on student growth as a significant component of the evaluation and as one of multiple measures;
  - b) May not be based solely on an existing or newly created single examination or assessment; and
  - c) If the local school system and the bargaining unit fail to agree, the model performance criteria shall take effect.

## **Establishment of the Maryland Council for Educator Effectiveness**

On June 1, 2010, Governor Martin O'Malley signed an Executive Order (see Appendix 2) creating the Maryland Council for Educator Effectiveness. The Executive Order set forth the membership, identified the co-chairs, prescribed operating procedures, and set forth the responsibility of the Council. Specifically, the Council was charged with making recommendations for the development of the model evaluation system for educators required under the Education Reform Act of 2010. The recommendations are expected to address the following three components:

1. The definitions of effective teachers and principals;
2. The definitions of highly effective teachers and principals; and
3. The relationship between the student learning component of educator evaluations and the other components of the evaluation.

The Executive Order also stated that the Council's recommendations should seek to ensure that every educator is:

1. Evaluated using multiple, fair, transparent, timely, rigorous, and valid methods;
2. Afforded a meaningful opportunity to improve their effectiveness; and
3. Provided the means to share effective practices with other educators statewide.

### **Meeting Dates**

The Council met on the following dates in 2010: August 26, September 22, October 22, November 1, November 29 and December 13. The Council met on the following dates in 2011: January 10, January 24, February 14, February 28, March 21, March 28, May 2, June 7, and June 20. On April 25, the Council provided an Interim Report to Governor Martin O'Malley, the State Legislature, and the State Board of Education. This Interim report provided a brief summary of the proceedings of each meeting of the Council. It described the progress to date that the Council had made in meeting its charge. It also described other state activities that had taken place that contributed to the thinking of the Council. Finally, it described next steps that the Council had to take in order to fulfill its charge.

### **Underlying Philosophy**

The Council wishes to make it clear that underlying its recommendations is a philosophy of educator improvement. Although difficult personnel decisions will inevitably need to be made in the case of persistently ineffective teachers or principals, the Council believes that helping educators to improve is the primary purpose of evaluation. To that end, both the LEAs and the State have the responsibility to provide effective, quality, and relevant professional development as the cornerstone of the proposed statewide system of evaluation. Such professional development is an ethical obligation that school systems have to employees they hire. It represents a fundamental belief in fairness to employees. It also recognizes the current

reality that Maryland has a number of teacher and principal shortage areas, an increasing number of eligible retirees, and a diminishing pool of candidates from which to choose. Thus the State and local school systems face not only an ethical responsibility but also a very real, practical reason for providing the kind of professional development that will allow our teachers and principals to continually improve.

### **Meeting the Charge**

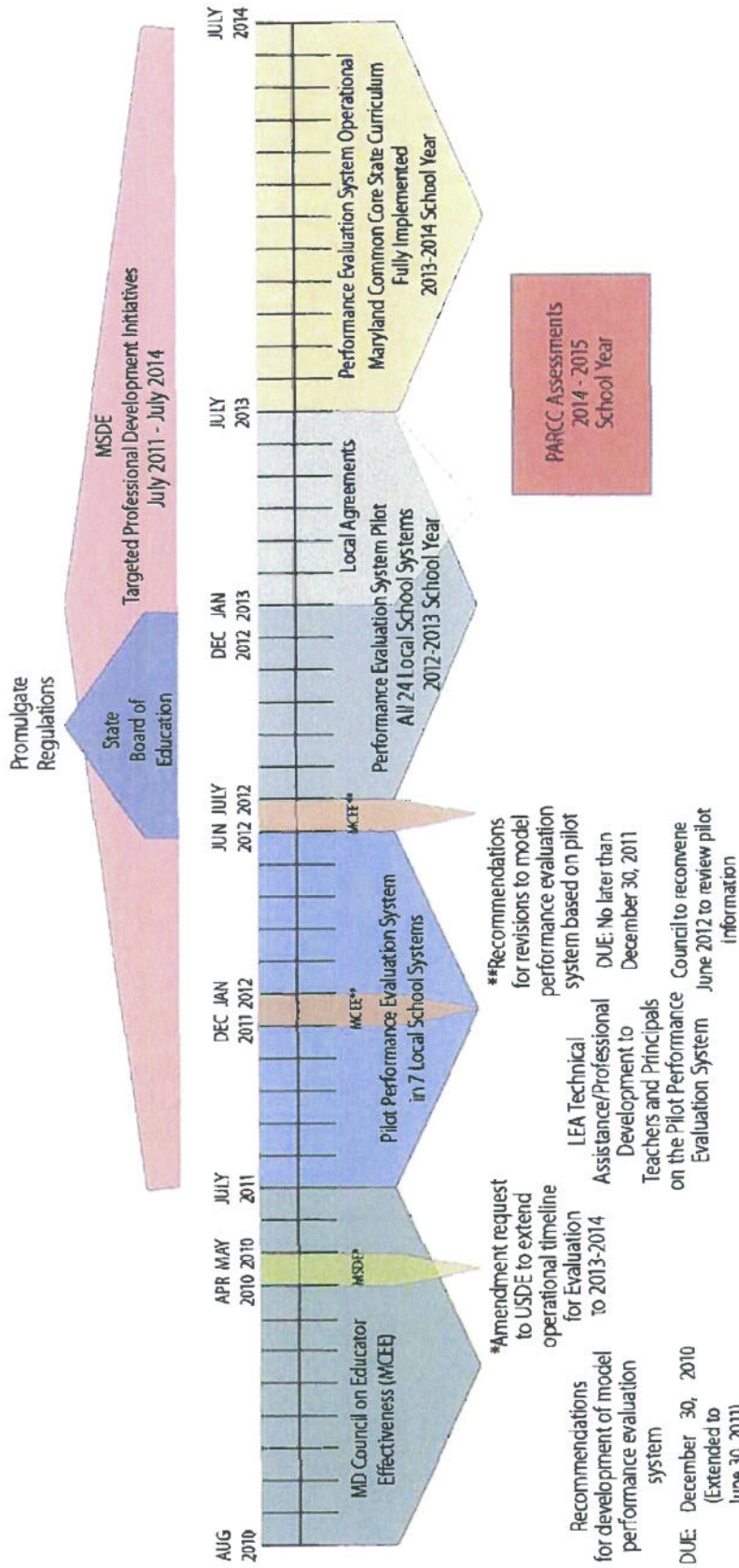
In meeting the charge, the Council has endorsed three key documents. The first is a revised timeline; the second is two frameworks – one each for the evaluation of teachers and principals (with definitions); and the third is general standards for teacher/principal evaluation.

