

AMENDED IN SENATE JUNE 14, 2016

AMENDED IN ASSEMBLY MAY 11, 2016

AMENDED IN ASSEMBLY APRIL 20, 2016

AMENDED IN ASSEMBLY APRIL 12, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2826

Introduced by Assembly Member Weber
(Coauthors: Assembly Members Cooper, Holden, and Olsen)
(Coauthor: Senator Hall)

February 19, 2016

An act to add Section 44662.3 to the Education Code, relating to teachers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2826, as amended, Weber. Teachers: evaluation and assessment.

Existing law requires the State Board of Education to develop guidelines that school districts may use in the development of certain teacher evaluation procedures and to distribute those guidelines to every school district.

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 specified matters, including the progress of

pupils, as provided, instructional techniques and strategies, and adherence to curricular objectives. Existing law authorizes the governing board of a school district to develop and adopt additional evaluation and assessment guidelines or criteria.

This bill would specifically authorize and encourage the evaluation and assessment of certificated employee performance as it reasonably relates to the progress of pupils, instructional techniques and strategies, and adherence to curricular objectives to include certain things, as provided. The bill would also provide that it shall not be construed to require the state board to revise its guidelines, to limit a school district governing board authority to adopt additional guidelines or criteria, or to limit the right of certificated employees or their exclusive representative to bargain concerning evaluation procedures.

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

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

- 1 SECTION 1. Section 44662.3 is added to the Education Code,
- 2 to read:
- 3 44662.3. (a) For purposes of this article, the following phrases
- 4 may include, but shall not be limited to, the following:
- 5 (1) “Progress of ~~pupils~~ *pupils*,” in addition to local and state
- 6 *criterion-referenced evidence required in subdivision (b) of Section*
- 7 *44662*, may include the following multiple measures:
- 8 (A) ~~State-adopted formative and~~ *Formative or summative*
- 9 ~~criterion-referenced assessments~~ *criterion-referenced assessments*
- 10 *measuring progress of pupils toward local or state-adopted*
- 11 *academic content standards*.
- 12 (B) School district, school, or department-developed
- 13 assessments.
- 14 (C) Curriculum-based and end-of-course assessments.
- 15 (D) Pretest and posttest data.
- 16 (E) Interim, periodic, benchmark, and formative assessments.
- 17 (F) English language proficiency assessments.
- 18 (G) Assessments measuring progress in an individualized
- 19 education program.
- 20 (H) ~~Advanced—placement~~, *Placement*, International
- 21 Baccalaureate, and college preparedness examinations.
- 22 (I) A-G coursework completion.

1 (J) Industry-recognized career technical education assessments
2 and program completion.

3 (K) Portfolios of pupils' work, projects, and performances
4 redacted of personally identifiable pupil information.

5 (L) Surveys from parents, if approved in advance by the
6 certificated employee.

7 (M) Surveys from pupils, if approved in advance by the
8 certificated employee.

9 (N) Written reports from classroom observations.

10 (O) Progress on outcomes described in the local control and
11 accountability plan pursuant to paragraphs (4) and (8) of
12 subdivision (d) of Section 52060.

13 (2) "Instructional techniques and strategies" may include the
14 following:

15 (A) Engaging and supporting all pupils in learning.

16 (B) Planning instruction and designing learning experiences for
17 all pupils.

18 (C) Using pupil assessment information to inform instruction
19 and improve learning.

20 (3) "Adherence to curricular objectives" may include:

21 (A) Understanding and organizing subject matter for pupil
22 learning.

23 (B) Developing as a professional educator.

24 (b) The Legislature encourages school districts to utilize the
25 options specified in paragraphs (1) to (3), inclusive, of subdivision
26 (a) in carrying out the requirements of subdivision (b) of Section
27 44662.

28 (c) This section shall not be construed to require the state board
29 to revise the guidelines developed pursuant to Section 33039.

30 (d) Nothing in this section shall be construed as in any way
31 limiting the authority of school district governing boards to develop
32 and adopt additional evaluation and assessment guidelines or
33 criteria, nor shall it be construed to limit the rights of certificated
34 employees or their exclusive representative to bargain procedures
35 to be used for the evaluation of employees or other terms and
36 conditions of employment pursuant to Chapter 10.7 (commencing
37 with Section 3540) of Division 4 of Title 1 of the Government
38 Code.

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