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Using Teacher and Principal Evaluations to Inform Human Resource Decisions

2013

Authorizing legislation: [RCW 28A.405.100\(8\)\(a\)](#)
<http://apps.leg.wa.gov/rcw/default.aspx?cite=28A.405.100>

K–12 Instruction

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Executive Summary

Washington law guides how school districts use teacher evaluations in making two kinds of human resource (HR) decisions:

- Whether a teacher moves from provisional to continuing contract status.
- Whether a struggling teacher keeps their job.

School districts decide everything else about staffing, usually based on local collective bargaining agreements (CBAs).

The 2013 Legislature asked the Office of Superintendent of Public Instruction (OSPI) how districts should use the revised evaluation when making human resource decisions. OSPI and American Institutes for Research (AIR) looked at national trends, asked Washington educators' opinions and summarized what they learned. Read about the creative approaches from districts around Washington in Appendix A.

Four themes emerged:

1. Consider many factors.
2. Provide local choice.
3. State rules will cause disagreement among educators.
4. The revised system is not yet ready.

This is the first year every school district is involved with TPEP. It is too early to make high-stakes decisions with this new system. Educators think the revised evaluation will work well. At this point, however, districts need resources and time to learn how to use it before we mandate how evaluations affect HR decisions.

Introduction

Washington is making huge changes in teacher and principal evaluation. Educators and policymakers have the same goal: excellent instruction and strong leadership so all students achieve. Educators are learning a common language, setting clear expectations and basing their own improvement goals on what students need.

Beginning in 2015–16, Washington requires districts to link teacher and principal evaluation data with human resource decisions such as continuing contract status, staffing assignments, layoffs, and dismissal.

In 2012, the Legislature asked OSPI to develop *“a report for the legislature and governor, due by December 1, 2013, of best practices and recommendations regarding how teacher and principal evaluations and other appropriate elements shall inform school district human resource and personnel practices.”*

What are HR decisions?

Human resource examples include granting continuing contract status, preference in assignments, leadership opportunities, and probation. Districts use evaluation for transfers, hiring and layoffs, also called reduction in force (RIF). Some districts decide who attends training based on evaluation results.

Washington already allows teacher evaluation results to influence HR decisions in these cases:

- All provisional teachers earn a continuing contract after their third year of teaching as long as they earn a Basic evaluation rating during their third year. (RCW 28A.405.220).
- Superintendents can award continuing contract status after two years of service as long as the teacher received one of the top two evaluation ratings (RCW28A.405.220, Sec 203, 1).
- Districts use evaluation results to take action with struggling teachers (RCW28A.405.100, Sec 202, 4(a)).

In other cases, local school districts decide about using evaluations in HR decisions. The collective bargaining agreement (CBA) outlines the rules for teachers. Principals do not usually work under a CBA.

Educators said that in many school districts, HR decisions already include evaluation results. Appendix A includes examples from local districts across Washington.

OSPI, with help from AIR, invited educators to talk about this topic in fall 2013. Teachers, principals, district administrators, and school directors from Yakima, Vancouver, and Puget Sound shared their views. OSPI and AIR also convened a group of HR experts (school district HR directors, association staff, and school attorneys) to discuss using teaching evaluations and other factors in HR decisions.

Background

In February and March 2011, OSPI and AIR held ten regional educator forums for TPEP pilot districts in order to collect participants' views on:

- The current teacher and principal evaluation system in the state of Washington.
- The state's recent education reforms.
- The features and characteristics that should be included in the new evaluation system.

In addition, OSPI hosted meetings for member districts in November of 2012 and in April of 2013. Participants read research articles and engaged in small and large group dialogue about human capital management policies. OSPI videotaped the educator's perspectives (see: <http://tpep-wa.org/tpep-events-files/tpep-pilot-site-meetings/april-24-policy-to-practice/>.) Participants were also asked for input on features and characteristics that should be included in the new evaluation system in a survey.

Several themes emerged from out of the educator's perspectives.

- Participants were wary of adding more reforms, including tying evaluation ratings to human resource decisions. They said the evaluation system needed time to develop accuracy and effectiveness. They said educators needed to become comfortable using it.
- Participants said that without sufficient resources and opportunities to train evaluators on rater agreement, that it would be inappropriate to tie evaluation ratings to employment decisions.
- Participants were convinced that schools and districts are different enough that one policy could not work everywhere.
- Participants remained open to evaluations being used to inform human resource decisions provided that the above conditions were met.

An April 2013 survey of the group resulted in the following recommendations:

- Fund training on TPEP to ensure calibration for evaluators and knowledge of the rubric for everyone.

