

House File 2380

H-8140

1 Amend House File 2380 as follows:

2 1. Page 5, line 13, after <standards.> by inserting  
3 <Rules adopted pursuant to this subsection shall be  
4 designed to preserve, to the extent possible, autonomy  
5 and flexibility for local educational agencies to adopt  
6 local policies and processes for the evaluation system  
7 consistent with this subsection and section 256.9,  
8 subsection 64.>

9 2. Page 5, line 19, by striking <subsection> and  
10 inserting <subsections>

11 3. Page 5, lines 23 and 24, by striking <to  
12 standardize the instruments and processes used>

13 4. Page 5, line 32, after <system.> by inserting  
14 <The department shall monitor alternative teacher  
15 evaluation systems approved pursuant to this  
16 subsection and section 284.4, subsection 1, paragraph  
17 "e", subparagraph (2), to ensure that evaluation  
18 outcomes are consistent in the aggregate with student  
19 achievement results at the school districts and  
20 school levels and that approved alternative teacher  
21 evaluation systems continue to meet the local and  
22 state educational goals and the requirements specified  
23 for the statewide alternative administrator system  
24 developed pursuant to this subsection.>

25 5. By striking page 5, line 35, through page 6,  
26 line 6, and inserting:

27 <(1) For teachers who teach core curriculum  
28 coursework, student achievement growth data from  
29 assessments administered under the value-added  
30 assessment system established pursuant to section  
31 256.24 which shall comprise at least fifty percent of a  
32 teacher's evaluation, using data from the value-added  
33 assessment system established pursuant to section  
34 256.24.

35 (2) For teachers who do not directly instruct  
36 students in subjects and grades outside of the core  
37 curriculum, the following indicators or assessments as  
38 approved by the director who shall do either of the  
39 following:

40 (a) Develop and implement a plan to incorporate  
41 student achievement growth indicators, resulting  
42 from assessments approved by the department, which  
43 shall comprise at least fifty percent of a teacher's  
44 evaluation using data from the value-added assessment  
45 system established pursuant to section 256.24.

46 (b) Develop and distribute, or support the area  
47 education agencies in the development and distribution,  
48 of common assessments aligned with the core content  
49 standards established pursuant to section 256.7,  
50 subsection 28. The director or the area education

1 agencies as appropriate shall collaborate with school  
2 districts and education stakeholders to develop common  
3 assessments for subjects and grades outside of the core  
4 curriculum. Student achievement growth indicators  
5 resulting from the assessments shall comprise at least  
6 fifty percent of a teacher's evaluation using data from  
7 the value-added assessment system established pursuant  
8 to section 256.24.

9 (3) Measurement of student achievement growth  
10 indicators which shall be in accordance with the growth  
11 model developed pursuant to section 256.24.

12 (4) Additional measures for teachers which shall  
13 be correlated with impacts on student achievement  
14 results. Measures shall include student surveys and  
15 multiple classroom observations during the school year  
16 by trained master teachers, administrators, or an  
17 evaluator as defined in section 284.2, who shall use  
18 clear, consistent observation rubrics provided to the  
19 teacher in advance of the school year, and may include  
20 other measures aligned with student achievement.

21 (5) Processes and requirements to determine the  
22 teacher of record for purposes of assigning student  
23 achievement scores in order to evaluate a teacher's  
24 performance, which shall be aligned with regulations  
25 adopted pursuant to the federal No Child Left Behind  
26 Act of 2001, Pub. L. No. 107-110 relating to highly  
27 qualified teacher reporting requirements.

28 (6) Processes to verify instructional staffing  
29 assignments and the students assigned to each member  
30 of the instructional staff for purposes of evaluating  
31 teacher performance.

32 (7) Standards for rating levels assigned to  
33 teachers in accordance with paragraph "e".

34 (8) Processes and requirements for value-added  
35 methods to be used in measuring student achievement  
36 growth for purposes of teacher evaluation using the  
37 value-added system established pursuant to section  
38 256.24.

