

- 4 Professional development and mentoring for probationary teachers.** (a) For probationary teachers in first class city school districts, directs a school board and the exclusive representative of the teachers to collaborate in establishing a professional development model for probationary teachers that uses the professional development resources available to the district.

Makes this section effective for the 2013-2014 school year and later.

- 5 Professional development and peer coaching for continuing contract teachers.** (a) For continuing contract teachers in first class city school districts, directs a school board and the exclusive representative of the teachers to collaborate in establishing a professional development model for continuing contract teachers that uses the professional development resources available to the district.

Makes this section effective for the 2013-2014 school year and later.

6 Teacher evaluations.

Subd. 1. Evaluation structure. Establishes a teacher evaluation structure to provide information about teacher effectiveness for teachers, school districts, and charter schools to use in developing and improving teacher performance and student learning. Lists the three parts of the structure: a teacher appraisal framework that identifies the performance measures for determining teacher effectiveness; a mechanism for translating the performance data into a five-part teacher effectiveness rating scale; and a four-tier status designation that identifies teachers as standard, advanced, distinguished, or exemplary based on a teacher's effectiveness rating over time.

Subd. 2. Teacher appraisal framework. (a) Directs school districts and charter schools to create and implement a teacher appraisal framework that translates performance measures and scores into five effectiveness rating scores where 5 is the highest rating. Directs the education department, in collaboration with the board of teaching, to make available appraisal frameworks and other related materials to assist schools and districts in implementing an appraisal framework.

(b) Makes statewide assessment results the basis for 50 percent of a teacher's total appraisal if such results are available.

(c) If statewide assessment results are unavailable, makes district-wide assessment results of state and local standards the basis for 40 percent of a teacher's appraisal and makes teacher-developed assessments the basis for another 10 percent of a teacher's total appraisal.

(d) If district-wide assessment results are unavailable, makes teacher-developed and administrator-approved assessments of state and local standards the basis for 50 percent of a teacher's total appraisal. Requires school administrators to meet at least annually with teachers to review, modify, and approve local course and grade-level expectations for student achievement and growth.

(e) Directs a charter school or school board to consult with teachers in identifying the performance measures used as a basis for the other 50 percent of a teacher's total appraisal. Requires the appraisal to include data from parent surveys and at least one annual evaluation performed by a trained school administrator. Suggests other possible performance measures.

Subd. 3. Teacher performance effectiveness ratings. (a) Beginning in the 2012-2013 school year, requires districts and charter schools to use a five-point scale to indicate a teacher's performance effectiveness and determine a teacher's effectiveness designation for each teacher who teaches a subject for which statewide assessment results exist. (1) Rates as highly effective a teacher whose students achieve one and one-half year's of academic growth on

statewide assessments and who receives a 5 rating on the district or charter school appraisal framework. (2) Rates as effective a teacher whose students achieve at least one year of academic growth on statewide assessments and who receives a 4 rating on the district or charter school appraisal framework. (3) Rates as average a teacher whose students achieve at least .9 years of academic growth on statewide assessments and who receives a 3 rating on the district or charter school appraisal framework. (4) Rates as needs improvement a teacher whose students achieve between .5 and .9 years of academic growth on statewide assessments and who receives a 2 or lower rating on the district or charter school appraisal framework. (5) Rates as ineffective a teacher whose students achieve less than one-half year's of academic growth on statewide assessments and who receives a 1 rating on the district or charter school appraisal framework.

Indicates that a teacher who does not meet both growth and performance ratings receives the next lower effectiveness rating.

(b) Beginning in the 2012-2013 school year, requires districts and charter schools to use a five-point scale to indicate a teacher's performance effectiveness and determine a teacher's effectiveness designation for each teacher who teaches a subject for which no statewide assessment results exist. Required districts and charter schools to consult with teachers in defining low, medium, and high academic growth and progress toward grade-level proficiency for purposes of the teacher performance effectiveness ratings. (1) Rates as highly effective a teacher who receives a 5 rating on the district or charter school appraisal framework. (2) Rates as effective a teacher who receives a 4 rating on the district or charter school appraisal framework. (3) Rates as average a teacher who receives a 3 rating on the district or charter school appraisal framework. (4) Rates as needs improvement a teacher who receives a 2 rating on the district or charter school appraisal framework. (5) Rates as ineffective a teacher who receives a 1 rating on the district or charter school appraisal framework.

Subd. 4. Teacher status designation. (a) Beginning no later than the 2012-2013 school year, directs districts and charter schools to establish a four-tier status designation for identifying teachers' effectiveness using measures of teacher performance and student learning as they relate to meeting state and local education standards.

(b) Gives a standard designation to a probationary teacher who, during the three-year probationary period, receives at least one average, effective or highly effective rating from the employing district or charter school and meets professional development requirements.

