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Statement on HB 5223 and HB 5224: Teacher and Administrator Evaluation

AFT Michigan has long supported measures to hold educators to high standards by providing resources for the development of the professional practice of educating students. AFT Michigan commends the Michigan Council for Educator Effectiveness for its thorough study of educator evaluation research and its evidence-based policy recommendations for implementation of an improvement-focused statewide evaluation program. We also thank Rep. Margaret O'Brien and Rep. Adam Zemke for their concerted efforts to draft policy which incorporates the MCEE's recommendations in a thoughtful, inclusive manner.

We believe the MCEE recommendations, and many elements of HB 5223 and HB 5224, will allow for consistent and clear educator evaluation, which will improve the teaching practice and ultimately, student learning. These important features include:

- Mandatory vendor-provided training for evaluators in the chosen framework, as well as providing coaching, feedback and rater reliability training every three years, which will improve evaluators' ability to apply assessment tools appropriately and consistently.
- Required feedback to educators within 30 days on an observation, which will allow educators greater ability to incorporate suggestions and improve their teaching practice.
- Mandatory assignment of mentors to teachers rated minimally effective or ineffective.
- Adjusted schedule for the phase-in of the student growth component in educator evaluations, will best allow teachers and administrators work to implement to changing statewide content standards.
- Defined criteria for a state assessment program which will serve as the basis of state-provided growth data.
- Inclusion of teachers in the process by which local growth measures will be selected.

However, AFT Michigan is concerned with some provisions of HB 5223 and HB 5224 which stray from the recommendations and intent of the MCEE. As outlined in its final report, it is the intent of the Council that any evaluation system be focused on improving the teaching practice for all educators.

To this end, the Council recommended evaluations result in one of three summative rating categories: *Professional*, *Provisional*, and *Ineffective*. The MCEE found that while educator evaluation tools are very capable of identifying the most and least effective teachers, there is little evidence to suggest an ability to refine middle categories of teachers. Further, the MCEE chose to use a label of "Professional," with the understanding that most educators would fall into this category, and that extraordinary and competent educators alike would benefit from "ongoing refinement" and should always receive "specific feedback for development."

AFT Michigan is also concerned by the significant emphasis placed on student growth data, given that the statewide assessment, and consequently the growth model itself, are still unknown. After all, growth models are very subjective calculations, which can be manipulated based on the selection and weight associated with different variables. AFT Michigan opposes including a student growth component of educator evaluation until these questions are answered.

We are further concerned by the potential for language regarding the student growth component outlined in HB 5223 and HB 5224 to be applied in ways which stray from the bill's sponsors' intent. The bills require for the student growth component to account for "at least" 25 percent for the first three school years and "at least" 50 percent beginning in the 2017-2018 school year, along with the requirement that "at least" 40 percent of the growth component be based on state-provided data. This could leave a window for state-provided data to be applied to a degree far greater than intended.

AFT Michigan encourages legislators to consider inclusion of an appeals process in HB 5223 and HB 5224. Prior to enactment of PA 103 of 2011, educators and school districts collaborated on evaluation programs through the collective bargaining process. If educators felt an evaluation was conducted unfairly or violated the evaluation policy, the matter could be handled through the grievance and arbitration process. Because evaluations are now a prohibited subject of collective bargaining, and the proposed statewide legislation does not allow for an appeals process, litigation would be the only avenue educators or school districts have to respond to an improper or unfair evaluation. This is costly to both parties, and could be prevented through an appeals process to the intermediate school district or Michigan Department of Education.

Thank you for your attention to the concerns of AFT Michigan members. While we have significant concerns about some aspects of HB 5223 and HB 5224, we believe they represent a step in the right direction and with further refinement, could go a long way to improving education in Michigan. Ensuring evaluation is fair, consistent, and improvement-based would allow for professional educators to refine their practice and better serve Michigan's students.

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