39 (9) Minimum training requirements for the evaluator  
40 training programs offered in accordance with section  
41 284.10.

42 c. The components of the statewide administrator  
43 evaluation system shall include but not be limited to  
44 the following:

45 (1) Attendance center or district-wide student  
46 achievement growth, as appropriate, which shall  
47 comprise fifty percent of the evaluation.

48 (2) Multiple measures for the remaining fifty  
49 percent of the evaluation that include but are not  
50 limited to any of the following:

1 (a) Multiple observations by the school district  
2 superintendent or an evaluator as defined in section  
3 284.2.

4 (b) Improvement in the percentage of instructional  
5 personnel that advance to a level determined by the  
6 department to be effective or highly effective.

7 (c) Retention of effective and highly effective  
8 teachers from year-to-year.

9 (d) Parent survey results.

10 (e) Other factors as determined by the director.

11 d. Teachers and administrators shall be notified in  
12 writing in advance of the school year of the measures  
13 and any specific indicators that will be used to  
14 evaluate practitioners under the systems developed  
15 pursuant to this subsection.

16 e. Each teacher and administrator shall be assigned  
17 a rating of highly effective, effective, minimally  
18 effective, or ineffective, as defined by the state  
19 board or area education agency. Whether or not a  
20 practitioner is determined to be effective shall be  
21 based in significant part on the percentage of students  
22 under the authority of the practitioner who achieved  
23 at least one grade level of growth during the school  
24 year, or otherwise achieved appropriate growth based  
25 on expectations derived from at least two years of  
26 individual student achievement data.

27 NEW SUBSECTION. 65. Develop, implement, and post  
28 on the department's internet site a statewide student  
29 growth model aligned with the value-added assessment  
30 system established pursuant to section 256.24 for  
31 determining student growth on assessments for purposes  
32 of teacher and administrator evaluation in order to  
33 standardize student academic growth measures and ensure  
34 that a teacher's performance is measured substantially  
35 according to the value the teacher adds to student  
36 learning growth.

37 NEW SUBSECTION. 66. Provide technical assistance  
38 to school districts in the development and  
39 implementation of an alternative teacher evaluation  
40 system under section 284.4, subsection 1, paragraph  
41 "e", subparagraph (2), including providing or assisting  
42 school districts in the development of evaluator  
43 training programs offered pursuant to section 284.10,  
44 and a resource bank that identifies assessments,  
45 processes, tools, and policies that a school district  
46 may use to develop an alternative evaluation system.  
47 The resource bank shall include resources that are  
48 appropriate to school districts of different sizes,  
49 demographics, and locations and shall be updated  
50 periodically to reflect new research and current best

1 practices.

2 Sec. \_\_\_\_\_. Section 279.13, Code 2011, is amended by  
3 adding the following new subsection:

4 NEW SUBSECTION. 6. Notwithstanding the other  
5 provisions of this section and any contrary provision  
6 of the Code, if the board of directors of a school  
7 district or charter school institutes, by majority vote  
8 of the membership of the board, a reduction in force,  
9 a decision by the board to lay off a teacher or to  
10 not renew a teacher contract shall be based upon the  
11 teacher's effectiveness as demonstrated in evaluations  
12 conducted pursuant to sections 284.4 and 284.8. A  
13 teacher assigned a rating of ineffective or minimally  
14 effective shall be laid off before a teacher who is  
15 assigned a rating of effective or highly effective,  
16 and a teacher assigned a rating of effective shall be  
17 laid off before a teacher who is assigned a rating of  
18 highly effective. A teacher who is assigned a rating  
19 of effective shall be placed on paid leave for one  
20 year. A school district shall fill positions that  
21 open up based upon whether the teacher is qualified  
22 under chapter 272 to fill the position and if more  
23 than one teacher on paid leave is qualified for the  
24 position, priority, with the consent of the principal  
25 of the attendance center, shall be given to the teacher  
26 assigned the highest rating under the evaluation system  
27 adopted pursuant to section 284.4.