(c) Gives an advanced designation to a licensed teacher who receives an average, effective or highly effective rating in four out of each five-year employment period and meets professional development requirements.

(d) Gives a distinguished rating to a teacher who receives a highly effective rating in three years out of a five-year employment period and meets professional development requirements.

(e) Gives an exemplary rating to a teacher who receives a highly effective rating in seven years during two consecutive five-year employment periods and meets professional development requirements.

(f) Allows a teacher with a distinguished or exemplary rating to retain that designation during the remainder of the five-year period in which the teacher received the designation.

Subd. 5. Data gathering and analysis. Beginning in the 2012-2013 school year, directs the education department, in consultation with the board of teaching, to assist districts and charter schools in collecting and aggregating student data needed to implement this section. Allows the department and a district or charter school to enter into a data sharing agreement where

needed. Declares that any data on individual students or teachers that are used to generate summary data under this section are nonpublic data.

Subd. 6. Intermediate school districts; teacher evaluations. Establishes evaluation measures for teachers employed by an intermediate school district. Evaluates a teacher who works with disabled students using a student growth measure based on a student's IEP. Evaluates a teacher who works in an alternative learning setting using student growth measures based on locally developed education goals and statewide or locally developed assessments.

Makes this section effective immediately.

7 **Staff development program.**

Subd. 1. Staff development committee. Allows school boards to use staff development revenue for teacher training.

Subd. 1a. Effective staff development activities. Requires staff development activities to be aligned with district and school site staff development plans, based on student achievement and growth data, and focused on student learning goals. Requires staff development activities, among other things, to focus on scientifically-based research strategies, provide opportunities for teachers to receive instructional-based observations using objective standards-based assessments to assist in professional growth, provide job-embedded or integrated professional development opportunities during the teacher-contract day to build instructional strategies to meet students' learning goals, plan instruction, practice new teaching strategies, and review the results of implementing those strategies, and align a Q-Comp plan, if applicable, with the teacher evaluation structure.

Subd. 2. Staff development outcomes. Requires a staff development plan to be based on student achievement and growth and include student learning goals.

Subd. 3. Staff development outcomes. Requires the advisory committee to adopt a staff development plan increasing teacher effectiveness and student learning. Requires the plan to include staff development activities that improve student achievement of state and local academic standards through the use of benchmark assessments aligned with academic standards and collaboration, mentorship and coaching for teachers in their first five years of teaching.

Subd. 4. Staff development report. Requires a staff development report to be submitted to the education commissioner by October 1 instead of October 15.

Makes this section effective for the 2013-2014 school year and later.

8 **Staff development revenue.**

Subd. 1. Staff development revenue. Requires a district to reserve two percent of its basic revenue for education programs with the primary purpose of creating and implementing staff development plans and also allows funds to be used to support challenging instructional activities and experiences. Strikes language allowing the funds to be used curriculum development and programs, other in-service education, teachers' workshops, teachers' conferences, and the cost of substitute teachers for staff development purposes. Also strikes language allowing best practices grants to be used for similar purposes: curriculum development and programs, other in-service education, teachers' workshops, teachers' conferences, the cost of substitute teachers for staff development purposes and other staff development activities determined by the site team.

Makes this section effective for the 2013-2014 school year and later.

- 9 Basic revenue.** Increases the formula allowance by \$50 for fiscal year 2014 and later.
- 10 Appraisal implementation timeline.** Directs districts and charter schools to implement the teacher appraisal framework as follows: develop an appraisal framework and data collection system in the 2011-2012 school year; implement an appraisal framework and data collection system as a pilot program in the 2012-2013 school; and fully implement the appraisal framework and data collection system in the 2013-2014 school year.

Makes this section effective immediately.

Article 2: Teacher Employment

- 1 School performance report card.** Includes the number of teachers in each performance effectiveness rating category, by school site, in the data reported on the school performance report card.
- Makes this section effective July 1, 2014.
- 2 Probationary period.** (a) For teachers generally, directs a school board to issue an annual employment contract and adopt a plan for a written evaluation of probationary teachers that complies with the teacher evaluation structure. Makes the first year of a probationary teacher's employment at will. Strikes language authorizing a school board to renew or not renew a probationary teacher's contract as it sees fit.
- (e) Directs a school board to decide whether or not to renew a probationary classroom teacher's contract based on the teacher's professional growth plan, the teacher's appraisal results and performance effectiveness rating, and other locally selected criteria aligned to instructional practices in teaching and learning.
- Makes this section effective for the 2014-2015 school year and later.
- 3 Termination of contract after probationary period.** For teachers generally, declares that a teacher who satisfactorily completes a probationary period has a renewable five-year contract. Requires a teacher's termination for cause to comply with statutory parameters.
- Makes this section effective for the 2014-2015 school year and later.
- 4 Teacher employment.** (a) For teachers generally, requires school districts to use a teacher appraisal framework to make informed decisions about teacher development and performance. Requires teachers to participate in ongoing professional development to improve teaching and learning throughout the employment term.
- (b) Gives a teacher who successfully completes a three-year probationary period a renewable five-year contract. Adjusts the terms and conditions of employment and compensation based on the length of the school year or extended school calendar.
- (c) Requires a school board to either continue or terminate a teacher's employment at the end of each five-year period based on: on the teacher's professional growth plan, the teacher's appraisal results and performance effectiveness rating, and other locally selected criteria aligned to instructional practices in teaching and learning.