### **Timeline**

As the Council began its work, it became evident that it needed more time to complete its charge than originally conceived. As such, it requested of the Governor an extension to the original timeline (December 2010) to June 2011. Built into this revised timeline is a professional development component for teachers and principals. The new timeline also provides for a 12 month pilot project for the new statewide system of evaluation instead of the original 18 month pilot.

Upon further reflection, the Council became concerned about moving too quickly from a pilot evaluation system being conducted in 7 local education agencies (LEAs) to statewide implementation without further time provided to the remaining school systems to also develop and pilot their own local evaluation systems in order to seek solutions to unforeseen obstacles and provide high quality professional development. Accordingly, the Council endorsed a proposal from Dr. Grasmick that the Maryland State Department of Education (MSDE) should request an amendment from the United States Department of Education (USDE) to allow an additional year before implementing the statewide system of evaluation. That amendment was submitted to USDE on April 22, 2011, and was approved on June 17, 2011. The timeline on the next page describes the relationship between and among the work of the Council, pilot LEAs, professional development activity, development of regulations, local agreements and the actual implementation of the statewide system of evaluation.

# Timeline for Implementing Model Performance Evaluation System

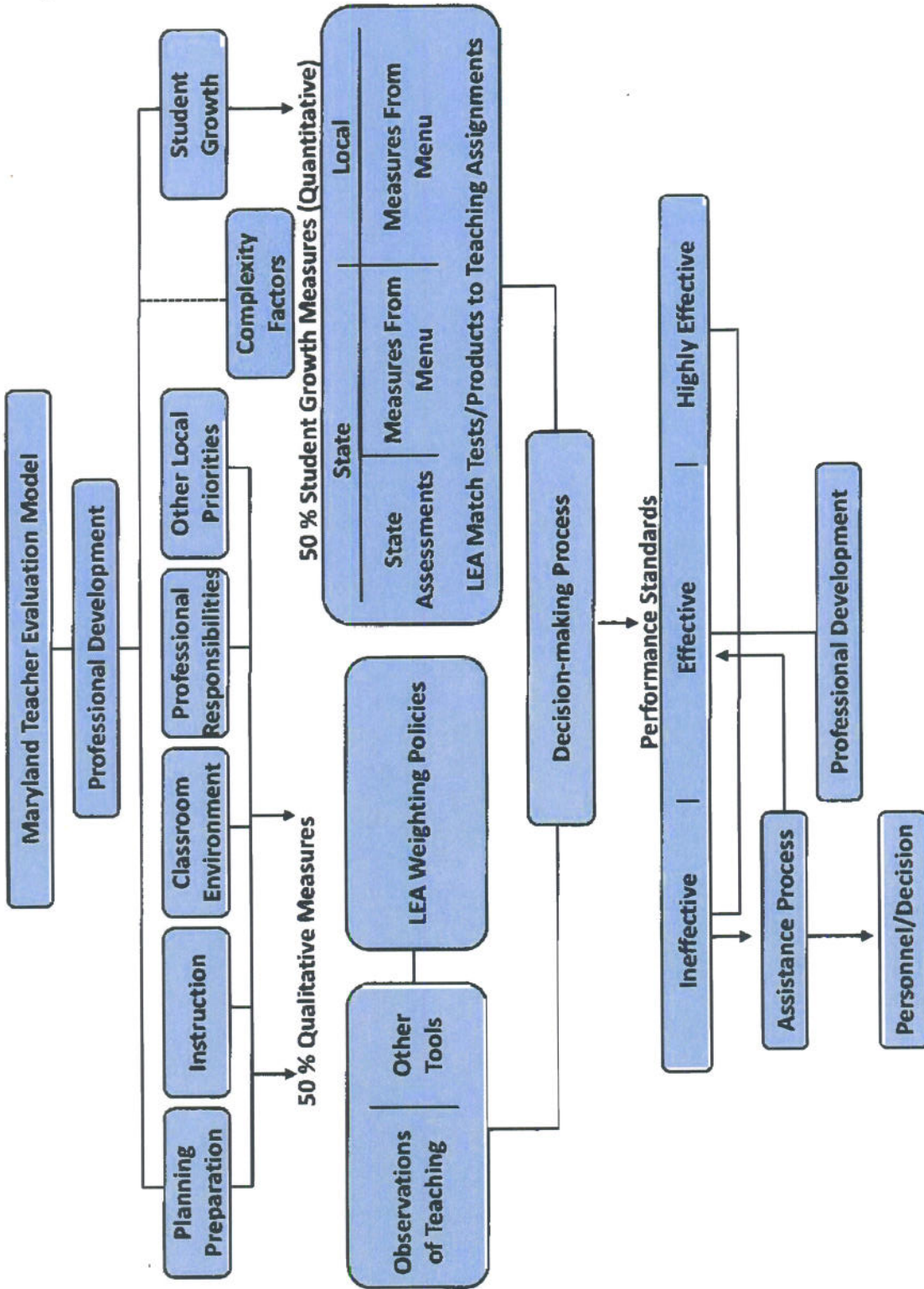


### Framework: Evaluation of Teachers and Principals

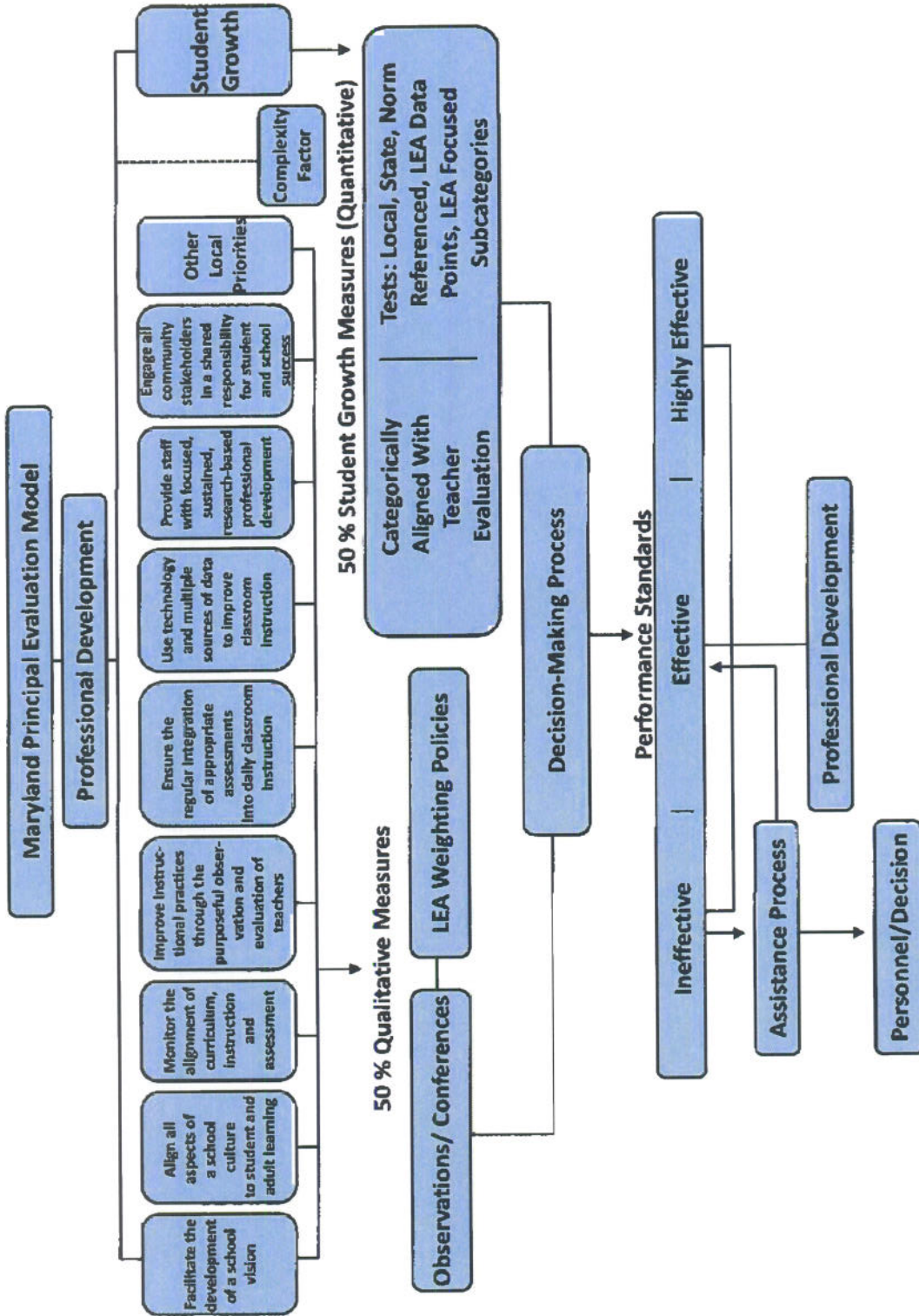
After several discussions at Council meetings about the suggested components of an effective yet flexible statewide evaluation system, the Council has endorsed two separate frameworks and definitions that accompany those frameworks (see next 4 pages). The first framework lays out graphically the components of a model for teacher evaluation in Maryland. The framework has at its core the professional development component previously described. It includes 4 qualitative measures (planning and preparation; instruction; classroom environment; and professional responsibilities). The framework also allows for the inclusion of other local priorities in addition to the 4 qualitative measures to take into account other areas for which LEAs wish to hold teachers responsible. This component of the evaluation is 50%. The other 50% is the student growth component. It provides for consideration of complexity factors (see definition sheet) recognized by the LEA. The framework yields a decision-making process based on performance standards. Once again, professional development is included, with the caveat that such professional development is important for all teachers, not just those who are rated ineffective. After all, Maryland believes that all educators can continue to improve.

