



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 103 (Substitute S-4 as reported by the Committee of the Whole)
Sponsor: Senator Phil Pavlov
Committee: Education

CONTENT

The bill would amend the Revised School Code to do the following:

- Delay, until the 2017-2018 school year, requirements that a district's teacher and school administrator annual year-end evaluations use student growth and assessment data.
- Require the portion of an evaluation based on student growth and assessment data to be 25% in the 2017-2018 school year, and 40% in 2018-2019 and following years.
- Require the portion of an evaluation not based on student growth and assessment data to be based primarily on the teacher's performance as measured by the evaluation tool adopted by the district.
- Require the portion of an evaluation not based on student growth and assessment data or the evaluation tool to incorporate criteria prescribed in the Code.
- Require at least one classroom observation for a teacher to be unscheduled, beginning with the 2015-2016 school year.
- Require a school district, intermediate school district (ISD), or public school academy (PSA) to ensure that a teacher was given feedback within 30 days after an observation.
- Authorize a school district, ISD, or PSA to develop its own teacher evaluation tool, instead of being required to adopt a specific evaluation tool prescribed by the State or a local tool consistent with the State tool.
- Require the evaluation tool used by a school district, ISD, or PSA to be used consistently among all of the schools it operated, beginning with the 2015-2016 school year.
- Require a school district, ISD, or PSA to give teachers and administrators information on the measures used in the evaluation system, beginning with the 2015-2016 school year.
- Require a school district, ISD, or PSA to post information online regarding its tools for teacher and administrator evaluations, beginning with the 2017-2018 school year.
- Require the Department of Technology, Management, and Budget to establish and maintain a list of evaluation tools that had demonstrated evidence of efficacy.
- Prohibit a school district, ISD, or PSA from assigning a pupil to be taught in the same subject area for two consecutive years by a teacher who was rated as ineffective for two consecutive years; and require parental or guardian notification if the school district, ISD, or PSA could not comply.
- Prohibit the issuance of a teaching certificate to an individual who did not meet prescribed conditions, beginning July 1, 2018.
- Encourage school districts, ISDs, and PSAs to develop alternative performance evaluation systems meeting the Code's criteria.

The bill also would repeal a section of the State School Aid Act that created the Educator Evaluation Reserve Fund. The bill would take effect 90 days after its enactment

MCL 380.1249 et al.

Legislative Analyst: Jeff Mann

FISCAL IMPACT

State: The bill would have a minimal fiscal impact on the Department of Education. The changes to the teacher certification process, from three years of satisfactory performance currently required for a provisional teaching certificate to three years of effective or highly effective performance that the bill would require for an initial professional teaching certificate, would result in very little cost to the Department. This would not change the process for issuing a teaching certificate and the Center for Education Performance and Innovation (CEPI) currently collects teacher effectiveness ratings, so the information already is readily available. The Department estimates total costs to be \$50,000.

The Department of Technology, Management, and Budget would not incur costs to maintain the list of the four approved teacher evaluation models and the two administrator evaluation models, because those models have already been selected and are known.

The elimination of the Educator Evaluation Reserve Fund would allow \$14.8 million to be allocated to other programs or put into the foundation allowance.

Local: The bill could result in additional costs to schools. Schools and districts would have to review current evaluation systems to ensure that the evaluation model, including the percentage requirement of student achievement and growth, was in line with the Code. If a district's evaluation system were not meeting statutory requirements, the district would have to adopt one of the approved models or develop a system within the district that was supported by research. Either activity would result in additional costs to the district, which would have to pay for one of the models, or devote time and resources toward developing one that complied with the Code. Since the State would no longer be issuing statewide requests for proposals for the evaluation models, the costs per district could increase as the economies of scale were reduced. The costs would have to come from the operations budget of the district since the Educator Evaluation Reserve Fund would be eliminated. These costs are indeterminate.

The elimination of the Evaluation Reserve Fund could have either negative or positive effects on local schools, depending on the current status of a district's evaluation system, and how the \$14.8 million from the Fund were re-appropriated upon its elimination. If a district already has an evaluation system that complies with the Code, then the district would not have had access to the Fund and instead could receive an increase to its foundation allowance or other school funding, depending on the Legislature's re-appropriation of the \$14.8 million. Thus, the impact on the district could be positive.

However, if the district does not currently have an evaluation model that satisfies the statute, the district potentially could receive less from the re-appropriation of the \$14.8 million into the foundation allowance or other programs than it might have with a grant from the Evaluation Reserve Fund, resulting in a negative impact compared with current law. It is not known how many schools would have benefited from the Evaluation Reserve Fund or how many would benefit more if the funds were put into the foundation allowance or any other program funded with these dollars.

Schools would see additional costs in providing observation training and professional development for the individuals who would be conducting the observations; at a minimum, this would be the school administrator. Schools also would have to ensure that each teacher in the school had two observations. Depending on the size of the school, this could require an additional person to conduct observations. If the school needed additional people to conduct observations, it would likely have to compensate those individuals for performing administrative duties. At this time, it is unknown how many schools would need additional people to assist in conducting observations or how much the additional costs to the schools would be.

There also would be minor costs associated with informing teachers, principals, and the community about the changes to evaluations. There would be ongoing costs associated with ensuring that each teacher was observed twice yearly by either the school principal or his or her designee. Those costs are indeterminate.

The prohibition against schools' assigning pupils to be taught in the same subject for two consecutive years by an ineffective teacher could have indeterminate ramifications for staffing levels and costs at a school.

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Fiscal Analyst: Cory Savino

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.