- Maintain the existing WAC language (WAC 392-191A-240) to use “multiple measures” in teacher RIF decisions.
- Delay the use of teacher evaluation data in RIF decisions until the evaluation system is fully implemented statewide.

About the placement of new teachers and the transfer of experienced teachers, the group said:

- Create restrictions on principal authority over teacher placement.
- Provide principals with a voice in teacher placement decisions within locally-bargained agreements.
- Delay linking teacher placement and teacher evaluation data until evaluations have been used for some time consistently, reliably, and effectively.

In summary, participants asked for time to implement, resources to implement well, and the flexibility to adapt policy to local context. Read the full report at: <http://tpep-wa.org/wp-content/uploads/AIR%20TPEP%202012-2013%20Report.pdf>.

The fall 2013 regional educator forums went beyond previous conversations. These forums focused on the factors that should inform various human resource decisions, once conditions are right.

HR Expert Forums

After a thorough review of previous reports, OSPI convened experts in school district human resources to discuss the possible uses of teacher evaluations and other factors in HR decisions. Two meetings occurred in Seattle and Spokane. HR directors, association staff and school attorneys attended. These are the people who enact and uphold districts’ HR policies.

These experts explained how local districts already use multiple factors in HR decisions and the thinking behind policy and other context. Their discussions helped shape the scenarios used later in the forums. In addition, AIR looked at policies in other states and provided a summary for forum participants.

Fall 2013 Educator Forums

Three evening forums were hosted by ESD 105 (Yakima), ESD 121 (Puget Sound), and ESD 112 (Vancouver). ESD Superintendents invited educators in their regions. The TPEP Steering Committee also invited members of their associations. Ninety-two people participated:

- 41 teachers
- 4 union association staff
- 5 principals

- 33 superintendents and HR directors
- 4 school board members
- 5 participants who did not identify themselves

Participants held diverse viewpoints about how teacher evaluation results should be used in HR decisions. This report summarizes their input, but is not a statistical representation of Washington educators and stakeholders. The charts use an N of 87 – the number of participants who did identify their role.

Findings

These findings are based on responses to the Fall 2013 Educator Forum Survey.