The second framework is similar to the first in design, but does have different components because of the nature of the job of principal. Once again, at its core is professional development. For the qualitative measures, the framework includes specifically the 8 outcomes in the Maryland Instructional Leadership Framework. It also allows for inclusion of local priorities in addition to the 8 outcomes to take into account other areas for which LEAs wish to hold principals responsible. For the student growth measures, the framework lists possible alternatives. As with the teacher framework, the principal framework yields a decision-making process based on performance standards. Targeted professional development is provided based on needs identified in the evaluation. Similar to the teacher professional development, such assistance for principals is intended for all principals, since the model is based on the premise that all principals can continue to improve. The definitions page provides clarity to the various elements of the two frameworks, and combined with those frameworks and the General Standards provide the basis for the statewide system of evaluation.

# Framework for System to Evaluate Teachers



# Framework for System to Evaluate Principals



### Definitions: Teacher and Principal Evaluation Model

*Annual Evaluation* – A yearly evaluation of a teacher or principal that minimally includes student growth measure standards.

*Assistance Process* – A process defined by the LEA for providing support to teachers and principals rated as ineffective.

*Complexity Factors* – Factors recognized by the LEA that do not diminish student expectations but may have an extraordinary impact on student growth. For example, factors may include instructional diversity, unusually high number of transient students, specific unusual facility issues, etc. Complexity factors are not weighted with either professional practice or student growth measure domains.

*Decision Making Process* – The process by which an LEA utilizes the data, both qualitative and quantitative, for determining a teacher's or principal's level of performance and targeted professional development.

*LEA Match Test/Products to Teaching Assignments* – Assessments, selected by the LEA for grade level or content area teachers from the menu of multiple measures, which align with a teacher's assignment.

*LEA Weighting Policies* – Policies set by each LEA indicating the percentage the LEA will assign to each of the qualitative measures. Qualitative measures account for 50% of the total evaluation.

*Measures From Menu* – The list of multiple measures approved by MSDE that measure student growth (see appendix for sample measures).

*Mentoring* – Ongoing support provided to teachers and/or principals by a cadre of mentors trained by the LEA to provide teachers and/or principals with the knowledge and skills necessary to be successful in their classroom and schools and enable them to stay in the profession. Mentoring should be focused, systematic, ongoing, high quality, geared to the needs of the employee being mentored, include observations, and include feedback.

*Observations of Leadership* – The process by which a trained evaluator has formally observed the qualitative measures of instructional and administrative leadership for each principal being evaluated.

*Observations of Teaching* – The process by which a trained evaluator has formally observed the qualitative measures of teaching for each teacher being evaluated.