28 Sec. \_\_\_\_\_. Section 279.19, Code 2011, is amended to  
29 read as follows:

30 **279.19 Probationary period.**

31 1. The For a teacher first employed by a school  
32 district on or after July 1, 2012, the first three  
33 five consecutive years of employment of a teacher in  
34 the same school district are a probationary period.  
35 However, if the teacher has successfully completed a  
36 probationary period of employment for another school  
37 district located in Iowa, the probationary period in  
38 the current district of employment shall not exceed one  
39 year. A board of directors may waive the probationary  
40 period for any teacher who previously has served a  
41 probationary period in another school district and  
42 the board may extend the probationary period for an  
43 additional year with the consent of the teacher.

44 2. In the case of the termination of a probationary  
45 teacher's contract, the provisions of sections 279.15  
46 and 279.16 shall apply. However, if the probationary  
47 teacher is a beginning teacher who fails to demonstrate  
48 competence in the Iowa teaching standards in accordance  
49 with chapter 284, the provisions of sections 279.17 and  
50 279.18 shall also apply.

1 The board's decision shall be final and binding  
2 unless the termination was based upon an alleged  
3 violation of a constitutionally guaranteed right of  
4 the teacher or an alleged violation of public employee  
5 rights of the teacher under section 20.10.

6 Notwithstanding any provision to the contrary, the  
7 grievance procedures of section 20.18 relating to  
8 job performance or job retention shall not apply to a  
9 teacher during the first two years of the teacher's  
10 probationary period. However, this paragraph shall not  
11 apply to a teacher who has successfully completed a  
12 probationary period in a school district in Iowa.

13 Sec. \_\_\_\_\_. Section 284.3, subsection 2, Code 2011,  
14 is amended to read as follows:

15 2. A school board shall provide, for the following:

16 a. For purposes of comprehensive evaluations for  
17 beginning teachers required to allow beginning teachers  
18 to progress to career teachers, standards and criteria  
19 that are the Iowa teaching standards specified in  
20 subsection 1 and the criteria for the Iowa teaching  
21 standards developed by the department in accordance  
22 with section 256.9, subsection 46. These standards and  
23 criteria shall be set forth in an instrument provided  
24 by the department. The comprehensive evaluation and  
25 instrument are not subject to negotiations or grievance  
26 procedures pursuant to chapter 20 or determinations  
27 made by the board of directors under section 279.14.  
28 A local school board and its certified bargaining  
29 representative may negotiate, pursuant to chapter 20,  
30 evaluation and grievance procedures for beginning  
31 teachers that are not in conflict with this chapter.  
32 If, in accordance with section 279.19, a beginning  
33 teacher appeals the determination of a school board to  
34 an adjudicator under section 279.17, the adjudicator  
35 selected shall have successfully completed training  
36 related to the Iowa teacher standards, the criteria  
37 adopted by the state board of education in accordance  
38 with subsection 3, and any additional training required  
39 under rules adopted by the public employment relations  
40 board in cooperation with the state board of education.

41 b. For purposes of performance reviews for teachers  
42 other than beginning teachers, evaluations that  
43 contain, at a minimum, the Iowa teaching standards  
44 specified in subsection 1, as well as the criteria  
45 for the Iowa teaching standards developed by the  
46 department in accordance with section 256.9, subsection  
47 46. A local school board and its certified bargaining  
48 representative may negotiate, pursuant to chapter  
49 20, additional teaching standards and criteria. A  
50 local school board and its certified bargaining

1 ~~representative shall negotiate, pursuant to chapter 20,~~  
2 ~~evaluation and grievance procedures for teachers other~~  
3 ~~than beginning teachers that are not in conflict with~~  
4 ~~this chapter.>~~

5 6. Page 6, line 13, by striking <review> and  
6 inserting <review evaluation>

7 7. Page 6, line 17, after <administrators> by  
8 inserting <and any other practitioner who evaluates  
9 teachers pursuant to this chapter>

10 8. Page 6, by striking line 19 and inserting:  
11 <(2) (a) Develop and implement with the assistance  
12 of the department, for the fiscal year beginning July  
13 1, 2013, an alternative teacher evaluation system pilot  
14 program that meets local and state educational goals  
15 and is aligned with the requirements specified for the  
16 statewide teacher evaluation system developed pursuant  
17 to section 256.9, subsection 64. This subparagraph  
18 division is repealed July 1, 2015.

