

FAQs about Teacher Evaluation and House Bill 362 (effective 2014)

As a result of the Ohio legislature passing Ohio Substitute House Bill 362 on June 3, 2014, the Ohio Teacher Evaluation System will reflect changes for the 2014-2015 school year and beyond.

The first change will allow less frequent evaluation of teachers who received skilled and accomplished ratings from the previous school year, while still providing them with feedback on their work.

A board of education may elect to evaluate a teacher receiving a rating of accomplished every three years as long as the teacher's student academic growth measure for the most recent school year for which data is available is average or higher.

A board of education may elect to evaluate a teacher receiving a rating of skilled every two years as long as the teacher's student academic growth measure for the most recent school year for which data is available is average or higher.

The second change will allow districts a choice between a new alternative teacher evaluation structure (Ohio Revised Code 3319.114) and the current (original) structure (ORC 3319.112). The alternative structure includes a third measure as 15 percent of the evaluation, with the remaining portion divided equally between performance on standards and student growth measures.

Please note that the House Bill 362 changes do not apply to principal evaluations.

	Original Ohio Framework (ORC 3319.112)	Alternative Framework (ORC 3319.114)
Teacher Performance Measure	50%	42.5%
Student Growth Measure	50%	42.5%
Alternative Component	n/a	15%

General

May districts use the alternative framework to evaluate principals?

No, principals are to use the original framework; House Bill 362 only affects the calculations for principals final summative ratings because the simple formula will now replace the Look-up Table for compiling teacher and principal final summative ratings.

When will Substitute House Bill 362 go into effect?

The effective date is Sept. 11, 2014.

Are districts required to follow the teacher evaluation changes in Sub. HB 362?

The teacher evaluation changes within Sub. House Bill 362 are permissive, allowing districts the flexibility to choose less frequent evaluation cycles of teachers receiving skilled and accomplished ratings beginning with the 2014-2015 school year, while still providing them with feedback on their work. Additionally, districts have a choice between the current framework or a new alternative teacher evaluation structure, which allows them to choose one of four alternative components to account for 15 percent of the evaluation.

Additionally, districts have a choice between the current framework or a new alternative teacher evaluation structure, which allows them to choose one of four alternative components to account for 15 percent of the evaluation. Beginning in 2015-16, districts selecting the Alternative Framework must choose weights in eTPES for the teacher performance and student growth within a range of 42.5% to 49% while maintaining an equal percentage for each. The district identified alternative component will make up the remaining percentage.

Do districts need to fully evaluate teachers on limited contracts whose ratings are accomplished or skilled in the year their contracts are expiring?

The law has not changed regarding the required number of observations for teachers on limited or extended limited contracts who are being considered for nonrenewal.

Sub. House Bill 362 specifically states “buildings” and “schools.” Does this mean that different school buildings within a single district could be different?

No. A district board of education must make a decision regarding all school buildings within the district when choosing a district evaluation framework. When language states “district or school,” “school” means a community or STEM school.

Do we have to choose whether or not we are using the alternative framework when the electronic teacher and principal evaluation system (eTPES) district set-up begins in the fall?

Districts will be required to enter a plan in eTPES in the fall regarding how frequently they will evaluate teachers who received accomplished or skilled ratings the previous year. However, the electronic evaluation system will not request that districts submit their choice of a teacher evaluation framework until the winter months. The eTPES fall trainings will review information to support districts in their decisions. The Ohio Department of Education (ODE) recommends that districts selecting the alternative framework make the decision in sufficient time to complete the chosen alternative component. ODE will announce a list of department-approved components in August.

What are the district’s responsibilities for the teachers rated accomplished in 2013-2014?

The answer to this question differs based on whether or not the local board of education approved a policy and collective bargaining agreement before May 10, 2014, that allows for

the evaluation of teachers rated accomplished every two years. Evidence of the local policy and the date of board action must be documented in eTPES in fall 2014. This practice may continue until the current collective bargaining agreement expires.

