

State of Arkansas  
89th General Assembly  
Regular Session, 2013

# A Bill

SENATE BILL 833

By: Senator Elliott  
By: Representative Lenderman

## For An Act To Be Entitled

AN ACT TO AMEND THE TEACHER EXCELLENCE AND SUPPORT  
SYSTEM; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE TEACHER EXCELLENCE AND  
SUPPORT SYSTEM.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-17-2803(2)-(5), concerning the definitions for the Teacher Excellence and Support System, is amended to read as follows:

(2)(A) "Evaluation" means the process under this subchapter used to:

(i) Assess with evidence what a teacher should know and be able to do as measured by the ~~categories~~ domains and performance ~~levels~~ ratings of an evaluation framework; and

(ii) Promote teacher growth through professional learning.

(B) "Evaluation" does not include a teacher's performance relating to competitive athletics and competitive extracurricular activities;

(3) "Evaluation framework" means a standardized set of teacher evaluation ~~categories~~ domains that provide the overall basis for an evaluation;

(4) "Evaluation rubric" means a set of performance ~~descriptors~~ components for each teacher evaluation ~~category~~ domain in the evaluation



framework;

(5) "Evaluator" means a person licensed by the State Board of Education as an administrator who is designated as the person responsible for evaluating teachers and who is an employee of the school district in which the evaluations are performed;

SECTION 2. Arkansas Code § 6-17-2803(11)(B), concerning the definition of "interim teacher appraisal" for the Teacher Excellence and Support System, is amended to read as follows:

(B) Uses standards for teacher growth and performance that are consistent with the evaluation rubrics for the teacher evaluation ~~categories~~ domains of a summative evaluation;

SECTION 3. Arkansas Code § 6-17-2803(18), concerning the definition of "summative evaluation" for the Teacher Excellence and Support System, is amended to read as follows:

(18) "Summative evaluation" means an evaluation of a teacher's performance that evaluates all ~~categories~~ domains of the evaluation framework that supports:

(A) Improvement in the teacher's teaching practices and student achievement; and

(B) A school district's employment decision concerning the teacher;

SECTION 4. Arkansas Code § 6-17-2804(b)(6)-(8), concerning administrative agency responsibilities for the Teacher Excellence and Support System, is amended to read as follows:

(6) Ensure that student growth is analyzed at every ~~level~~ phase of the evaluation system to illustrate teacher effectiveness;

(7) Require annual evidence of student growth from artifacts and external assessment measures;

(8) Include clearly defined teacher evaluation ~~categories~~ domains, performance ~~levels~~ ratings, and evaluation rubric ~~descriptors~~ components for the evaluation framework;

SECTION 5. Arkansas Code § 6-17-2805 is amended to read as follows:

6-17-2805. Summative evaluations.

(a) The evaluation framework for a summative evaluation for a classroom teacher shall include:

(1) The following teacher evaluation ~~categories~~ domains:

- (A) Planning and preparation;
- (B) Classroom environment;
- (C) Instruction; and
- (D) Professional responsibilities; and

(2) An evaluation rubric using nationally accepted ~~descriptors~~ components that consists of the following four (4) performance ~~levels~~ ratings:

- (A) Distinguished;
- (B) Proficient;
- (C) Basic; and
- (D) Unsatisfactory.

(b) A summative evaluation shall result in a written:

(1) Evaluation determination for the teacher's performance ~~level~~ rating on each teacher evaluation ~~category~~ domain; and

(2) Summative evaluation determination of the teacher's performance ~~level~~ rating on all teacher evaluation ~~categories~~ domains as a whole.

(c) A summative evaluation shall use an appropriate evaluation framework, evaluation rubric, and external assessment measurements for a teacher who is not a classroom teacher, including without limitation:

- (1) A guidance counselor;
- (2) A library media specialist;
- (3) A special education teacher; or
- (4) Other teacher as identified by the State Board of Education.