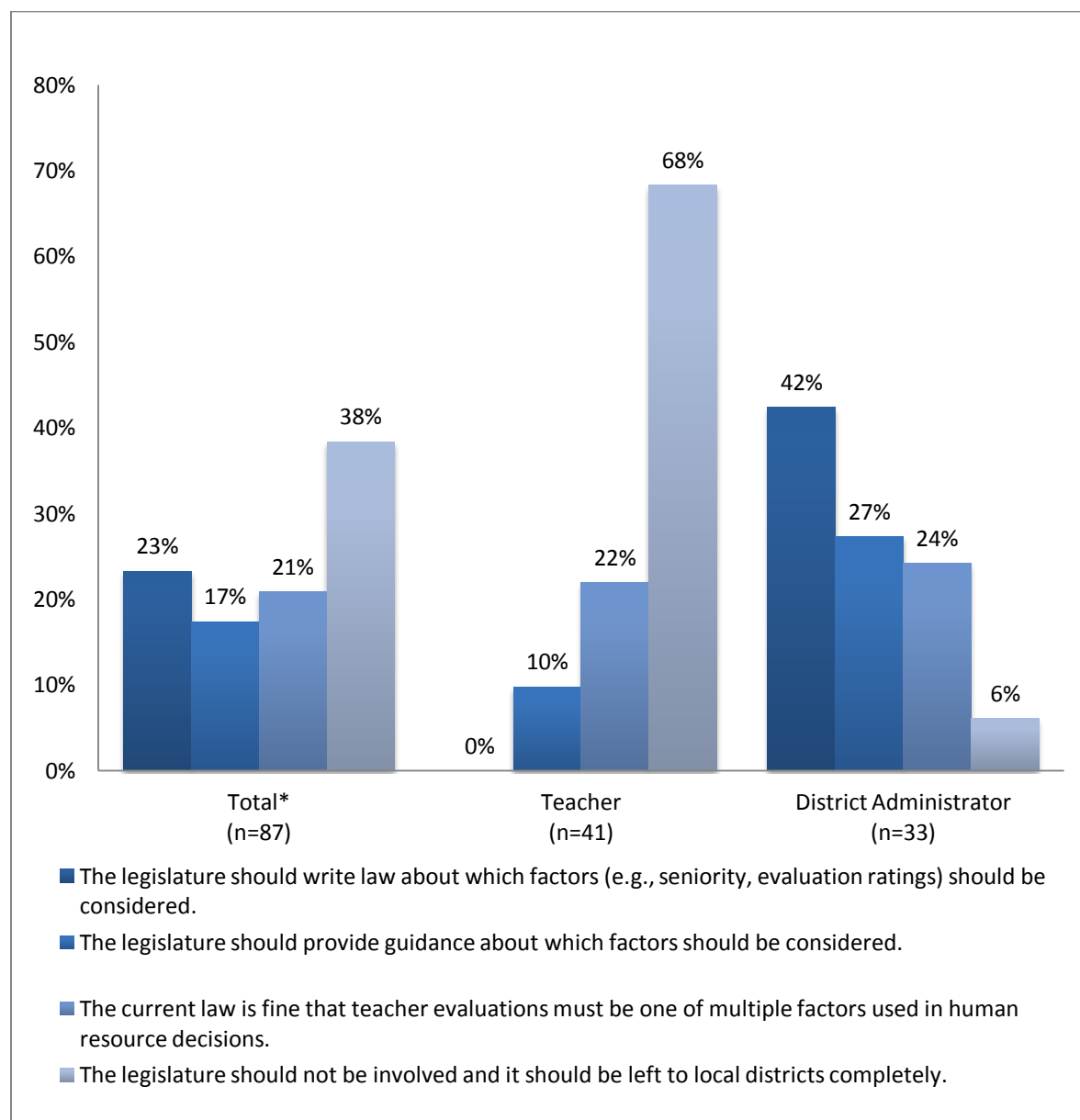
Local Control

- The majority of participants agreed that HR decisions should be made at the local level. Because of the complex nature of employment and staffing decisions, educators preferred the freedom to determine what policies and practices will best serve their students. District size repeatedly emerged as an issue that would prevent one statewide policy from being effective. For example, some small school districts have very limited transfer options, whereas large districts can transfer teachers regularly.
- Participants identified additional contextual issues, such as specific types of schools (e.g., priority schools, high English language learner population, where any particular state- or district-level policy would not apply equally well. The special challenge of meeting the needs of these students requires a degree of local flexibility.
- The majority of participants, across all stakeholder groups, described local-level processes as a key ingredient to the successful implementation of teacher evaluations. For example, a district administrator noted the importance of researching the evaluation system before adding high-stakes consequences:
“In order to measure its true effectiveness, let it run for five to six years. Then, let’s evaluate whether it’s the right move or not. At the end of five years, we will have a more informed decision.”

And a teacher said:

“I haven’t met anyone in the education family that doesn’t want this new evaluation system to work because we all want to do the best for our kids. We have so much invested at the local level. One of the worst thing would be a heavy hand from the legislature because it will squash the sharing and the professional learning communities that are currently happening.”

Table 1: Role of the State in Deciding How Teacher Evaluation Data Are Used in HR Decisions