*Other Tools* – Qualitative data collection tools in the classroom and school that produce sufficient data from which a teacher or principal may be evaluated on all or part of the domains of the teacher and/or principal evaluation model.



*Performance Standards* – Levels of teacher or principal performance resulting in a final rating of ineffective, effective, or highly effective on the individual’s evaluation.

*Professional Development* – The training a teacher and/or principal receives relative to the teacher’s and/or principal’s level of performance. It should be research-based, high quality, timely, and relevant.

*Qualitative Measures (Teacher)* – Observable measures and evidence, accounting for 50% of a teacher’s evaluation, which must include the following domains: planning/preparation, instruction, classroom environment, professional responsibilities, and other local priorities if appropriate.

*Qualitative Measures (Principal)* – Observable measures and evidence, accounting for 50% of a principal’s evaluation, which must include: school vision, school culture, alignment of curriculum, instruction and assessments, instructional practices, appropriate assessments, technology and multiple sources of data, professional development, engagement of community stakeholders, and other local priorities if appropriate.

*Quantitative Measures* – Data specific measure which results from students’ performance on approved State or LEA multiple measures of student performance.

*State Assessments* – State assessments as required by state or federal laws and/or regulations.

*Student Growth Measures* – Multiple measures of student academic and affective outcomes directly related to the teacher or principal. These measures account for 50% of a teacher’s or principal’s evaluation.

### InTASC Standards

Concurrent with the work of the Maryland Council on Educator Effectiveness has been the ongoing work of The Council of Chief State School Officers (CCSSO), through its Interstate Teacher Assessment and Support Consortium (InTASC). The InTASC standards ([http://www.ccsso.org/Documents/2011/InTASC\\_Model\\_Core\\_Teaching\\_Standards\\_2011.pdf](http://www.ccsso.org/Documents/2011/InTASC_Model_Core_Teaching_Standards_2011.pdf)) are described as model core teaching standards that outline what teachers should know and be able to do to ensure every K-12 student reaches the goal of being ready to enter college or the workforce in today’s world. They are intended to be an outline of the common principles and foundations of teaching practice that cut across all subject areas and grade levels and that are necessary to improve student achievement. Because the InTASC standards generally align well with the Framework for Teachers, the Council endorsed them as ones that should be embraced

by teachers as they maximize learning in a transformed vision of teaching and learning. The 10 standards are:

**Standard #1: Learner Development.** The teacher understands how learners grow and develop, recognizing that patterns of learning and development vary individually within and across the cognitive, linguistic, social, emotional, and physical areas, and designs and implements developmentally appropriate and challenging learning experiences.

**Standard #2: Learning Differences.** The teacher uses understanding of individual differences and diverse cultures and communities to ensure inclusive learning environments that enable each learner to meet high standards.

**Standard #3: Learning Environments.** The teacher works with others to create environments that support individual and collaborative learning, and that encourage positive social interaction, active engagement in learning, and self motivation.

**Standard #4: Content Knowledge.** The teacher understands the central concepts, tools of inquiry, and structures of the discipline(s) he or she teaches and creates learning experiences that make the discipline accessible and meaningful for learners to assure mastery of the content.

**Standard #5: Application of Content.** The teacher understands how to connect concepts and use differing perspectives to engage learners in critical thinking, creativity, and collaborative problem solving related to authentic local and global issues.

**Standard #6: Assessment.** The teacher understands and uses multiple methods of assessment to engage learners in their own growth, to monitor learner progress, and to guide the teacher's and learner's decision making.

Standard #7: Planning for Instruction. The teacher plans instruction that supports every student in meeting rigorous learning goals by drawing upon knowledge of content areas, curriculum, cross-disciplinary skills, and pedagogy, as well as knowledge of learners and the community context.

Standard #8: Instructional Strategies. The teacher understands and uses a variety of instructional strategies to encourage learners to develop deep understanding of content areas and their connections, and to build skills to apply knowledge in meaningful ways.

Standard #9: Professional Learning and Ethical Practice. The teacher engages in ongoing professional learning and uses evidence to continually evaluate his/her practice, particularly the effects of his/her choices and actions on others (learners, families, other professionals, and the community), and adapts practice to meet the needs of each learner.

Standard #10: Leadership and Collaboration. The teacher seeks appropriate leadership roles and opportunities to take responsibility for student learning, to collaborate with learners, families, colleagues, other school professionals, and community members to ensure learner growth, and to advance the profession.

#### Teacher/Principal Evaluation System: General Standards

A cornerstone of the teacher and principal evaluation process includes established areas of professional practice and state and local measures of student growth. The intent is to give a more detailed look at educator performance so that targeted and supportive professional development can be provided in a timely manner. The below General Standards are intended to provide a decision-making guide for making a final determination on whether a teacher or principal is highly effective, effective, or ineffective. Maryland wishes to thank other Race to the Top winning states for their thinking in this regard as it has helped shape the Maryland evaluation system.

The standards have two general components that are aligned with the previously discussed Frameworks. The first component is to assign a rating for Professional Practice. This is similar in many ways to the manner in which evaluations are currently completed. The LEA

determines the areas of professional practice it considers important (staying within the general structure of the Frameworks). The LEA also develops the guidelines for acceptable evidence in meeting this component of the overall evaluation, and they determine how they will take into consideration complexity factors. Complexity factors do not diminish student expectations, but they may have an extraordinary impact on student growth. They are not weighted with either professional practice or student growth measures.

The second general component is to assign a rating for student growth. This is a two step process because it includes a statewide component and a local component. Each provides a rating of highly effective, effective, or ineffective. Those two ratings of the growth measure (local and State) are then combined into one growth measure of highly effective, effective, or ineffective. The final rating is determined by a combination of the previously assigned Professional Practice rating and the overall growth rating. More specifically, the 4 parts to arriving at a final rating are as follows:

*Part I: Determination of Rating for Professional Practice (50%)*

*Professional Practice (50%)*

The evaluator assigns Highly Effective, Effective, or Ineffective in the area of Professional Practice. For teachers, the evaluator uses a combination of four domains (planning and preparation, classroom environment, instruction, and professional responsibilities) and any other measures chosen by LEA, following guidelines (e.g. allowable metrics, acceptable evidence) determined by the LEA and approved by MSDE. For principals, the evaluator uses a combination of the Maryland Instructional Leadership Framework and any other metrics chosen by the LEA, following guidelines determined by the LEA and approved by MSDE.