(d)(1) In a tested content area, ~~one-half (1/2) of~~ among the artifacts considered by the teacher and evaluator shall be external assessment measures chosen by the teacher and evaluator, or by the evaluator if the teacher and evaluator are unable to agree.

(2)(A) Except as provided in subdivision (d)(2)(B), in a nontested content area, ~~one-half (1/2) of~~ among the artifacts considered by the teacher and evaluator, or by the evaluator if the teacher and evaluator cannot agree, shall be external assessments.

(B)(i) If an external assessment ~~measure~~ measurement does not exist for the nontested content area, the Department of Education shall by rule determine the type of artifact that may be used otherwise to satisfy the external assessment ~~measure~~ measurement requirement under subdivision (d)(2)(A) of this section.

(ii) In a tested content area, the teacher and evaluator shall choose the summary growth statistic associated with the state-mandated assessment for the tested content area as one (1) of the external assessment measures to satisfy the requirements under subdivision (d)(1) of this section.

(iii) In tested and nontested content areas, the department may authorize school districts to create external assessment measures to include without limitation formative assessments.

(iv) If an external assessment measure does not exist for the nontested content area and a school district does not create an external assessment measure for the nontested content area, the department may prescribe a state-mandated assessment to satisfy the requirements of subdivision (d)(2) of this section.

(e) A summative evaluation process shall include:

- (1) A pre-observation conference and post-observation conference;
- (2) A formal classroom observation and informal classroom observation;
- (3) Presentations of artifacts chosen by the teacher, the evaluator, or both;
- (4) An opportunity for the evaluator and teacher to discuss the review of external assessment measures used in the evaluation;
- (5) A written evaluation determination for each teacher evaluation ~~category~~ domain and a written summative evaluation determination;
- (6) Feedback based on the evaluation rubric that the teacher can use to improve teaching skills and student learning; and
- (7) Feedback from the teacher concerning the evaluation process and evaluator.

SECTION 6. Arkansas Code § 6-17-2807(a), concerning intensive support status, is amended to read as follows:

(a)(1) An evaluator shall place a teacher in intensive support status if the teacher has a rating of "Unsatisfactory" in any one (1) entire teacher evaluation ~~category~~ domain of the evaluation framework.

(2) An evaluator may place a teacher in intensive support status if the teacher has a rating of "Unsatisfactory" or "Basic" in a majority of ~~descriptors~~ components in a teacher evaluation ~~category~~ domain.

SECTION 7. Arkansas Code § 6-17-2807(d), concerning intensive support status, is amended to read as follows:

(d) The evaluator shall work with the teacher to:

(1) Develop a clear set of goals and tasks that correlate to:

(A) The professional learning plan; and

(B) Evidence-based research concerning the evaluation ~~category~~ domain that forms the basis for the intensive support status; and

(2) Ensure the teacher is offered the support that the evaluator deems necessary for the teacher to accomplish the goals developed and to complete the tasks assigned while the teacher is in intensive support status.

SECTION 8. Arkansas Code § 6-17-2808(b)(2)(C), concerning implementation and applicability of the Teacher Excellence and Support System, is amended to read as follows:

(C) During the two (2) years in which a summative evaluation is not required, a public school may conduct an evaluation that is lesser in scope than a summative evaluation but uses the portions of the evaluation framework and evaluation rubrics that are relevant to the ~~evaluation~~ teacher's professional growth plan.

SECTION 9. Arkansas Code § 6-17-2809 is amended to read as follows:

6-17-2809. Administrator evaluations.

(a) The Department of Education shall provide technical assistance to school districts for developing and implementing instruments ~~may develop and implement an administrator evaluation system for school districts~~ to evaluate administrators that weight an administrator evaluation on student performance and growth to the same extent as provided for teachers under the Teacher Excellence and Support System.

(b) The State Board of Education may promulgate rules as necessary for

the administration of this section.

**APPROVED: 04/04/2013**