

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 657

Introduced by Senator Block

February 22, 2013

~~An act to amend Section 1001 of the Education Code, relating to education.~~ *An act to add Article 10.8 (commencing with Section 44655) to, and to repeal Article 11 (commencing with Section 44660) of, Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code, relating to teachers.*

LEGISLATIVE COUNSEL'S DIGEST

SB 657, as amended, Block. ~~County board of education: elections. Teachers: evaluations.~~

(1) Existing law states the intent of the Legislature that governing boards of school districts establish a uniform system of evaluation and assessment of the performance of all certificated personnel within each school district of the state. Existing law requires the governing board of each school district to establish standards of expected pupil achievement at each grade level in each area of study and to evaluate and assess certificated employee performance on a continuing basis as it reasonably relates to the progress of pupils toward the established standards and, if applicable, the state-adopted academic content standards as measured by state-adopted criterion-referenced assessments, the instructional techniques and strategies used by the employee, the employee's adherence to curricular objectives, and the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities.

This bill would repeal these provisions, and would revise and recast the requirements for teacher evaluations. The bill would express a

legislative finding and declaration that teacher evaluations be effective, comprehensive, and of high quality, and would express legislative intent that teacher evaluations by local educational agencies, as defined, be based on standards upon which a teacher's performance is measured. The bill would specify requirements for the evaluation and assessment of teachers by local educational agencies. The bill would specify that unweighted multiple measures, including pupil assessment data, may be used in teacher evaluations. The bill would require that evaluations be used for, among other purposes, the identification of a teacher's need for professional learning and improved instructional practices. The bill would require that evaluators be knowledgeable and trained to give productive feedback, and that experts in the specific teaching field of the teacher being evaluated be included in the evaluation process.

Because the bill would impose new duties on local educational agencies, it would constitute a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Existing law provides, in counties where the county superintendent of schools has jurisdiction over a school district situated in 2 or more counties, a qualified elector residing in the part of the school district situated in a county whose county superintendent of schools does not have jurisdiction of that school district is eligible to vote for one or more members of the county board of education, as provided.~~

~~This bill would make nonsubstantive changes to that law.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Article 10.8 (commencing with Section 44655) is
- 2 added to Chapter 3 of Part 25 of Division 3 of Title 2 of the
- 3 Education Code, to read:

1 Article 10.8. *Teacher Evaluations*

2
3 44655. *The Legislature finds and declares that teacher*
4 *evaluations should be effective, comprehensive, and of high quality.*
5 *It is the intent of the Legislature that teacher evaluations conducted*
6 *by local educational agencies be based on standards and ensure*
7 *that a teacher’s performance is measured against those standards.*

8 44656. *Evaluation and assessment of teachers at public*
9 *elementary and secondary schools shall be conducted by local*
10 *educational agencies in accordance with all of the following:*

11 (a) *Evaluations may include multifaceted evidence of teacher*
12 *practice, pupil learning, and professional contributions that are*
13 *considered in an integrated fashion, with relation to one another*
14 *and to the teaching context.*

15 (b) *An evaluation system under this article may include both*
16 *formative and summative assessments to ensure it helps improve*
17 *teaching and learning.*

18 (c) *An assessment used to make judgments about pupils’*
19 *progress shall be appropriate for the specific curriculum and*
20 *pupils being taught.*

21 (d) *The formative evaluation process may include the use of*
22 *unweighted multiple measures, including pupil assessment data.*

23 (e) *The development of a comprehensive, performance-based*
24 *teacher evaluation system shall be a high priority, and it is the*
25 *intent of the Legislature to provide the public education system*
26 *with the resources to provide the necessary time and training for*
27 *evaluators and mentors for teachers needing assistance.*

28 (f) *An evaluation under this article shall differentiate based on*
29 *the teacher’s experience and individual needs. An evaluation under*
30 *this article shall be accompanied by useful feedback, and shall be*
31 *connected to professional learning opportunities that are relevant*
32 *to teachers’ goals and needs, including both formal professional*
33 *development and peer collaboration, observation, and coaching,*
34 *using a peer assistance and review system.*