*Part II: Determination of Rating for LEA Growth Measures 20% and State Growth Measures 30%*

1. **LEA Growth Measures (20%):** The evaluator rates the teacher/principal as Highly Effective, Effective, or Ineffective on the LEA student growth measures. The measures that serve as the basis of the evaluation are chosen by the LEA from a menu of available options. The evaluator follows guidelines (e.g. allowable measures, acceptable evidence) determined by the LEA and approved by MSDE.

2. **Statewide Growth Measures (30%):** The LEA selects measures from the list of multiple measures with one requirement: if a statewide assessment exists, the LEA must select it as one of the multiple measures between two points in time. State assessments, if available, will be combined with other measures determined by the LEA and approved by MSDE to yield ratings of Highly Effective, Effective, or Ineffective.

*Part III: Determination of Overall Student Growth Measure (50%) from the Combination of the State Growth Measure (30%) and the Local Growth Measure (20%)*

The two measures of student growth (State and Local) must be combined in a ratio of 3 to 2 for State Growth to LEA Growth. Maintaining the 3 to 2 ratio, LEAs must decide the Overall Student Growth Measure. If both the State Growth and Local Growth are the same, for example effective, then the result would be effective for Overall Student Growth. In the instances where State and LEA measures differ, the LEA must determine what rating for overall student growth (Highly Effective, Effective, or Ineffective) will be assigned.

For discussion with bargaining units, LEAs have flexibility to determine the quantitative measures with the following constraints:

1. The ratio for the State Growth Measure to LEA Growth Measure must be 3 to 2 to maintain and established weight in the overall rating of 30% for the State Growth Measure and 20% for the LEA Growth Measure.
2. All decisions that go into the determination of the rating must be detailed for MSDE to review and approve.

*Part IV: Determination of the Overall Evaluation*

Once a final rating for Overall Student Growth is determined it must be combined with the rating for Professional Practice, determined at the beginning of this process. If both Professional Practice and Overall Student Growth are the same, e.g., effective, then the result would be effective for the Overall Evaluation. In instances where the Overall Student Growth ratings disagree with Professional Practice ratings, LEAs must develop decision rules that explain the final rating given.

For discussion with bargaining units, LEAs have flexibility to determine the overall rating with the following constraints:

1. A teacher/principal must at least be effective in the student growth component in order to receive an overall rating of Effective or Highly Effective.

2. All decisions that go into the determination of the overall rating must be detailed for MSDE to review and approve.

Teacher/Principal Evaluation System: (State Default Model)

In the event that an LEA and its bargaining unit cannot agree on general standards, the below model will serve as the default model that must be adopted.

*Professional Practice (50%)*

The evaluator assigns Highly Effective, Effective, or Ineffective on the Professional Practice rubric. For teachers, the evaluator uses a combination of four domains (planning and preparation, classroom environment, instruction, and professional responsibilities) and any other metrics chosen by LEA, following guidelines (e.g., allowable metrics, acceptable evidence) determined by the LEA and approved by MSDE. For principals, the evaluator uses a combination of the Maryland Instructional Leadership Framework and any other metrics chosen by the LEA, following guidelines determined by the LEA and approved by MSDE.

Highly Effective	Effective	Ineffective
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*Student Growth (2 parts) (50%)*

1. LEA Growth Measure (20%): The evaluator rates the teacher/principal as Highly Effective, Effective, or Ineffective on the LEA student growth rubric. The metrics that serve as the basis of the evaluation are chosen by the LEA from a menu of available options. The evaluator follows guidelines (e.g. allowable metrics, acceptable evidence) determined by the LEA and approved by MSDE. The menu of options and the method of determining the 20% will be provided to LEAs after the pilot year of the evaluation system.

Highly Effective	Effective	Ineffective
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2. Statewide Growth Measure (30%): Wherever a Statewide assessment exists, it must be used as one of multiple measures. Other metrics that contribute to the evaluation are chosen by the LEA from a menu of available options. State assessments, if available, will be combined with multiple measures of the LEA's choosing and MSDE's approval to yield ratings of Highly Effective, Effective, or Ineffective. The menu of options and

the method of determining the 30% will be provided to LEAs after the pilot year of the evaluation system.

Highly Effective	Effective	Ineffective
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3. Overall Student Growth Score: Using the matrix below, determine the overall student growth score based on the intersection of the Statewide growth measure and the LEA growth measure from the previous two charts.

		State Growth Measure		
		Highly Effective	Effective	Ineffective
LEA Growth Measure	Highly Effective	HE	E	E
	Effective	HE	E	I
	Ineffective	E	E	I

#### Overall Evaluation

Choose, on the matrix, the intersection of the Professional Practice rating and the Student Growth rating. This is the final evaluation of the teacher/principal. To be rated as effective in the Overall Evaluation, a teacher/leader must be effective in the student growth component consistent with the Race to the Top application.

		Professional Practice		
		Highly Effective	Effective	Ineffective
Student Growth	Highly Effective	HE	HE	E
	Effective	E	E	E
	Ineffective	I	I	I

### **Compliance with Charge to the Maryland Educator Effectiveness Council**

As discussed in the background information section of this report, the Council was charged with making recommendations to the Governor, General Assembly, and the Maryland State Board of Education for the development of a model evaluation system. The recommendations were to address the following items.

- a) The definitions of effective teachers and principals:

*Response: This portion of the charge has been met. For the purpose of the establishment of the general standards for performance evaluations for certificated teachers and principals in public schools, the Maryland Council for Educator Effectiveness recommends the following definitions:*

*Teacher: Any individual certificated by MSDE as defined in COMAR 13A.12.02.03-.23 as a teacher who delivers instruction and is responsible for a student or group of students' academic progress in a Pre-K-12 public school setting, subject to local school system interpretation.*

*Principal: Any individual certificated by MSDE as defined in COMAR 13A.12.04.02, .04 (excluding supervisors of instruction), .05, .16 as an administrator or supervisor in a Maryland Pre-K-12 public school who is responsible for students' academic progress and efficient operation of school, subject to local school system interpretation.*

*Please see the Frameworks, Definitions, and General Standards for the description of effective. Note that LEAs contribute to the definition of "effective" through their choices of measures from a menu of options. Additionally, the definition of "effective" teacher and principal will be revisited upon completion of the pilot.*