19 (b) Adopt, by July 1, 2014, the statewide teacher  
20 evaluation>

21 9. Page 6, line 23, after <goals> by inserting  
22 <and is aligned with requirements specified for  
23 the statewide teacher evaluation system developed  
24 pursuant to section 256.9, subsection 64. The  
25 alternative system shall be designed to ensure that  
26 every student is taught by an effective teacher, regard  
27 teachers' impact on students, foster improvements in  
28 teaching, and give all teachers a meaningful chance to  
29 succeed. A school district shall involve teachers and  
30 administrators in designing and implementation planning  
31 for the alternative teacher evaluation system, but  
32 the alternative teacher evaluation system design and  
33 implementation plans are not subject to the scope of  
34 negotiations specified in section 20.9.>

35 10. By striking page 6, line 27, through page 7,  
36 line 24, and inserting:

37 <Sec. \_\_\_\_ . Section 284.8, Code 2011, is amended by  
38 striking the section and inserting in lieu thereof the  
39 following:

40 **284.8 Teacher performance evaluation requirements —**  
41 **purposes.**

42 1. A school district shall evaluate a teacher's  
43 performance at least once annually based upon using the  
44 statewide teacher evaluation system adopted pursuant  
45 to section 256.9, subsection 64, or the alternative  
46 teacher evaluation system approved under section 284.4,  
47 subsection 1, and the system adopted shall be used as  
48 follows:

49 a. As the basis for all instructional staffing and  
50 personnel decisions made on or after July 1, 2015,

1 including when a school district makes a reduction in  
2 force under section 279.13 and when making decisions  
3 regarding teacher career advancement under section  
4 284.7.

5 *b.* For purposes of entering into or terminating  
6 teacher contracts and for purposes of negotiating  
7 collective bargaining agreements on or after July 1,  
8 2015.

9 *c.* To provide high-quality, job-embedded, and  
10 ongoing mentoring, supports, and professional  
11 development for teachers, aligned to the teacher's  
12 needs as identified in the teacher's evaluation and  
13 individual teacher professional development plan.

14 2. A teacher who is assigned a rating of minimally  
15 effective or ineffective under the teacher evaluation  
16 system adopted pursuant to section 284.4 may be  
17 required to participate in an intensive assistance  
18 program upon recommendation to the school district  
19 by the teacher's supervisor. Notwithstanding the  
20 provisions of chapter 20 and section 279.27, if the  
21 teacher has participated in an intensive assistance  
22 program as required under this subsection and is  
23 assigned a rating of minimally effective or ineffective  
24 after each of the three most recent consecutive annual  
25 performance evaluations, the teacher's contract  
26 may be terminated. The superintendent, or the  
27 superintendent's designee, shall notify the teacher  
28 immediately that the superintendent will recommend in  
29 writing to the board at a regular or special meeting  
30 of the board held not more than fifteen days after  
31 notification has been given to the teacher that the  
32 teacher's continuing contract be terminated effective  
33 immediately following a decision of the board. The  
34 notification shall be personally delivered to the  
35 teacher or mailed by certified mail.

36 Sec. \_\_\_\_\_. Section 284A.2, subsection 3, Code 2011,  
37 is amended to read as follows:

38 3. "*Comprehensive evaluation*" means a summative  
39 evaluation of a beginning administrator conducted by  
40 an evaluator in accordance with section 284A.3 for  
41 purposes of determining a beginning administrator's  
42 level of competency for recommendation for licensure  
43 based on the Iowa standards for school administrators  
44 adopted pursuant to section 256.7, subsection 27. For  
45 school districts, the comprehensive evaluation shall  
46 utilize the administrator evaluation system adopted by  
47 the school district pursuant to section 284A.7.