Makes this section effective for the 2014-2015 school year and later.

- 5** **Grounds for termination.** For teachers generally, adds teacher ineffectiveness to the grounds for which a school board may terminate a teacher. Prohibits a school board from terminating a teacher for ineffectiveness unless the teacher fails to correct the deficiency within 180 days of receiving notice of the deficiency.

Makes this section effective for the 2014-2015 school year and later.

- 6** **Negotiated unrequested leave of absence.** Strikes language that prohibits a negotiated unrequested leave of absence plan for teachers generally from including provisions that result in teachers with a provisional license, except a vocational license, exercising seniority or being reinstated.

Makes this section effective for the 2014-2015 school year and later.

- 7** **Unrequested leave of absence.** (a) For teachers generally, allows a superintendent to exempt from the effects of statutory unrequested leave of absence provisions those teachers who, in the superintendent's judgment, are able to provide instruction that similarly licensed teachers can not provide or whose subject area license meets unmet district needs for student instruction. Strikes language allowing a school board to place probationary teachers on unrequested leave first in the inverse order of their employment. Also strikes language prohibiting a board from placing continuing contract teachers on unrequested leave while probationary teachers are retained in positions for which the continuing contract teacher is licensed.

(b) Directs teachers to be placed on unrequested leaves in fields in which they are licensed in the following order: (1) teachers rated as needs improvement or ineffective in the inverse order of their employment; (2) teachers rated as average with fewer than four years of teaching experience in the inverse order of their employment; (3) teachers rated as effective in the inverse order of their employment; (4) teachers rated as highly effective in the inverse order of their employment; (5) teachers rated as distinguished in the inverse order of their employment; and (6) teachers rated as exemplary in the inverse order of their employment.

(c) Allows the order for placing teachers on unrequested leave to be negotiated in cases of equal seniority under any clause (1) to (6) under paragraph (b). Strikes language prohibiting a provisionally licensed teacher, except a teacher with a vocational license, from exercising seniority except with respect to another provisionally licensed teacher.

(d) Allows a district to retain a teacher with a lower designated status or less seniority as part of an affirmative action program.

(e) Strikes language prohibiting the reinstatement of a provisionally licensed teacher while another continuing contract teacher who holds a license in the same field remains on unrequested leave.

(h) Indicates that a teacher placed on unrequested leave who is not reinstated continues until the teacher's five-year contract expires.

Makes this section effective for the 2014-2015 school year and later.

- 8** **Probationary period; discharge or demotion.** (a) For teachers in first class city school districts, directs a school board to issue an annual employment contract and adopt a plan for a written evaluation of probationary teachers that complies with the teacher evaluation structure. Makes only the first year of a probationary teacher's employment at will. Strikes language authorizing a school board to renew or not renew a probationary teacher's contract as it sees fit.

(d) Directs a school board to decide whether or not to renew a probationary classroom teacher's contract based on the teacher's professional growth plan, the teacher's appraisal results and performance effectiveness rating, and other locally selected criteria aligned to instructional practices

in teaching and learning.

Makes this section effective for the 2014-2015 school year and later.

- 9** **Teacher employment.** (a) For teachers in first class city school districts, requires school districts to use a teacher appraisal framework to make informed decisions about teacher development and performance. Requires teachers to participate in ongoing professional development to improve teaching and learning throughout the employment term.

(b) Gives a teacher who successfully completes a three-year probationary period a renewable five-year contract. Adjusts the terms and conditions of employment and compensation based on the length of the school year or extended school calendar.

(d) Requires a school board to either continue or terminate a teacher's employment at the end of each five-year period based on: on the teacher's professional growth plan, the teacher's appraisal results and performance effectiveness rating, and other locally selected criteria aligned to instructional practices in teaching and learning.

Makes this section effective for the 2014-2015 school year and later.

- 10** **Grounds for discharge or demotion.** For teachers in first class city school districts, adds teacher ineffectiveness to the grounds for which a school board may discharge or demote a teacher. Prohibits a school board from discharging a teacher for ineffectiveness unless the teacher fails to correct the deficiency within 180 days of receiving notice of the deficiency.

