



**Testimony to the House Education Committee  
Regarding Educator Evaluation Reform**

**Presented by**

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**On behalf of the  
Pennsylvania School Boards Association**

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Good afternoon. My name is Kathy Swope. I am the current Board President and 20-year veteran on the Lewisburg Area School Board in Union County. I hold a B.A. degree in Elementary Education, and I have served on the Gates Momentum Grant PDE/Team Pennsylvania Teacher & Principal Model Evaluation Project back in 2010-11, and was a member of the Pennsylvania Performance Based Teacher Evaluation System Pilot (Phase II) 2011-12, and as a member of the PDE ESSA workgroup on Teacher Evaluation in 2016. I am also a Past President of the Pennsylvania School Boards Association (PSBA), who represents the 4,500 elected officials who govern the commonwealth's 500 public school districts, and on whose behalf I am testifying today. PSBA is a membership-driven organization pledged to the highest ideals of local leadership for public schools.

I would like to thank Chairman Sonney, Chairman Roebuck, and members of the Education Committee for this opportunity to present testimony today regarding Pennsylvania's educator evaluation system and the reform proposals introduced by Senator Aument and Representative Topper.

PSBA would like to thank and congratulate Senator Aument and Representative Topper on their initiative and drive to address very difficult issues and concerns with the current educator evaluation system. We would also like to express our gratitude for the open, inclusive, and deliberative process that went into developing the proposed legislation.

As school directors, one of our chief concerns is attracting and retaining the best teachers possible. At the same time, we have an obligation to ensure ineffective teachers are identified and removed from the classroom. A PSBA task force made recommendations three years ago to reform the current system, some of which are recognized in the proposed legislation.

### **Current Evaluation System**

Pennsylvania's current framework for educator evaluations is established in legislation under Act 82 of 2012, and regulations and rating forms developed by the Pennsylvania Department of Education under PA Code, Title 22, Chapter 19. The current system uses a structure based on the domains and components of the *Danielson Framework for Teaching*, a model developed by education consultant Charlotte Danielson and marketed by the Danielson Group of Princeton, New Jersey. The Danielson framework is used in many other states and is well respected.

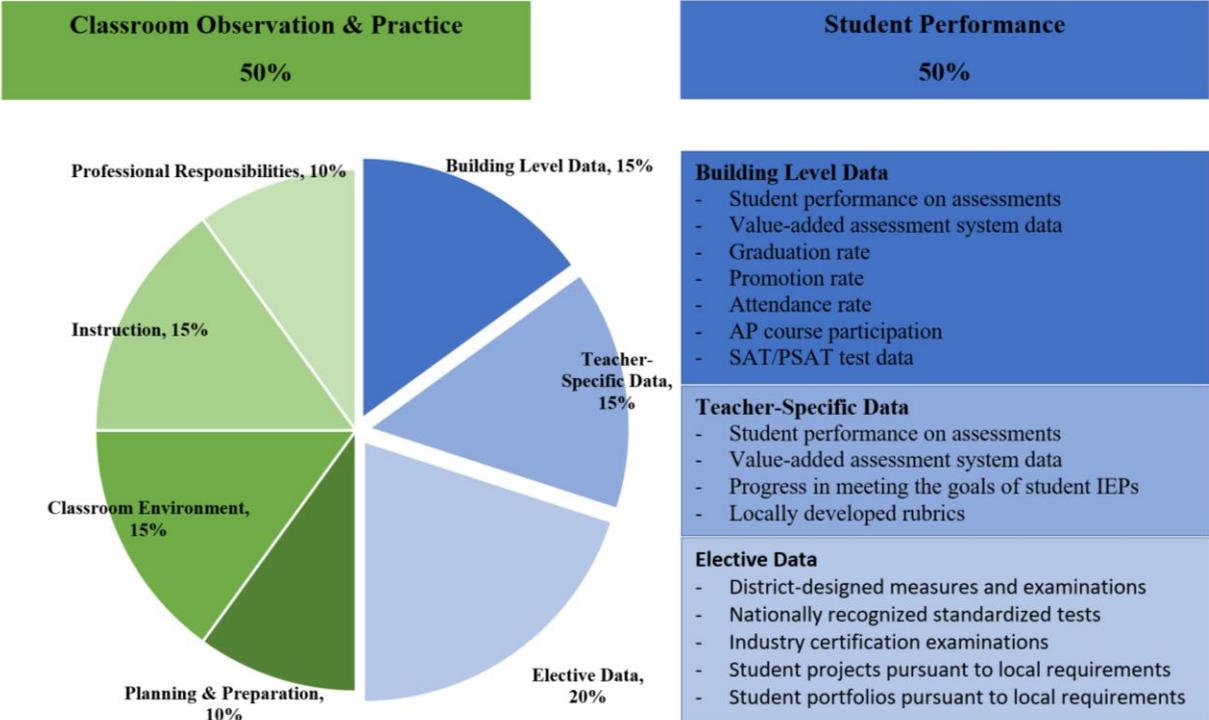
In conjunction with this effort, PDE also developed a system for rating the academic achievement data of public schools that is used in the evaluation system. The PA School Performance Profile (SPP) includes performance data for school districts, school buildings, comprehensive career and technology centers, and charter and cyber charter schools. The SPP provides the building-level data that is a component of evaluation structure.