If the local board did not make a decision (by board policy prior to May 10, 2014) to evaluate teachers rated accomplished every two years, the district may elect to evaluate these teachers once every three years per Sub. House Bill 362. This means that a teacher rated accomplished at the end of the 2013-2014 school year will not be formally evaluated again until 2016-2017. If a district elects to evaluate these teachers every three years, an observation, conference and a student growth measure score will be necessary during the year they are not fully evaluated.

For a graphic chart displaying the option explained above for teachers receiving accomplished ratings.

What are the district's responsibilities for the teachers rated skilled in 2013-2014?

Teachers rated skilled may be evaluated annually or districts may choose to evaluate them every two years under Sub. House Bill 362. If a district elects to evaluate these teachers every two years, an observation, conference and a student growth measure score will be necessary during the year they are not fully evaluated. The evaluation schedule must be noted in eTPES in the fall of the school year.

Are districts required to evaluate through the Ohio Teacher Evaluation System retiring teachers or teachers on leave?

A board of education may elect to not conduct an evaluation of a teacher who: (1) was on an approved leave for 50 percent or more of the school year as calculated by the board; or (2) has submitted notice of retirement and that notice has been accepted by the board not later than **December 1** in the school year in which the evaluation is otherwise scheduled to be conducted.

If a teacher receives a rating of accomplished or skilled in one local education agency and moves to another, does the rating follow that teacher?

Due to security reasons, the eTPES system does not permit a district to see a new hire's evaluation rating entered by another district. Therefore, the rating entered in eTPES for the teacher evaluation conducted in one district does not follow the teacher to a new district. The teacher will need to have a full annual evaluation in their first year of employment in the new district.

Will the multi-year Value-Added composite continue for teachers rated skilled and accomplished during the years in which they are not fully evaluated?

While the final summative rating remains unchanged, each year the teacher of Value-Added courses will continue to receive a Value-Added Teacher-Level Report, including a composite. Note that no teachers will receive a multi-year composite in 2015 because of the transition to the new state assessments. In this year, teachers will receive a composite rating, but it will include data from the 2014-15 school year only. Beginning with the 2015-16 school year, teachers once again will receive a multi-year composite if they have two years of data.

According to House Bill 362, some teachers can be evaluated less frequently. Does this apply to principal evaluation?

House Bill 362 evaluation changes are permissive, and allow districts the flexibility to choose less frequent evaluation cycles of teachers receiving skilled and accomplished ratings beginning with the 2014-2015 school year, while still providing them with feedback on their work. The permissive changes apply to the Ohio Teacher Evaluation System, but do *not* apply to the Ohio Principal Evaluation System.

Must observations be announced?

Districts have the flexibility to determine whether observations are announced or unannounced.

Are administrators now required to hold conferences with teachers?

In any year in which a teacher who has not been formally evaluated as a result of having previously received a rating of accomplished or skilled, a credentialed evaluator shall conduct at least one observation of the teacher and hold at least one conference with the teacher. The annual observation should be defined by the local policy and collective bargaining agreement.

The only exception to this observation and conference requirement is for districts that elected, by board policy before May 10, 2014, to evaluate teachers rated accomplished every two years.

Did Sub. House Bill 362 change the law regarding annual professional growth or improvement plans?

No. According to Ohio's Teacher Evaluation Framework, teachers must complete an annual professional growth plan or improvement plan.

When an accomplished or skilled teacher receives their individual Value-Added report or Vendor Assessment report in the Fall of 2014, and falls below average (score of 1 or 2), does the full evaluation cycle begin immediately for those staff members on a less frequent evaluation cycle?

Teachers who receive below average student growth ratings during a year in which they are not being fully evaluated *are not required* but may begin the full evaluation cycle. The full cycle must begin the following year (2015-16). It is recommended that the teacher be placed on an Improvement Plan for the current year (2014-15) if they are not placed on a full evaluation cycle.

2013-14	2014-15	2015-16
Accomplished Rating	1. Student Growth Measures: Value Added/Vendor Assessment data drops to Below Average  2. Initiate Improvement Plan (recommended) and 3. Conduct Observation 4. Conduct Conference	Full Evaluation Cycle
Skilled Rating	1. Student Growth Measures: Value Added/Vendor Assessment data drops to Below Average  2. Initiate Improvement Plan (recommended) and 3. Conduct Observation 4. Conduct Conference	Full Evaluation Cycle

Alternative Component

Our district is using the alternative framework. What are our options for the 15 percent?

