

SCARIANO, HIMES AND PETRARCA

ATTORNEYS AT LAW • CHARTERED

JUSTINO D. PETRARCA
Ext. 234
jpetrarca@edlawyer.com

TWO PRUDENTIAL PLAZA, SUITE 3100
180 NORTH STETSON
CHICAGO, ILLINOIS 60601-6702
312-565-3100 • 800-820-3101
FACSIMILE 312-565-0000
WWW.EDLAWYER.COM

LINKING TEACHER EVALUATION TO STUDENT ACHIEVEMENT

A. CURRENT ENVIRONMENT

1. NATIONAL FOCUS

- A. FEDERAL MONEY
- B. NCLB WAIVERS
- C. OBSESSION WITH TEST SCORES (WHO CAN WE BLAME?)

2. LEGISLATIVE REACTION

- A. STATE LAW CHANGES REQUIRING LINK TO STUDENT ACHIEVEMENT (ILLINOIS, N.Y., DELEWARE, TENNESSEE, PENNSYLVANIA)
- B. INDIVIDUAL SCHOOL DISTRICT EXPERIMENTATION (D.C., CINNCINNATI, DENVER, HOUSTON, MINNEAPOLIS, HILLSBOROUGH, FLA.)

3. RESEARCH STUDIES

- A. NO LESS THAN 10 – 12 NATIONAL STUDIES FUNDED BY CONSERVATIVE GROUPS, THINK TANKS, UNIVERSITIES, GOV'T-FUNDED PROJECTS

4. PUBLIC PERCEPTION

- A. PAYING TOO MUCH TO GET SAME RESULTS
- B. CANNOT DISMISS BAD (TENURED) TEACHERS

B. DISSATISFACTION WITH CURRENT MODELS

EVALUATION IS VIEWED AS:

- A. INFREQUENT
- B. UNFOCUSSED
- C. UNDIFFERENTIATED

- D. UNHELPFUL
- E. INCONSEQUENTIAL

C. THE WIDGET EFFECT (2009) WWW.TNTP.ORG

- A. PRODUCED BY THE NATIONAL TEACHER PROJECT
- B. SPANS 12 DISTRICTS IN 4 STATES (AZ., COLORADO, ILLINOIS AND OHIO)
- C. SURVEY RESPONSES FROM 15,000 TEACHERS, 1300 ADMIN., AND NUMEROUS STAKEHOLDERS
- D. QUESTIONS SOUGHT TO BE ANSWERED: 1. WHO ARE THE BEST/WORST TEACHERS? 2. WHERE DO THEY TEACH?

E. FINDINGS:

1. PUBLIC SCHOOL DISTRICTS' EVALS. FAIL TO PROPERLY DISTINGUISH PERFORMANCE LEVELS (I.E. GREAT FROM GOOD, GOOD FROM FAIR, FAIR FROM POOR)
2. TEACHER EFFECTIVENESS IS NOT MEASURED, RECORDED, OR USED TO INFORM DECISIONS IN ANY MEANINGFUL WAY, EXCEPT TO REMOVE THE WORST

F. CURRENT SYSTEM ASSUMES CLASSROOM EFFECTIVENESS IS SAME FROM TEACHER TO TEACHER

G. TEACHERS VIEWED AS INTERCHANGEABLE PARTS; NO AS INDIVIDUAL PROFESSIONALS

D. CURRENT ASSUMPTIONS DRIVING THE MOVEMENT

- A. ALL STUDENTS CAN LEARN AND CAN LEARN ACADEMICALLY RIGOROUS MATERIAL REGARDLESS OF SOCIO-ECONOMIC STATUS
- B. TEACHER QUALITY IS MOST IMPORTANT IN-SCHOOL FACTOR IN STUDENT ACHIEVEMENT
- C. TEACHER'S PRIMARY RESPONSIBILITY IS TO ENSURE STUDENTS LEARN
- D. TEACHERS CONTRIBUTE TO STUDENT LEARNING IN WAYS THAT CAN BE OBSERVED AND MEASURED (I.E. POSSIBLE TO ACCURATELY MEASURE AND DISTINGUISH EFFECTIVE FROM INEFFECTIVE TEACHING)
- E. MOST IMPORTANT WAY TO MAKE THIS ASSESSMENT IS THROUGH TEACHER EVALUATION (I.E. BEST PREDICTOR OF TEACHER EFFECTIVENESS IS PAST PERFORMANCE/SUCCESS)