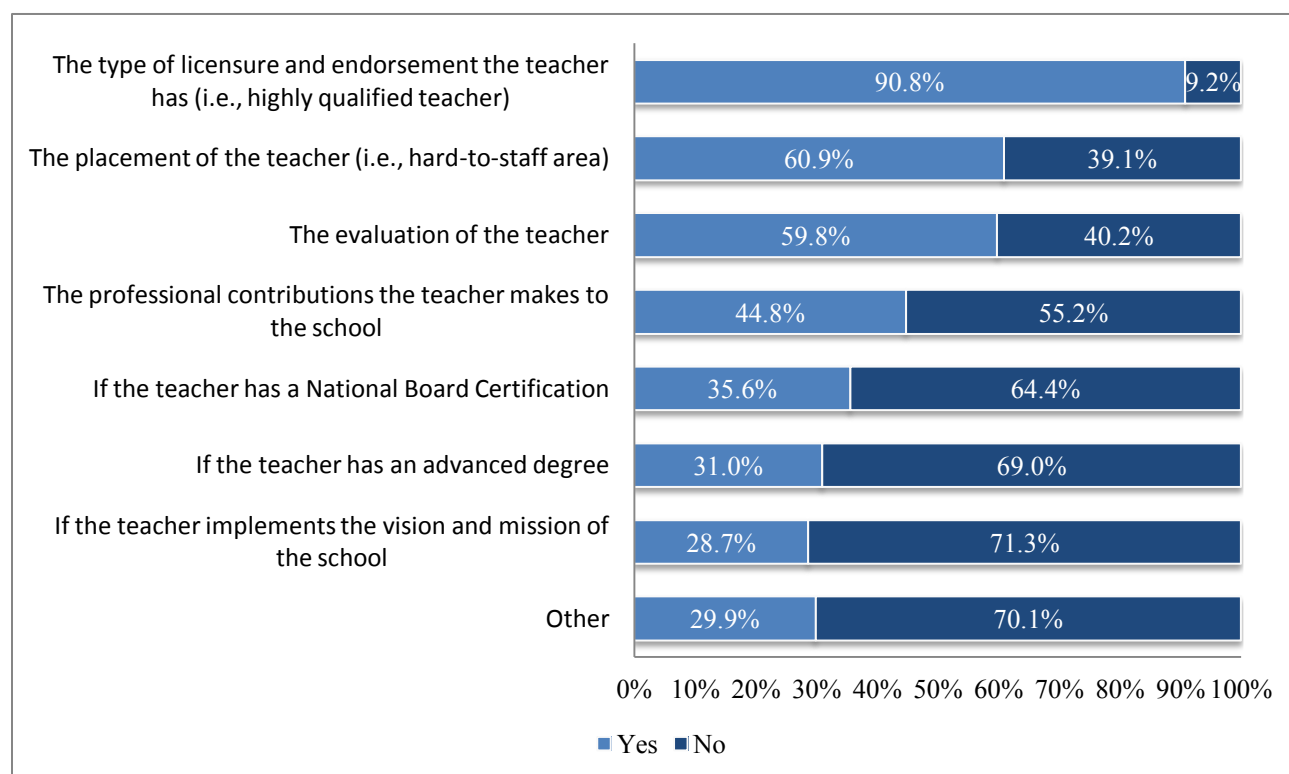


Multiple Factors

- The majority of participants agreed that multiple factors should be included in HR decisions, such as highly qualified teacher status, teacher evaluation results, skills of the teacher (e.g., leadership, communication), teacher placement (e.g., hard to staff schools or subjects), needs of the district, needs of the school, needs of the students, and seniority.

- Participants' viewpoints about the importance of the multiple factors when making HR decisions were nuanced. Many participants stated that endorsements and highly qualified status should be given the greatest priority during RIF decisions. Given that teachers can have endorsements in multiple subjects, however, some participants noted that it was also important to consider how much experience a teacher had actually teaching the grade or subject in the endorsement area. For example, representatives from the HR experts were concerned that if a social studies position were being RIF'd, teachers with up-to-date endorsements and significant relevant experience would be RIF'd first, while more senior teachers with older social studies endorsements who had not taught the subject in years would be kept.
- Participants had differing viewpoints about which factors should be included in HR decisions. District administrators were more likely to provide a longer list of factors than teachers. However, most participants emphasized the importance of determining locally which factors are important through the collective bargaining process.
- Although participants agreed that multiple factors should inform HR decisions, views about which factors should be considered differed depending on the type of HR decision. For example, many participants concurred that teacher evaluations should not be included when making RIF decisions because poor performing teachers should be dealt with prior to a RIF. In contrast, there was more agreement that in making transfer decisions, teacher evaluation data should be taken into account.

Table 2: Factors to Consider When Making HR Decisions



Assignment and Transfer

- Teachers were concerned about the possibility of seniority becoming a less dominant factor in HR decisions. They believed this would (1) undermine the role that experience has in the teaching profession and (2) deter people from entering the profession because they believe job security is one of the few benefits of teaching.
- Conversely, many district administrators were concerned about seniority remaining the dominant factor in making HR decisions. District administrators reported that HR decisions informed predominately by seniority limited staffing decisions that best met the students' needs. In addition, they were concerned that seniority deterred new teachers from staying in the profession because of limited opportunities to transfer to a more desirable position, or to maintain their position during displacement or RIF.
- The focus groups highlighted the complexities surrounding the use of evaluations and other factors to make staffing assignments (voluntary and involuntary transfers as well as new hires). Most participants stated that their districts currently use multiple factors in their staffing assignments (e.g., certifications, endorsements, special qualifications or skill sets that meet school needs or district initiatives). These factors are generally included in their

current collective bargaining agreements. As a result of the local conditions, stakeholders agreed that no single statewide rule is likely to function well across districts.

Nevada states that teacher layoffs may not be based solely on seniority and outlines seven considerations districts may use when making RIF decisions: (1) hard to staff positions; (2) National Board Certification; (3) performance evaluations; (4) disciplinary record; (5) criminal record; (6) type of licensure; and (7) degree attained if that degree is related to position. (Appendix A)

Illinois uses a grouping strategy when making RIF decisions. Districts must categorize teachers into four distinct groups, and RIFs begin with Group 1 (non-tenured teachers without a performance evaluation). Group 2 consists of teachers who received the lowest two ratings on the state's four-point rating scale within the previous two years. Group 3 consists of teachers who received the middle two ratings in the past two years, and Group 4 consists of teachers who were rated in the highest rating category twice in the past three years. Teachers in Group 1 are let go based on the discretion of the school district. Group 2 teachers are let go based on the average of the performance ratings, and for Groups 3 and 4, seniority is the deciding factor. (Appendix A)