Makes this section effective for the 2014-2015 school year and later.

- 11** **Services terminated by discontinuance or lack of pupils; preference given.** Establishes an order for discontinuing teachers in a first class city school district if the school board and the exclusive representative of the teachers fail to agree to a plan for discontinuing teachers. Causes teachers to be discontinued as follows: (1) teachers rated as needs improvement or ineffective in the inverse order of their employment; (2) teachers rated as average with fewer than four years of teaching experience in the inverse order of their employment; (3) teachers rated as effective in the inverse order of their employment; (4) teachers rated as highly effective in the inverse order of their employment; (5) teachers rated as distinguished in the inverse order of their employment; and (6) teachers rated as exemplary in the inverse order of their employment. Allows a superintendent to exempt from the effects of this subdivision those teachers who, in the superintendent's judgment, are able to provide instruction that similarly licensed teachers cannot provide or whose subject area license meets unmet district needs for student instruction. Strikes language prohibiting a provisionally licensed teacher, except a teacher with a vocational license, from exercising seniority except with respect to another provisionally licensed teacher. Strikes language prohibiting the reinstatement of a provisionally licensed teacher while another tenured teacher who holds a license in the same field remains on unrequested leave.

Makes this section effective for the 2014-2015 school year and later.

- 12** **Teacher effectiveness-based bonuses.** (a) Gives a teacher rated as distinguished an annual 10 percent salary bonus as long as a teacher retains that rating.

(b) Gives a teacher rated as exemplary an annual 20 percent salary bonus as long as the teacher retains that rating.

Makes this section effective July 1, 2019.

- 13** **Duties.** Prohibits a school board from entering into an agreement that limits a superintendent's ability to assign and reassign teachers or administrators to schools within the district to best met student and

school needs as determined by the superintendent.

- 14** **Contract; duties.** Includes an annual evaluation of school principals in the list of duties a school superintendent is required to perform.

Makes this section effective for the 2013-2014 school year and later.

- 15** **Duties; evaluation.** (b) Directs school districts to develop and implement a performance-based system for annually evaluating school principals. Requires the evaluation to be designed to improve teaching and learning and to: support and improve a principal's instructional leadership, organizational management, and professional development; include formative and summative assessments; be consistent with a principal's job description, district plans and goals, and the principal's own growth plans and goals, and support principals' leadership behaviors and practices, rigorous curriculum, school performance and high quality instruction; include on-the-job observations and previous evaluations; allow surveys to help identify a principal's effectiveness; use longitudinal data as an evaluation component and incorporate district achievement goals and targets; and be linked to professional development.

Indicates that these provisions are intended to provide districts with sufficient flexibility to accommodate district needs and goals in developing, supporting, and evaluating principals.

Makes this section effective for the 2013-2014 school year and later.

- 16** **Employment and other operating matters.** Directs charter schools to create and implement a teacher evaluation structure to use in developing and improving teacher performance and student learning. Declares that these teacher evaluations do not create additional due process rights.

- 17** **Advisory task force on implementing a teacher evaluation structure.** Directs the education commissioner to convene a nine-member advisory task force to make recommendations on implementing the state's teacher evaluation structure. Includes as task force members representatives from the Minnesota Chamber of Commerce, the Minnesota Business Partnership, the Minnesota Assessment Group, the Minnesota Association of School Administrators, the Minnesota Elementary and Secondary School Principals Association, Education Minnesota, and parents. Directs the commissioner or the commissioner's designee to serve as a nonvoting member and to provide technical assistance upon request. Directs the task force members to periodically review the statutory sections that compose this act and to recommend changes needed to fully implement the teacher evaluation structure. Directs the commissioner to report task force recommendations to the legislature. Causes the task force to continue until specifically terminated by the legislature.

Makes this section immediately effective.

- 18** **Implementing a performance-based evaluation system for principals.** (a) Directs the education commissioner and the associations of elementary and secondary school principals to convene a group of experts and stakeholders to develop an annual performance-based principal evaluation system model. Directs the group to consider how principals develop and maintain high standards for student performance, rigorous curriculum, quality instruction, a culture of learning and professional behavior, connections to external communities, systemic performance accountability, and leadership behaviors that create effective schools and improve school performance. Encourages the group to also consider whether to establish a multi-tiered evaluation system for newly licensed principals and more experienced school leaders.

(b) Directs the education commissioner and the associations of elementary and secondary school principals to submit a written report and all the group's papers to the legislature by February 1, 2012, discussing the group's responses to paragraph (a) and its recommendations for an annual performance-based principal evaluation system model. Causes the group to expire on June 1, 2012.

Makes this section effective immediately and applicable to principal evaluations beginning in the 2013-2014 school year and later.