48 Sec. \_\_\_\_\_. Section 284A.5, subsection 5, Code 2011,  
49 is amended to read as follows:

50 5. By the end of a beginning administrator's first

1 year of employment, the beginning administrator may  
2 shall be comprehensively evaluated to determine if  
3 the administrator meets expectations to move to a  
4 professional administrator license, where appropriate.  
5 The school district or area education agency that  
6 employs a beginning administrator shall recommend  
7 the beginning administrator for a professional  
8 administrator license, where appropriate, if the  
9 beginning administrator is determined through a the  
10 comprehensive evaluation to demonstrate competence  
11 in the Iowa standards for school administrators  
12 adopted pursuant to section 256.7, subsection 27,  
13 and if employed by a school district, is assigned a  
14 rating of effective or highly effective. A school  
15 district or area education agency may allow a beginning  
16 administrator a second year to demonstrate competence  
17 in the Iowa standards for school administrators or  
18 to move to a rating of effective or highly effective  
19 if, after conducting a comprehensive evaluation, the  
20 school district or area education agency determines  
21 that the administrator is likely to successfully  
22 demonstrate competence in the Iowa standards for school  
23 administrators by the end of the second year or be  
24 assigned a rating of effective or highly effective.  
25 Upon notification by the school district or area  
26 education agency, the board of educational examiners  
27 shall grant a beginning administrator who has been  
28 allowed a second year to demonstrate competence a  
29 one-year extension of the beginning administrator's  
30 initial license. An administrator granted a second  
31 year to demonstrate competence shall undergo a  
32 comprehensive evaluation at the end of the second  
33 year.>

34 11. Page 7, line 28, by striking <A> and inserting  
35 <A Utilizing the statewide administrator evaluation  
36 system developed pursuant to section 256.9, subsection  
37 64, a>

38 12. Page 7, line 30, by striking <chapter 272> and  
39 inserting <chapter 272>

40 13. Page 7, line 31, by striking <chapter 256>

41 14. Page 8, line 7, after <plan> by inserting  
42 <; the school district or attendance center's  
43 student achievement, as appropriate; performance of  
44 instructional employees under the authority of the  
45 administrator, recruitment and retention of effective  
46 and highly effective teachers at the school district  
47 or attendance center, as appropriate; improvement in  
48 the percentage of instructional personnel evaluated at  
49 the highly effective or effective level; feedback from  
50 parents; and other leadership practices that result in



1 student achievement growth>  
2 15. Page 8, line 12, after <goals> by inserting  
3 <and is aligned with the requirements specified for the  
4 statewide alternative administrator system developed  
5 pursuant to section 256.9, subsection 64>  
6 16. Page 8, after line 15 by inserting:  
7 <3. Notwithstanding section 279.24, if an  
8 administrator is assigned a rating of ineffective for  
9 two consecutive years or for two out of three of the  
10 most recent consecutive years under the administrator  
11 evaluation system adopted pursuant to subsection 2,  
12 the administrator's contract may be terminated. The  
13 superintendent, or the superintendent's designee, shall  
14 notify the administrator immediately in writing that  
15 the superintendent will recommend in writing to the  
16 board at a regular or special meeting of the board held  
17 not more than fifteen days after notification has been  
18 given to the administrator that the administrator's  
19 continuing contract be terminated effective immediately  
20 following a decision of the board. Notwithstanding  
21 section 279.24, if the administrator is the  
22 superintendent of the school district, the board shall  
23 notify the superintendent immediately of its intention  
24 to terminate the superintendent's contract at a regular  
25 or special meeting of the board held not more than  
26 fifteen days after notification has been given to the  
27 superintendent. Notification shall be personally  
28 delivered to the administrator or mailed by certified  
29 mail.>  
30 17. By striking page 8, line 16, through page 9,  
31 line 3.  
32 18. Page 10, by striking lines 7 through 24.  
33 19. Page 27, by striking lines 5 through 22.  
34 20. Page 27, before line 23 by inserting:  
35 <Sec. \_\_\_\_\_. Section 284.2, subsection 8, Code 2011,  
36 is amended to read as follows:  
37 8. "Performance evaluation" means a summative  
38 evaluation of a teacher other than a beginning  
39 teacher and used to determine whether the teacher's  
40 practice meets school district expectations and the  
41 Iowa teaching standards, and to determine whether the  
42 teacher's practice meets school district expectations  
43 for career advancement in accordance with section  
44 284.7.>  
45 21. Page 28, after line 11 by inserting:  
46 <Sec. \_\_\_\_\_. Section 284.7, subsection 1, paragraph  
47 b, subparagraph (1), subparagraph division (b), Code  
48 2011, is amended to read as follows:  
49 (b) Is reviewed rated effective using the teacher  
50 evaluation system adopted by the school district as