- F. PRIMARY PURPOSE OF EVAL. SHOULD BE INSTRUCTIONAL IMPROVEMENT; NOT PUNITIVE (I.E. HELP TEACHERS UNDERSTAND HOW THEY CAN IMPROVE)
- G. EVAL. SHOULD PLAY MAJOR ROLE IN IMPORTANT EMPLOYMENT DECISIONS

E. EVALUATION DESIGN STANDARDS

F. NEGOTIATIONS ISSUES

EVALUATION BECOMES A “HIGH STAKES” GAME SO EXPECT THE TEACHERS TO WANT TO INFLUENCE THE PROCESS AND OUTCOME

A. DO YOU HAVE TO BARGAIN?

-STATE LAW GOVERNS AS TO BARGAINING OBLIGATION (35 STATES REQUIRE COLLECTIVE NEGS.)

- NEW LEGISLATION MAY CREATE OR ABBROGATE NEGS. OBLIGATION (WISCONSIN VS. ILLINOIS)

- WHAT MUST YOU BARGAIN (EVAL. PROCESS VS. EVAL. CRITERIA)?

B. EXPECT THE FOLLOWING ISSUES TO BE RAISED:

- 1) UNION OR EMPLOYEE ROLE IN DEVELOPING THE PROCESS/INSTRUMENT
- 2) CONTROL OVER SIZE OF WORK GROUP
- 3) CONTROL OVER WORK GROUP DECISIONAL MODEL
- 4) USE WORK TIME FOR WORK GROUP TO DEVELOP THE PROCESS/INSTRUMENT
- 5) PAY WORK GROUP TO DEVELOP PROCESS/INSTRUMENT
- 6) DEFINING THE RATINGS USED (WILL WANT PERFORMANCE STD. TO BE LIBERAL OR AMBIGUOUS)

- 7) MINIMIZE THE NUMBER OF EVALUATIONS
- 8) MINIMIZE THE NUMBER OF OBSERVATIONS
- 9) WHAT ABOUT USING SAME DATA FOR EVAL. OF ADMINISTRATORS?
- 10) DEFINE DATA SOURCES TO BE USED (NAT'L. NORMED TEST, STATE TEST, TEACHER MEASURES)
- 11) TREAT ALL DATA SOURCES AS EQUAL OR MAXIMIZE TEACHER MEASURES
- 12) TRYING TO MANDATE THE NATURE OF FEEDBACK GIVEN (I.E. STATE IT POSITIVELY)
- 13) TRAINING TEACHERS IN USE OF PROCESS; DELAY IMPLEMENTATION (PILOT)
- 14) TRAINING EVALUATORS IN USE OF PROCESS; DELAY IMPLEMENTATION
- 15) PROVISION OF ADEQUATE FUNDING AND STAFFING TO IMPLEMENT PROCESS
- 16) WHAT TO DO WITH "UNTESTED" (I.E. SOCIAL WORKERS, PSYCHS., P.E. TEACHERS)
- 17) ALLOWANCE FOR ELL AND SPECIAL ED. TEACHERS/STUDENTS
- 18) CREATE REMEDIATION OPPORTUNITY FOR ALL WHO UNDERPERFORM
- 19) RIGHT TO USE GRIEVANCE PROCEDURE TO CHALLENGE VIOLATIONS OF PROCESS
- 20) RIGHT TO USE GRIEVANCE PROCEDURE TO CHALLENGE/INVALIDATE RATING
- 21) CREATE BARRIERS TO USE IN DISMISSAL HEARINGS
- 22) PREVENT PUBLIC DISCLOSURE OF TEACHER EVALS. (NEW YORK VS. ILLINOIS)