If a district chooses the alternative framework, one of the following components shall be 15 percent of each teacher's evaluation: student surveys, teacher self-evaluations, peer review evaluations or student portfolios. For each of these components, the department will provide a list of approved instruments that districts must choose from if they select the alternative teacher evaluation framework.

Our district already uses a peer review process as part of our performance evaluation. Can we use our current peer review process as an alternative component?

If a district chooses to use the peer review evaluation as the component of the alternative framework, which equals 15 percent of the evaluation, the district must follow the guidelines provided by the department for this component. The district can continue to use their existing peer review process, but it cannot be included as a portion of the alternative component for evaluation purposes unless it follows the department's guidelines.

Electronic Teacher and Principal Evaluation System

Do we have to choose whether or not we are using the alternative framework when the electronic teacher and principal evaluation system (eTPES) district set-up begins in the fall?

Districts will be required to enter a plan in eTPES in the fall regarding how frequently they will evaluate teachers who received accomplished or skilled ratings the previous year. However, the electronic evaluation system will not request that districts submit their choice of a teacher evaluation framework until the winter months. The eTPES fall trainings will review information to support districts in their decisions. The Ohio Department of Education (ODE) recommends that districts selecting the alternative framework make the decision in sufficient

time to complete the chosen alternative component. ODE will announce a list of department-approved components in August.

How do the Sub. House Bill 362 changes affect the data that must be entered into the electronic Teacher and Principal Evaluation System (eTPES)?

If district chooses to evaluate on a less frequent cycle, eTPES will carry the earned accomplished or skilled final summative rating forward.

Districts need to upload into eTPES any policies their boards put into in place before May 10, 2014, that permit them to evaluate teachers with accomplished ratings every two years.

Those districts without such policies, but choosing to evaluate teachers less frequently (per House Bill 362), will need to select that option in eTPES. These districts:

- Will have the option to enter the observation and conference dates into eTPES.
 - Must enter student growth measure scores needed to calculate the annual student growth measure rating into eTPES.
 - Must conduct an annual conference with the teachers rated accomplished and skilled and may enter this date into eTPES.
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Student Growth Measures

The law says that teachers rated accomplished or skilled do not have to be evaluated every year, as long as their student growth measure rating is average or higher. How is average or higher defined?

“Average” student growth is defined using a five-point scale with a score of 3 considered “average” and 4 and 5 as higher. Therefore, scores of 1 (least effective) and 2 (approaching average) are considered below average growth and would require the district to full evaluate the teacher the following year.

5	Most effective
4	Above average
3	Average
2	Approaching average
1	Least effective

Safe Harbor

Is there a Safe Harbor provision for Value-Added data attained from Ohio’s new assessment system?

A. Section 13 of Sub. House Bill 487 provides a Safe Harbor provision specifically with regard to Value-Added data attained from Ohio's new assessment system. A local district may enter into a Memorandum of Understanding stipulating that the Value-Added data from the 2014-2015 school year from Ohio's new assessments will not be used in the 2015-2016 year when making decisions regarding the dismissal, retention, tenure or compensation of the district's or school's teachers.

Will the Value-Added data from the 2014-2015 school year be reported?

Yes. Teachers of Value-Added courses will still receive an overall final summative rating, which will include the Value-Added data, even if a memorandum of understanding is crafted within a local district. The memorandum only affects the decision-making process regarding the dismissal, retention, tenure or compensation of the district's or school's teachers. The Safe Harbor provision does not exempt teachers from receiving a student growth rating from Value-Added data.

Does the Safe Harbor provision apply to all student growth measures?

No. The Safe Harbor provision specifically applies to the Value-Added data attained from the Ohio's new assessments administered during the 2014-2015 school year. All other student growth measures (e.g., approved vendor assessments, local measures) would not be subject to the Safe Harbor Provision.

How long are districts allowed to apply for Safe Harbor?

This provision applies to the 2014-2015 Value-Added testing data.