Act 82 replaced an outdated structure that was criticized for not being deeply effective and did little to provide meaningful feedback to assist educators. Under the new system created by Act 82, critical conversations are taking place between teachers and administrators on planning and preparation, classroom environment, instruction and professional responsibilities. Teachers create student learning objectives. Discussions targeted to both experienced and new teachers encourage actionable feedback. Struggling teachers receive guidance from administrators through the use of performance improvement

plans. And from these critical conversations, school districts can create professional development activities that better meet the needs of all their teachers.

As shown in the chart below, 50% of the annual evaluation is currently based on observation and practice, and the other 50% is based on measures of student performance.

**Current Act 82 Teacher Effectiveness System**



The current system provides for a potential overall rating of Failing, Needs Improvement, Proficient or Distinguished. The rating form sets numeric values for these four rating levels on a 0-3 point scale, and the regulations provide descriptions of performance or behavior for each category. Based on this performance rating, the employee then receives a final rating of Satisfactory or Unsatisfactory. When an employee receives a Needs Improvement rating twice within a 10-year period, the overall rating of the employee will be considered Unsatisfactory. An employee cannot receive a Failing rating based solely on test scores, and an employee who receives a Needs Improvement or Failing rating must participate in a performance improvement plan.

Despite changes made to address criticism of the previous system, concerns with the current system have arisen with time. One concern goes back to the previous system which was criticized because it used only observation and provided only Satisfactory or Unsatisfactory rating choices, resulting in about 98% of teachers rated Satisfactory. It did not provide the depth needed to appropriately rate the effectiveness of an employee or take action to terminate an employee, if necessary. The new system under Act 82 was intended to create a more comprehensive and consistent evaluation that would provide better feedback to educators and school leaders using various measures to reflect performance. While the new process uses four performance categories and is more complex in its mathematical calculations,

the result is that the system still uses a final rating of either Satisfactory or Unsatisfactory, with about 98% of teachers still rated Satisfactory.

Additionally, use of building-level data in a low-performing school makes it difficult to differentiate and recognize excellent professional employees, and makes it challenging for an excellent teacher to receive a rating of Distinguished. On the other side of the equation, the use of SPP scores makes it too difficult for a teacher to receive a Needs Improvement rating in a high-performing school.

It is also difficult to terminate an employee for Unsatisfactory performance. The current system has resulted in significant delay in terminating professional employees when the only basis for this is Unsatisfactory performance. Under the School Code, only a Failing rating is Unsatisfactory for purposes of termination, whereas two Needs Improvement ratings are needed to be considered Unsatisfactory (24 P.S. §11-1122). An employee needs two Unsatisfactory ratings with a performance improvement plan of at least four months in place in order to be discharged.

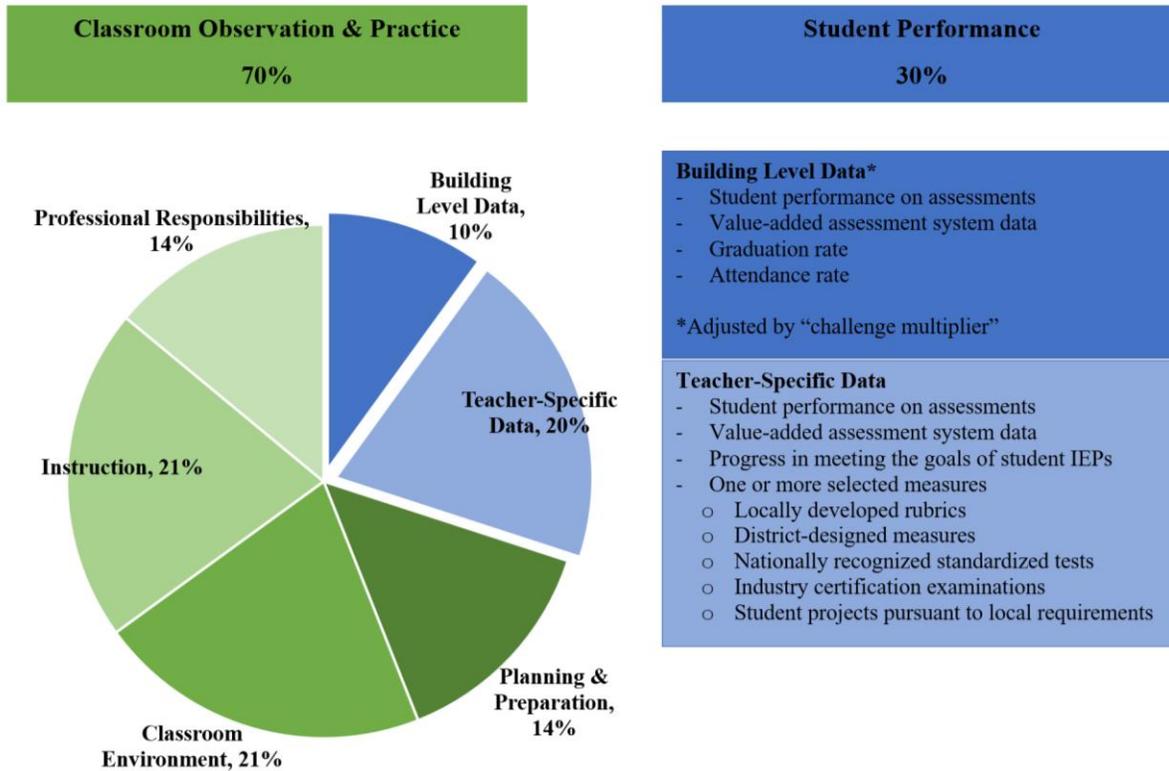
Finally, there are also concerns with using a heavy weighting for student test scores as these are often influenced by a number of factors; including socio-economic conditions of the community, resources available in the school district, etc.

