

Testimony of
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Before the
Education Committee

SB 1028 An Act Implementing the Recommendations of the Department of Education

February 22, 2023

Senator McCrory, Representative Currey, Representative McCarty, Senator Berthel, esteemed members of the Education Committee, my name is Joslyn DeLancey, and I am the vicepresident of the Connecticut Education Association. CEA helps active and retired teachers across the state advocate for students, teachers, and public schools. Thank you for the opportunity to provide testimony today on Section 3 of SB 1028, which addresses Connecticut’s Educator Evaluation and Support System.

We commend the Connecticut State Department of Education for overseeing the revisions to the system and supporting much of this bill, such as eliminating the four performance-level designations for educators (exemplary, proficient, developing, and below standard). However, CEA believes this step does not go far enough. We urge that the bill be amended to eliminate all references to educator ratings.

Connecticut’s current evaluation system was implemented in 2013 and is based on educator ratings. The evaluation system was highly problematic from the start—teachers and administrators struggled to implement the lengthy, complicated guidelines, and the many requirements were burdensome for both teachers and administrators. Evaluators, although initially trained, tended to have very different expectations for teachers, even within the same school. Ratings often appeared arbitrary and sometimes punitive, eroding trust between teachers and administrators and contributing to low morale and high stress. As a result, many teachers have felt demoralized and underappreciated as professionals, and some of our most talented and dedicated educators are now considering other careers. Rating teachers has harmed the teaching profession without benefiting students. It’s time to try something different.

Fortunately, new evaluation guidelines are on the horizon. CEA is honored to have a seat on the Educator Evaluation and Support Council (EES), which has spent the past two years creating improved evaluation guidelines that promote trust, professional growth, differentiation, collaboration, and innovation. The State Department of Education should be commended for overseeing this process. And while some of the changes in SB 1028 are a step in the right direction, maintaining the legislative requirement of an annual summative rating is contrary to

both the intent and spirit of the new guidelines. Additionally, keeping the summative rating requirement will likely confuse and undermine the new guidelines before they are even implemented. Therefore, we request that all language pertaining to educator ratings in SB 1028 be eliminated.

To this end, we have attached draft legislation for your consideration. Thank you for your time and the work you do on behalf of students in Connecticut.

An Act Supporting Teacher Evaluation and Support

Summary: Enact meaningful teacher evaluation that supports professional growth by eliminating categories of ratings and permitting teachers to establish goals beyond those related to test scores, such as those for social emotional support and expanding access to support.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-151b of the general statutes is repealed and the following substituted thereof:

(a) The superintendent of each local or regional board of education shall annually evaluate or cause to be evaluated each teacher, and for the school year commencing July 1, 2013, and each school year thereafter, such annual evaluations shall be the teacher evaluation and support program adopted pursuant to subsection (b) of this section. The superintendent may conduct additional formative evaluations toward producing an annual summative evaluation. An evaluation pursuant to this subsection shall include, but need not be limited to, strengths, areas needing improvement, strategies for improvement and multiple indicators of student academic growth. Claims of failure to follow the established procedures of such teacher evaluation and support program shall be subject to the grievance procedure in collective bargaining agreements negotiated subsequent to July 1, 2004. In the event that a teacher does not receive a summative evaluation during the school year, such teacher shall be recorded as not evaluated. ~~[receive a “not rated” designation for such school year.]~~ The superintendent shall report (1) the status of teacher evaluations to the local or regional board of education on or before June first of each year, and (2) the status of the implementation of the teacher evaluation and support program, including the frequency of evaluations, ~~[aggregate evaluation ratings,]~~ the number of teachers who have not been evaluated and other requirements as determined by the Department of Education, to the Commissioner of Education on or before September fifteenth of each year. For purposes of this section, the term “teacher” shall include each professional employee of a board of education, below the rank of superintendent, who holds a certificate or permit issued by the State Board of Education.

