

Educator Evaluation Teachers

MCL 380.1249 requires districts to adopt and implement an annual performance evaluation system for teachers and administrators. SB 103, signed by the Governor on November 10, 2015, amends section 1249 to require modified teacher and school administrator evaluation systems. This document provides a summary of the changes made by SB 103 including citations indicating the location of these requirements within statute. The full text version of SB 103 can be accessed [here](#). Note that although many of the requirements do not go into effect until future years (as noted), all other new and modified requirements under this legislation began with the 2015-2016 school year.

FREQUENCY	At least an annual year-end evaluation providing timely and constructive feedback – MCL 380.1249(1)(a)
THE EVALUATOR	Administrator or Designee – MCL 380.1249(2)(c)
STATE EVALUATION TOOL	
EVALUATION TOOL	The school must develop or adopt and implement an evaluation tool beginning in 2016-17. The tool must be used consistently across the district. The Michigan Department of Technology, Management and Budget must establish and maintain a list of recommended evaluation tools. – MCL 380.1249(2)(f), MCL 380.1249(5)
POSTING REQUIREMENTS	Beginning in 2016-17, information on the adopted tool must be posted on the district’s website. This information must include: <ol style="list-style-type: none"> 1. Research base for the evaluation framework 2. Identity and qualifications of the person who developed the tool or of a person with expertise in teacher evaluations and who has reviewed the tool 3. Evidence or assurance of the reliability and validity of the tool 4. Details of the key indicators 5. Descriptions of the processes for conducting the evaluations 6. Descriptions of the plan for providing evaluator and observer trainings – MCL 380.1249(3)(a-f)
CLASSROOM OBSERVATIONS & EFFECTIVENESS RATINGS	
CLASSROOM OBSERVATIONS	Shall consist of: <ol style="list-style-type: none"> 1. A review of lesson plans, state curriculum standard being used, and review of pupil engagement in lesson 2. At least 2 classroom observations each school year unless a teacher has received a rating of effective or highly effective on his or her most recent annual year-end evaluations. Beginning 2016-17, at least 1 must be unscheduled. Full class period not required – MCL 380.1249(2)(e)
EFFECTIVENESS RATING	Highly Effective – Effective – Minimally Effective – Ineffective – MCL 380.1249(2)(g)
BIENNIAL EVALUATION	Highly Effective Rating - 3 Consecutive Years - The school may choose to conduct a year-end evaluation biennially (every 2 years) instead of annually. – MCL 380.1249(2)(k) End of Biennial Evaluations - If a teacher is not rated Highly Effective on 1 of these biennial year-end evaluations, the teacher shall be provided with annual year-end evaluations. – MCL 380.1249(2)(k)
GOALS/TRAINING	
GOALS TRAINING	Annual evaluation systems shall include specific goals for the next school year and recommended training identified by school administrator. – MCL 380.1249(2)(c)
INDIVIDUALIZED DEVELOPMENT PLAN MIDYEAR PROGRESS REPORT	Required for: teacher who is in his or her first year of probation or who received a rating of minimally effective or ineffective in most recent annual year-end evaluation. – MCL 380.1249(2)(d) IDP: Administrator will develop, in consultation with the teacher, an IDP that includes the specific goals and training designed to assist in teacher improvement. – MCL 380.1249(2)(c) Midyear Progress Report Requirements: <ol style="list-style-type: none"> 1. Be based in part on student achievement 2. Be aligned with teacher’s IDP 3. Shall not take the place of year-end evaluation 4. Written improvement plan including specific performance goals for remainder of the year – MCL 380.1249(2)(d) Recommendation: assignment of mentor or coach – MCL 380.1249(2)(h)
EVALUATION TRAINING	Beginning with 2016-17, schools must provide training to teachers on the evaluation tool and how it is used in its performance evaluation system. – MCL 380.1249(2)(m) Beginning in 2016-17, schools must provide training to evaluators and observers by an individual with expertise in the adopted evaluation tool. – MCL 380.1249(2)(n)
STUDENT GROWTH & ASSESSMENT DATA	
STUDENT GROWTH & ASSESSMENT REQUIREMENT	The evaluation shall establish clear approaches to measuring student growth and provide teachers and school administrators with relevant data on student growth. – MCL 380.1249(1)(b) Measured by: National, State or Local Assessments AND other objective criteria – MCL 380.1249(1)(c)

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DATA USED	<p>Most recent 3 consecutive school years (if data for 3 consecutive years is not available, shall be based on all student growth and assessment data available for the teacher) – MCL 380.1249(2)(b)</p> <p>Percentage of evaluation tool that will be based on growth and assessment data: 2015-16 = 25% 2016-17 = 25% 2017-18 = 25% 2018-19 = 40%* – MCL 380.1249(2)(a)(i)</p> <p>*Beginning in 2018-19, at least 50% of the student growth variable must be measured using the state assessment. – MCL 380.1249(2)(a)(ii)</p>
STUDENT EXEMPTION	Administrator may recommend exemption of a particular pupil, with superintendent approval, from performance evaluation system – MCL 380.1249(2)(i)
DISMISSAL, REVIEW & INEFFECTIVE TEACHER NOTICE	
DISMISSAL	Mandatory: ineffective rating on three consecutive annual year-end evaluations – MCL 380.1249(2)(j)
REVIEW	<p>If a teacher receives an ineffective rating on a year-end evaluation, the teacher may request a review of the evaluation and rating by the superintendent or chief administrator (if not in a probationary period).</p> <ul style="list-style-type: none"> - Review submission must be made within 20 days of the teacher being informed of rating - Upon receipt of the request, the superintendent may make any modifications as appropriate based on review of the evaluation and rating. - Evaluation system shall not allow for a review more than twice in a 3-school-year period. – MCL 380.1249(2)(l)
INEFFECTIVE TEACHER NOTICE	Beginning 2018-19: the school shall not assign a pupil to be taught in the same subject area for 2 consecutive years by a teacher that has been rated ineffective on his or her 2 most recent annual year-end evaluations. If unable to comply the school must provide notification in writing and delivered to the pupil's parent or guardian no later than July 15 immediately preceding the beginning of the school year for which the pupil is assigned to the teacher. – MCL 380.1249a(1-2)
EXEMPTION	
EXEMPTION REQUIREMENTS	The law eliminates the exemption for a school district, ISD, or PSA using an existing system meeting the prescribed criteria. Instead, a school district, ISD, or PSA is encouraged to adopt and implement a performance evaluation system that met generally the same criteria.
GOVERNOR'S COUNCIL ON EDUCATOR EFFECTIVENESS	
The 2011 legislation that amended the Revised School Code established a temporary commission, the Governor's Council on Educator Effectiveness, which was subsequently renamed the Michigan Council for Education Effectiveness. The Council was charged with issuing a report with recommendations on a variety of subjects, including State evaluations tools for teachers and administrators. In July 2013, the Council issued a report with its final recommendations. To address concerns with the 2011 legislation that made various changes to the Teachers' Tenure Act, this legislation was developed to incorporate some of the Council's recommendations into the Revised School Code.	

Disclaimer-This presentation and information reflects general legal standards and are not intended as legal advice for specific situations. Future legal developments may affect these topics. Please consult your attorney for detailed explanation and understanding of the law.