### **SB 751 (Aument) and HB 1607 (Topper)**

I will now address the companion reform bills introduced by Senator Aument and Representative Topper.

As shown in the following chart, the proposed legislation reforms the existing evaluation system dramatically with 70% of the annual evaluation based on observation and practice, and the other 30% based on measures of student performance.

## SB 751 – Classroom Teachers w/ Building Level



After a thorough review of the proposed reform bills, PSBA found that the bills contain many positive improvements to the current educator evaluation system. We are particularly encouraged by the following important reforms:

- Changing the evaluation component weights for professional employees from the overall 50/50 split for observation and student performance to a 70/30 split is a significant improvement over the current system. Although we had been advocating for an 80/20 split, we recognize how far the sponsors have come on this issue and are grateful for the recognition of the greater importance of observation in the evaluation process.
- Allowing temporary professional employees to be evaluated entirely on observation is a further improvement. Educators new to the profession need time to develop their skills, and supervisors should have a greater degree of flexibility and oversight in order to guide the development of these employees.
- Reducing the evaluation system’s reliance on standardized assessment results is yet another important change which PSBA has been advocating for, and it will help alleviate problems with accurately and fairly evaluating educators. The use of standardized assessment data may distort an employee’s rating making it difficult to recognize excellent teachers or to designate a teacher as Needs Improvement or Failing.

- Instituting a review of the proposed evaluation system and report by the PA Department of Education (PDE) within five years is a significant provision that aligns with PSBA recommendations. As made very clear by the lessons learned after instituting the current evaluation system, any system that is implemented will require monitoring, future data collection, and feedback from the field to ensure the system is working as intended and any necessary changes are identified for legislative or regulatory action.
- Finally, the bills maintain the ability of school districts to utilize locally designed rating tools which have been approved by PDE as meeting or exceeding the measures in the legislation. This is a vital provision which we fully support.

While there are many positive changes in the bills before the committee today, there are also several areas of concern and recommendations for improvements which we believe will make these proposals stronger and more likely to stand the test of time:

- Restricting the ability of an administrator to re-evaluate an underperforming professional employee during the year is the most significant area of concern which PSBA has identified. Under current law, when a professional employee is rated as Needs Improvement or Failing, the employee is required to participate in an improvement plan, and the evaluator may choose to evaluate the employee again after a minimum period of four months. This is an extremely important ability which helps school districts monitor and re-evaluate underperforming performing educators and ensure that those educators who are not making improvements do not stay in the classroom for years before the situation is addressed. The proposed legislation erodes this authority by restricting the additional review to employees who have been rated as Failing or who have been rated as Needs Improvement two times. For those individuals who are being rated as Needs Improvement this change would result in a time period of approximately two and a half years before an underperforming educator could be removed from the classroom. Therefore, PSBA recommends that the Legislature maintain the authority for additional reviews as currently provided in statute.
- Requiring that a performance improvement plan be designed with documented input from the underperforming performing employee and that the employer consider the input for inclusion in the plan is another area of concern. Allowing an employee who has been rated as Failing or Needs Improvement to try and direct the creation of their own improvement plan seems counterintuitive, and the requirement increases the burdensome paperwork and time required in this process. We recommend removal of these provisions.
- Increasing the paperwork and time required by already overburdened evaluators is also a concern. The legislation adds additional “teacher-specific data measures guidance” which requires documented input from each employee be included with all other documentation related to the evaluation. For evaluators who are already overtaxed by the requirements of the current system, this requirement will only add to the difficulties of the work.

- Finally, the proposed legislation does not apply the evaluation system requirements to all public schools. We believe that these requirements should apply equally to the charter school sector and recommend making that change to the legislation.

### **Conclusion**

In closing, I would like to thank Senator Aument and Representative Topper again for their efforts to reform the Pennsylvania's educator evaluation system. PSBA believes that the proposed legislation represents substantial forward progress in addressing the deficiencies of the current system, and with the application of the recommendations offered in this testimony, we believe the legislation will have an even greater positive impacts in our schools. Thank you for your attention on this significant issue, PSBA looks forward to working with the committee as this legislation is further considered.