Displacement

- Participants had diverse viewpoints on how transfer and hiring decisions should occur when teachers are displaced because of enrollment, program changes, or other factors. Some teachers and district administrators thought that displaced teachers should be given priority for open positions within a district. Other teachers and most district administrators thought that displaced teachers should be guaranteed an interview if they were qualified, but then should compete for the position, regardless of their evaluation rating.
- School district size influenced how the displaced pool impacted hiring decisions. For example, in one large district, the HR department has a list of teachers certified in each area. In this district, if there is an opening, the person who is qualified and most senior in the displaced pool automatically gets the job. This is often not possible in a smaller district, where administrators face challenges in filling some positions with highly-qualified teachers.

Continuing Contract Status

- HR Experts and participants in the focus groups overwhelmingly supported current law stating that early-career teachers who are not performing satisfactorily should not be granted continuing contract status.
- Participants were hopeful that struggling teachers would be provided with appropriate time and resources to improve their practice. They also expressed interest in assuring that

principals would have expertise or access to help to support struggling teachers. If the goal of the system is continuous professional growth for all, teachers, principals, and district administrators must be provided the necessary supports to implement the evaluation system well.

A majority of states require a minimum number of years of experience (typically three years) before a continuing contract status may be awarded, but they have not mandated how teacher evaluation results should be used when granting continuing contract status. Only a handful of other states (e.g., Arizona, Illinois, and Nevada) require districts to take teacher evaluation scores into account when granting continuing contract status. (Appendix A)

Unintended Consequences

- The majority of participants were concerned about the unintended consequences of using teacher evaluation data in HR decisions.
- Participants stated that too much focus on poor-performing teachers might distract from the intended purpose of professional growth for every educator. Participants strongly stated that they wanted to ensure that the revised evaluation system did indeed provide teachers with avenues for growth. Teachers expressed a desire to use their focused evaluations as an opportunity to try new strategies that might not result in a Proficient rating. Some teachers would be deterred from trying new approaches if employment decisions would be based on those results.
- Many participants, particularly district administrators, were concerned about the potential costs related to lawsuits. Participants emphasized that district administrators and principals require appropriate training, sufficient time to conduct evaluations properly, and the necessary resources to provide low-performing teachers with professional development supports to help them improve.
- By using teacher evaluation data in HR decisions, particularly employment decisions, participants worried that teachers would begin to compete with each other rather than cooperate to improve student learning.

Conclusion and Next Steps

Implementation of the revised evaluation system is still uneven. TPEP pilot districts that participated in this work believe more effective practices are making a difference, but all districts need time and resources to assure success.

Districts will become more confident with the system over time. Participants ask the Legislature to study how well the revised evaluation system is working before mandating how evaluation results affect HR decisions.

During the 2014 Legislative session, OSPI is pursuing a change to [RCW 28A.405.100](#) that would delay the use of evaluation in making HR decisions until the 2016–17 school year. If the Legislature makes this change, OSPI will ask the U.S. Department of Education for a similar extension.

This report represents a small percentage of educator and stakeholder voices. In January of 2014, OSPI and AIR will survey educators statewide about how the revised system is working locally.

Results will help guide local and state-level policy. Data about how evaluation works locally will improve instruction and leadership, ultimately improving student learning.

Acknowledgments

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- Office of Superintendent of Public Schools – Alan Burke, Jeanne Harmon, Jim Koval
- Washington State Parent Teacher Association – Kathryn Hobbs
- Washington Association of School Administrators – Bill Keim
- Washington Education Association – Scott Poirier, Lucinda Young
- Washington State School Directors Association – Jonelle Adams

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APPENDICES

Appendix A:

AIR HR Report – Full technical report that serves as the basis for this Legislative report
(http://tpep-wa.org/wp-content/uploads/AIR_TPEP_HR_Forum_Report.pdf.)

Appendix B:

Washington's 2012 State of the State Educator Survey Report: Summary of Key Findings
Melissa Brown-Sims, et al.
American Institutes for Research, June 2013
(<http://tpep-wa.org/wp-content/uploads/TPEPStatewideSurveyReport2012.pdf>)

Appendix C:

Washington Teacher/Principal Evaluation Project Report (Year 3)
Jennie Fetters, et al.
American Institutes for Research, June 2013
(<http://tpep-wa.org/wp-content/uploads/AIR%20TPEP%202012-13%20Report.pdf>)

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