35 (g) *An evaluation under this article shall be used to identify a*
36 *teacher’s needs for professional learning and improved*
37 *instructional practices.*

38 (h) *An evaluator under this article shall be a knowledgeable*
39 *and trained educator who is trained to give productive feedback*
40 *and who knows how to support ongoing learning. An expert in the*

1 *specific teaching field of the teacher being evaluated shall be*
 2 *included in the evaluation process.*

3 *(i) The evaluation system under this article shall value and*
 4 *promote teacher collaboration, which supports system*
 5 *improvement, both in the standards and criteria that are used to*
 6 *assess a teacher’s work and the way the results of the evaluation*
 7 *are used to shape a teacher’s professional learning opportunities.*

8 *(j) It is the intent of the Legislature that the evaluation system*
 9 *meet legal, professional, and ethical standards for equitable*
 10 *employment decisions. Therefore, evaluation decisions under this*
 11 *article shall be made in an efficient, fair, and effective manner.*

12 *(k) This section shall not conflict with any rights pursuant to*
 13 *Chapter 10.7 (commencing with Section 3540) of Division 4 of*
 14 *Title 1 of the Government Code.*

15 *44657. As used in this article:*

16 *(a) “Formative assessment” means an assessment of how well*
 17 *a teacher is meeting the goals and objectives of his or her*
 18 *assignment, and includes feedback to help a teacher being*
 19 *evaluated to improve his or her performance.*

20 *(b) “Local educational agency” includes a school district,*
 21 *county office of education, and charter school.*

22 *(c) “Summative assessment” means an assessment of the*
 23 *outcomes of the work of the teacher being evaluated.*

24 *SEC. 2. Article 11 (commencing with Section 44660) of Chapter*
 25 *3 of Part 25 of Division 3 of Title 2 of the Education Code is*
 26 *repealed.*

27 *SEC. 3. If the Commission on State Mandates determines that*
 28 *this act contains costs mandated by the state, reimbursement to*
 29 *local agencies and school districts for those costs shall be made*
 30 *pursuant to Part 7 (commencing with Section 17500) of Division*
 31 *4 of Title 2 of the Government Code.*

32 ~~SECTION 1. Section 1001 of the Education Code is amended~~
 33 ~~to read:~~

34 ~~1001. (a) In counties where the county superintendent of~~
 35 ~~schools has jurisdiction over a school district situated in two or~~
 36 ~~more counties, a qualified elector residing in the part of the school~~
 37 ~~district situated in a county whose county superintendent of schools~~
 38 ~~does not have jurisdiction of that school district shall be eligible~~
 39 ~~to vote for one or more members of the county board of education~~
 40 ~~of the county whose county superintendent of schools has~~

1 jurisdiction over the school district. The elector shall be eligible
2 to vote for the member of the county board of education
3 representing the trustee area of that county having jurisdiction as
4 designated by the county committee on school district organization.
5 The committee shall apportion the portion of the school district
6 territory not situated in the county having jurisdiction to one or
7 more trustee areas of the other county so that the territory shall,
8 insofar as possible, be represented as if it were situated in the
9 county having jurisdiction. The territory so apportioned shall not
10 become a part of the trustee area to which apportioned for any
11 other purpose. As used in this subdivision, “school district” means
12 a joint union elementary school district, joint union high school
13 district, or joint unified school district, but does not include a
14 community college district.

15 (b) A person who is a resident of a county and is made eligible
16 to vote for the county board of education of another county
17 pursuant to subdivision (a) shall not be eligible to vote for the
18 county board of education of the county where the person resides.
19 Notwithstanding this subdivision, a person shall be eligible to vote
20 for both county boards of education if he or she is a resident of an
21 elementary school district of any type that is included in a joint
22 union high school district and the elementary school district and
23 the joint union high school district are under the jurisdiction of
24 different county superintendents of schools.

25 (c) “County,” for purposes of this section, includes a county
26 other than a charter county for which the charter specifies that this
27 section does not apply.