- b) The definitions of highly effective teachers and principals:

*Response: This portion of the charge has been met. Please see the Frameworks, Definitions, and General Standards for the description of highly effective. Note that LEAs contribute to the definition of "highly effective" through their choices of measures from a menu of options. Additionally, the definition of "highly effective" teacher and principal will be revisited upon completion of the pilot.*



- c) The relationship between the student learning component of educator evaluations and the other components of the evaluation:

*Response: This portion of the charge has been met. Please see the Frameworks and General Standards for a description of the relationship between the student learning (growth) component of educator evaluations and the other components of the evaluation system.*

The Executive Order also stated that the Council's recommendations should seek to ensure that every educator is:

- a) Evaluated using multiple, fair, transparent, timely, rigorous, and valid methods

*Response: The Council has ensured through the Frameworks and General Standards that evaluations will be based on multiple measures, and that they will be fair, transparent, and timely. Rigor and validity will be affirmed by State approval of LEA evaluation plans.*

- b. Afforded a meaningful opportunity to improve their effectiveness

*Response: The Council has determined that professional development is the foundation of its proposed statewide evaluation system. The Council believes that there must be professional development provided to teachers, principals, and their respective evaluators on the new evaluation process in addition to professional development to improve their effectiveness. Please see the Frameworks for a description of the professional development component of the evaluation system.*

- c. Provided the means to share effective practices with other educators statewide

*Response: Effective practices will be disseminated statewide through the results of the 7 LEA pilots in 2011-12 and the subsequent statewide pilot by all 24 LEAs in 2012-13. The 7 pilot LEAs include Baltimore County, Baltimore City, Charles County, Kent County, Prince George's County, Queen Anne's County, and St. Mary's County. These counties will select teachers at multiple grade levels and subject areas and teachers that represent a broad spectrum of experience.*

### **Alignment with the Education Reform Act of 2010**

The Council has also reviewed the Education Reform Act of 2010 to make certain that it is in alignment with the requirements of that Act. The requirements are as follows:

- 1) 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 of evidence of observed instruction.

*Response: The regulation will be promulgated according to the timeline following distribution of the formal report of the Council. General Standards are included in the report. Observations (and claims of evidence) and clear standards will be part of each LEA approved plan. Rigor will be ensured by State approval of LEA evaluation plans.*

- 2) The regulations shall include model performance evaluation criteria.

*Response: The model performance evaluation criteria are found on pages 13-15. These will be refined as the pilot evaluations systems progress and the Maryland State Board of Education develops regulations.*

- 3) The State Board shall solicit information and recommendations from each local school system and convene a meeting wherein this information and these recommendations are discussed and considered.

*Response: MSDE will seek information and recommendations through the regulatory process. A public hearing will be conducted for the purpose of discussion and consideration of information and recommendations.*

- 4) A county board shall establish performance evaluation criteria based on these standards. These criteria shall include:

- a. Data on student growth will be a significant component of the evaluation and as one of multiple measures

*Response: Student growth makes up 50% of the evaluation. This is a result of a formal vote of the Council (10-4) in favor of supporting the Race to the Top application and the 50% growth standard. LEAs have considerable flexibility in*

*establishing local performance evaluation criteria within the proposed General Standards.*

- b. May not be based solely on an existing or newly created single examination or assessment

*Response: The evaluation criteria are not based on a single assessment. Rather they require multiple measures.*

- c. No single criterion shall count more than 35% of the total performance evaluation criteria

*Response: No single criterion (defined as statewide student growth, LEA student growth, or the multiple measures making up the remaining 50 %) count more than 35%.*

- d. If the local school system and the bargaining unit fail to agree, the model performance criteria (State default evaluation system) shall take effect

*Response: The model performance criteria will be refined as the pilot systems progress and as the Maryland State Board of Education develops regulations.*

## **Next Steps**

There are a number of next steps that will be taken:

**Pilots** -- As previously mentioned, 7 LEAs have agreed to pilot a new evaluation system. As these pilots progress, the Council will meet in December 2011 to ascertain the then current status of implementation and lessons learned. It will meet again in June 2012 to make any final recommendations based on the pilot.

**Menu of Options** -- As the pilot systems progress, a menu of acceptable options for the various components of a statewide system of evaluation will be developed based on lessons learned. This menu would provide guidance to LEAs as they develop their final evaluation plans, and it will allow for appropriate flexibility for LEAs within the parameters established by the Maryland State Board of Education in its regulations for a statewide system of evaluation. The Council has

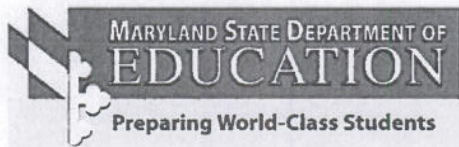
provided some initial menu options that will continue to be reviewed and revised through the pilot stage (see appendix).

1. Professional Development – Maryland has a project in its Race to the Top application for the professional development of executive officers (defined in COMAR as those who supervise and evaluate principals). The content for this professional development will be based on the parameters of the overall statewide system of evaluation and whatever recommendations are accepted and put into regulations. Since much of the evaluation system is going to be LEA-specific, it will be incumbent on each LEA to plan and deliver high-quality professional development on the specifics of its own evaluation system. MSDE will assist LEAs in the planning of such professional development within staffing limitations.
2. Default System -- The State default evaluation system is found on pages 16-17. This model will continue to be refined as the pilot evaluation systems progress and the Maryland State Board of Education develops regulations. This default system will go into effect for any LEA that cannot reach agreement with its bargaining unit per the Education Reform Act of 2010.
3. Regulations – The Maryland State Board of Education will begin the process of promulgating draft regulations in June 2012 so that all LEAs will have access to those regulations as they develop their respective systems of evaluation.