1 ~~demonstrating the competencies of a career teacher~~  
2 pursuant to section 284.4.

3 Sec. \_\_\_\_\_. Section 284.7, subsection 2, paragraph  
4 a, subparagraph (1), Code 2011, is amended to read as  
5 follows:

6 (1) A career II teacher is a teacher who meets  
7 the requirements of subsection 1, paragraph "b",  
8 subparagraph (1), subparagraph divisions (a), (c),  
9 and (d); was rated highly effective in the most  
10 recent teacher performance evaluation performed in  
11 accordance with section 284.4; has met the requirements  
12 established by the school district that employs the  
13 teacher; and is evaluated by the school district  
14 as demonstrating the competencies of a career II  
15 teacher. ~~The teacher shall have successfully completed~~  
16 ~~a performance review in order to be classified as a~~  
17 ~~career II teacher.~~

18 Sec. \_\_\_\_\_. Section 284.7, subsection 2, paragraph b,  
19 subparagraph (1), Code 2011, is amended by adding the  
20 following new subparagraph division:

21 NEW SUBPARAGRAPH DIVISION. (e) Was rated highly  
22 effective in the most recent teacher performance  
23 evaluation performed in accordance with section 284.4.

24 Sec. \_\_\_\_\_. Section 284.7, subsection 2, paragraph  
25 b, subparagraph (2), Code 2011, is amended to read as  
26 follows:

27 (2) It is the intent of the general assembly that  
28 the participating district shall establish a minimum  
29 salary for an advanced teacher that is at least  
30 thirteen thousand five hundred dollars greater than the  
31 minimum career teacher salary. ~~In conjunction with the~~  
32 ~~development of the review panel pursuant to section~~  
33 ~~284.9, the department shall make recommendations to~~  
34 ~~the general assembly by January 1, 2002, regarding~~  
35 ~~the appropriate district-to-district recognition for~~  
36 ~~advanced teachers and methods that facilitate the~~  
37 ~~transition of a teacher to the advanced level.~~

38 Sec. \_\_\_\_\_. Section 284.9, subsection 1, Code 2011,  
39 is amended to read as follows:

40 1. A career II teacher seeking to receive an  
41 advanced designation shall submit a portfolio of work  
42 evidence aligned with the Iowa teaching standards to a  
43 review panel established in accordance with subsection  
44 2. A majority of the evidence in the portfolio shall  
45 be classroom-based. The review panel shall evaluate  
46 the career II teacher's portfolio and past evaluations  
47 in accordance with section 256.9, subsection 64, to  
48 determine whether the teacher demonstrates superior  
49 teaching skills, and shall make a recommendation to  
50 the board of educational examiners whether or not the

1 teacher shall receive an advanced designation. The  
2 standards for recommendation include, but are not  
3 limited to, meeting the Iowa teaching standards at an  
4 advanced level.>

5 22. By renumbering as necessary.

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KOESTER of Polk