Maryland Council for Educator Effectiveness – Sample Growth Measures

	High School	4-8 Tested	4-8, Non-Tested	PreK-3
	W H E R E A P P L I C A B L E			
State Assessments Portfolio	<ul style="list-style-type: none"> <li>Portfolio – student work</li> <li>Portfolio – teacher work</li> </ul>	<ul style="list-style-type: none"> <li>Portfolios</li> </ul>	<ul style="list-style-type: none"> <li>Portfolios – student portfolios/sampling</li> </ul>	<ul style="list-style-type: none"> <li>Portfolios</li> </ul>
Projects/Products	<ul style="list-style-type: none"> <li>Projects: Locally Graded, State Checked, Performance Task</li> <li>Intervention Assessments (Wilson Reading, Lexile Lev)</li> </ul>	<ul style="list-style-type: none"> <li>Cross curricular projects</li> <li>Research-Based Interventions</li> </ul>	<ul style="list-style-type: none"> <li>In class projects (Science Fair, Class labs, Problem-based projects)</li> </ul>	<ul style="list-style-type: none"> <li>Culminating Project</li> <li>Summative Checklists (K)</li> </ul>
Test Products	<ul style="list-style-type: none"> <li>College/Career Readiness Tests</li> <li>SAT, AP, Accuplacer, IB, PSAT</li> <li>SLO – Pre/Post test; Standardized mid-term</li> <li>LEA or school developed</li> <li>Reading Level Tests</li> <li>Certification tests</li> <li>Benchmarking tests</li> <li>LAS Links</li> <li>Fitness Gram, Fitness for Life, Physical Education Metrics</li> </ul>	<ul style="list-style-type: none"> <li>Writing – Artificial Intelligence or teacher scored; Cross Curricular</li> <li>Benchmarking tests</li> <li>Unit Assessments</li> <li>Early Reading Inventories</li> <li>Math Inventories</li> <li>Language Proficiency Assessments</li> <li>LAS Links</li> <li>Modified Assessments</li> </ul>	<ul style="list-style-type: none"> <li>Pre-Post Assessments – Local Assessments – quarterly/other</li> <li>Oral Assessments</li> </ul>	<ul style="list-style-type: none"> <li>Dibels</li> <li>Benchmarking tests</li> <li>Quarterly assessments</li> <li>Quarterly Reading Assessments</li> <li>Sight work assessments</li> <li>Basic facts Quarterly assessments</li> </ul>
Performance		<ul style="list-style-type: none"> <li>Performance based – cross curricular</li> </ul>	<ul style="list-style-type: none"> <li>Small Group video (performance, ex. drama, music group, individual students, special education)</li> <li>Adjudication (Ensembles, Choir)</li> </ul>	





**Bernard J. Sadusky, Ed.D.**  
**Interim State Superintendent of Schools**

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**TO:** Members of the State Board of Education  
**FROM:** Bernard J. Sadusky, Ed.D. *BS*  
**DATE:** March 27, 2012  
**SUBJECT:** Teacher and Principal Evaluation

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**PURPOSE:**

To provide the State Board with proposed language for COMAR 13A.07.04-1 Evaluation of Teachers and Principals.

**HISTORICAL BACKGROUND:**

The Education Reform Act of 2010 calls for the State Board to adopt regulations to establish standards for performance evaluations for teachers and principals which includes model performance evaluation criteria. This action would bring the Maryland State Department of Education's regulations into compliance with the Education Reform Act of 2010, signed by Governor O'Malley on May 3, 2010, and would meet the requirements of the Elementary and Secondary Education Act (ESEA) Flexibility Request requirements. The ESEA Flexibility Request, submitted by Maryland on February 28, 2012, requires that all guidelines for teacher and principal evaluation and support systems must be adopted by the end of the 2011-2012 school year.

**EXECUTIVE SUMMARY:**

Maryland's goal is to ensure the majority of teachers and principals in its public schools are not only evaluated as being effective, but are effective. To be effective, teachers and principals must show they can successfully improve student learning. The Education Reform Act of 2010 established that changes in student growth will become a significant factor in the evaluation of teachers and principals. Both the Race to the Top Application and the ESEA Flexibility Request are aligned with the commitment to develop an evaluation system for both teachers and principals that will more consistently and fairly identify, support and reward educators who are effective and highly effective and develop, support, or exit those who are ineffective. The evaluation systems will be supported and guided by Professional Development not only for the ineffective teacher or principal but for all. All teachers and principals are committed to improving instruction and leadership in order to improve the achievement of all students.

Members of the State Board of Education

March 27, 2012

Page 2

The proposed COMAR provides minimum general standards that apply to the evaluation of all teachers and principals; in addition, identifies criteria for local education agencies (LEAs) that signed on to Race to the Top; establishes Model State Performance Criteria if the LEA and the exclusive employee representative do not reach agreement; and provides a description of the Evaluation Cycle.

**ACTION:**

Requesting permission to publish.

BJS/mlg



**Title 13A  
State Board of Education  
Subtitle 07 SCHOOL PERSONNEL**

**Chapter 04-1 Evaluation of Teachers and Principals**

**.01 Applicability.**

**A. Applicability.**

(1) Effective in school year 2013-14, the minimum general standards set forth in .02(B) of this Regulation shall apply to evaluations of all teachers and principals.

(2) In addition, all local education agencies (LEAs) that signed on to the Race to the Top (RTTT) application, must comply with the criteria set forth in §.03(B)(1)(a) of this Regulation.

**B. Definitions.**

In this chapter, the following terms have the meanings indicated.

(1) "Evaluation" means an appraisal of professional performance for a school year based on written criteria and procedures that result in a written evaluation report.

(2) "Teacher" means any individual certificated under COMAR 13A.12.02.03-.23 as a teacher and who delivers instruction and is responsible for a student or group of students' academic progress in a Pre-K-12 public school setting, subject to local school system interpretation. Teacher may include an individual certificated by MSDE under 13A.12.03. if the individual delivers instruction, and is responsible for a group of students' academic progress in a Pre-K-12 public school setting, subject to local school system interpretation.

(3) "Principal" means an individual who serves in the position as a principal and who is certificated under COMAR 13A.12.04.04 or certificated as a resident principal under COMAR 13A.12.04.05.

(4) "Student Growth" means student progress assessed by multiple measures and from a clearly articulated baseline to one or more points in time.

#### **.02 Local Education Agency () Evaluation System**

A. An evaluation system for teachers and principals developed by an LEA in mutual agreement with the exclusive employee representative shall include General Standards and Performance Evaluation Criteria.

B. General Standards shall address:

(1) Classroom observations of teachers' professional practice, which shall be conducted by certificated individuals who have completed training that includes identification of teaching behaviors that result in student growth. Classroom observations shall play a role in the evaluation system, at minimum, in the following ways:

(a) An evaluation of a teacher's professional practice shall be based on at least two observations during the school year.

(b) An evaluation report that evaluates a teacher as ineffective shall include at least one observation by an individual other than the immediate supervisor.

(c) An observation, announced or unannounced, shall be conducted with full knowledge of the teacher.

(d) A written observation report shall be shared with the teacher and a copy provided within a reasonable period of time. The certificated individual shall sign the

observation report to acknowledge receipt.

(e) An observation shall provide for written comments and reactions by the teacher being observed, which shall be attached to the observation report.

(f) An observation shall provide specific guidance in areas needing improvement and supports as well as a reasonable timeline to demonstrate improvement in areas marked as ineffective.

(2) Claims and evidence of observed instruction that substantiate the observed behavior(s) in a classroom observation and/or evaluation and are included in the evaluation report. Such claims and evidence of observed instruction may be identified by either the teacher or evaluator and may include such things as student work, teacher-developed initiatives, portfolios, projects, data, artifacts, and other statements.

(3) Clear standards based on Department approved or nationally recognized measurable components that serve as the foundation of teaching and learning, such as the INTASC standards. The standards set forth in the LEA evaluation system shall be applicable to professional practice and student growth.

(4) Rigor – in order to ensure statewide rigor in LEA evaluation systems:

(a) The LEA must submit its proposed evaluation system and any guidelines for its use to the Department for the purpose of ensuring compliance with the minimum general standards set forth in this chapter.

(b) An evaluation of a teacher or principal shall provide, at a minimum, for an overall rating of highly effective, effective, , or ineffective.

(5) A professional development component for all teachers and principals and a focused professional development, resources, and mentoring component for teachers and

principals who are evaluated as ineffective and for all non-tenured teachers.

C. Performance Evaluation Criteria of which no single performance evaluation criterion may account for more than 35% of the total performance evaluation criteria and that:

(1) shall be based on those measures mutually agreed to by an LEA and the exclusive employee representative, and:

(2) Will yield at a minimum an evaluation of effective, highly effective, or ineffective;

(3) Are approved by MSDE; and

(4) Address professional practice:

(i) For teacher to include, but not be limited to, planning, preparation, classroom environment, instruction, and professional responsibility;

(ii) For principals, to include, but not be limited to the eight outcomes in the Maryland Instructional Leadership Framework.

(5) Measure student growth which for teachers and principals:

(i) Shall be a significant factor in the evaluation;

(ii) Shall be based on multiple measures;

(iii) Shall not be based solely on an existing or newly created examination or assessment.

### **.03 Model State Performance Evaluation Criteria**

A. If the LEA and the exclusive employee representative do not reach agreement on an

LEA Evaluation System, the Model State Performance Evaluation Criteria shall be adopted by the LEA.

B. The Model State Performance Evaluation Criteria includes:

(1) Model performance evaluation criteria for student growth that:

(a) Shall count for 50% of a teacher's or principal's evaluation.

(b) Shall not be based solely on an existing or newly created examination or assessment;

(c) Shall be based on multiple measures as follows:

(i) For elementary and middle school teachers providing instruction in state-assessed grades and content, aggregate class growth scores for state-assessed content area(s) being taught; student learning objectives in content areas being taught; and the school-wide index.

(ii) For elementary and middle school teachers providing instruction in non-state-assessed grades and content, student learning objectives in content area(s) being taught and the school-wide index.

(iii) For high school teachers, student learning objectives in content area(s) being taught and the school-wide index.

(iv) For elementary and middle school principals, student learning objectives, aggregate school-wide growth scores in state-assessed content areas, and the school-wide index.

(v) For high school principals, student learning objectives and the school-wide index.

(vi) For principals of other types of schools, student learning objectives and the school-wide index.

(2) Model performance evaluation criteria for professional practice that:

(a) Shall count for 50% of a teacher's and principal's evaluation.

(b) For teachers, shall include, but not be limited to, planning and preparation; classroom environment; instruction; and professional responsibility.

(c) For principals, shall include, but not be limited to, the eight outcomes in *The Maryland Instructional Leadership Framework* and other outcomes based on Interstate School Leaders and Licensure Consortium (ISLLC).

#### **.04 Evaluation Cycle**

(A) On a three year evaluation cycle, teachers and principals shall be evaluated at least once annually in the following ways:

(1) Tenured Teachers

(a) In the first year of the evaluation cycle conducted under these regulations, tenured teachers shall be evaluated on both professional practice and student growth.

(b) If in the first year of the evaluation cycle a tenured teacher is determined to be highly effective or effective then in the second year of the evaluation cycle, the tenured teacher shall be evaluated using the professional practice rating from the previous year and student growth based on the most recent available data.

(c) If in the second year of the evaluation cycle a tenured teacher is

determined to be highly effective or effective, then in the third year of the evaluation cycle, the tenured teacher shall be evaluated using the professional practice rating from the previous year and student growth based on the most recent available data.

(d) At the beginning of the fourth year, the evaluation cycle shall begin again as described in (a) through (c) of this Regulation.

(e) In any year, a principal may determine or a teacher may request that the evaluation be based on a new review of professional practice along with student growth.

(2) Non-tenured Teachers and Teachers Rated as Ineffective

(a) All non-tenured teachers and all teachers rated as ineffective shall be evaluated annually on professional practice and student growth.

(3) Principals

(a) Every principal shall be evaluated at least once annually based on all of the components set forth in the applicable sections of Section .02 or .03 of this regulation.

**.05 Evaluation Report**

(A) The evaluation report shall be shared with the certificated individual who is the subject of the evaluation.

(B) The certificated individual shall receive a copy of and sign the evaluation report.

(C) The signature of the certificated individual does not necessarily indicate agreement with the evaluation report.

(D)An evaluation report shall provide for written comments and reactions by the individual being evaluated, which shall be attached to the evaluation report.

**.06 Appeal of an Evaluation.**

A. In the event of an overall rating of ineffective, the local school system shall, at a minimum, provide certificated individuals with an opportunity to appeal in accordance with Education Article, §4-205(c)(4), Annotated Code of Maryland.

B. If an observation report is a component of an ineffective evaluation, the observation report may be appealed along with the ineffective evaluation.

C. The burden of proof is on the certificated individual appealing an overall rating of ineffective to show that the rating was arbitrary, unreasonable, illegal, or not in compliance with the adopted evaluation system of the LEA.

**.07 Review**

A. This chapter shall be in effect until September 30, 2014, at which time it shall automatically sunset, subject to review and re-promulgation by the State Board.