(b) Except as provided in subsection (d) of this section, not later than ~~[September 1, 2013],~~ September 1, 2024 each local and regional board of education shall adopt and implement a teacher evaluation and support program ~~[that is consistent with the guidelines for a model teacher evaluation and support program adopted by the State Board of Education, pursuant to subsection (c) of this section.]~~ Consistent with Connecticut State Guidelines for Educator Evaluation and Support. Such teacher evaluation and support program shall be developed through mutual agreement between the local or regional board of education and the professional development and evaluation committee for the school district, established pursuant to subsection (b) of section 10-220a. ~~[If a local or regional board of education is unable to develop a teacher evaluation and support program through mutual agreement with such professional development and evaluation committee, then such board of education and such professional development and evaluation committee shall consider the model teacher evaluation and support program adopted by the State Board of Education, pursuant to subsection (c) of this section, and such board of education may adopt, through mutual agreement with such professional development and evaluation committee,~~

~~such model teacher evaluation and support program. If a local or regional board of education and the professional development and evaluation committee are unable to mutually agree on the adoption of such model teacher evaluation and support program, then such board of education shall adopt and implement a teacher evaluation and support program developed by such board of education, provided such teacher evaluation and support program is consistent with the guidelines adopted by the State Board of Education, pursuant to subsection (c) of this section. Each local and regional board of education may commence implementation of the teacher evaluation and support program adopted pursuant to this subsection in accordance with a teacher evaluation and support program implementation plan adopted pursuant to subsection (d) of this section.~~

(c) (1) On or before ~~[July 1, 2012,]~~ [July 1, 2023](#) the State Board of Education shall adopt, in consultation with the Performance Evaluation Advisory Council established pursuant to section 10-151d, guidelines for a ~~[model]~~ teacher evaluation and support program. Such guidelines shall include, but not be limited to, ~~[(A) the use of four performance evaluations designators: Exemplary, proficient, developing and below standard;]~~ (B) the use of multiple indicators of student ~~[academic]~~ growth and development in teacher evaluations; (C) methods for assessing student ~~[academic]~~ growth and development; (D) a consideration of control factors tracked by the state-wide public school information system, pursuant to subsection (c) of section 10-10a, that may influence teacher performance ~~[ratings]~~, including, but not limited to, student characteristics, student attendance and student mobility; (E) minimum requirements for teacher evaluation instruments and procedures ~~[, including scoring systems to determine exemplary, proficient, developing and below standard ratings;]~~ (F) the development and implementation of periodic training programs regarding the teacher evaluation and support program to be offered by the local or regional board of education or regional educational service center for the school district to teachers who are employed by such local or regional board of education and whose performance is being evaluated and to administrators who are employed by such local or regional board of education and who are conducting performance evaluations; (G) the provision of professional development services based on the individual or group of individuals' needs that are identified through the evaluation process; (H) the creation of individual teacher improvement and remediation plans for teachers ~~[whose performance is developing or below standard]~~ [who require additional support](#) designed in consultation with such teacher and his or her exclusive bargaining representative for certified teachers chosen pursuant to section 10-153b, and that (i) identify resources, support and other strategies to be provided by the local or regional board of education to address documented deficiencies, (ii) indicate a timeline for implementing such resources, support, and other strategies, in the course of the same school year as the plan is issued, and (iii) include indicators of success ~~[including a summative rating of proficient or better]~~ immediately at the conclusion of the improvement and remediation plan; (I) opportunities for career development and professional growth; and (J) a validation procedure to audit ~~[evaluation ratings of exemplary or below standard]~~ [remediation plans](#) by the department or a third-party entity approved by the department.

~~{(2) The State Board of Education shall, following the completion of the teacher evaluation and support pilot program, pursuant to section 10-151f, and the submission of the study of such pilot program, pursuant to section 10-151g, review and may revise, as necessary, the guidelines for a model teacher evaluation and support program and the model teacher evaluation and support program adopted under this subsection.}~~

~~{(d) A local or regional board of education may phase in full implementation of the teacher evaluation and support program adopted pursuant to subsection (b) of this section during the school years commencing July 1, 2013, and July 1, 2014, pursuant to a teacher evaluation and support program implementation plan adopted by the State Board of Education, in consultation with the Performance Evaluation Advisory Council, not later than July 1, 2013. The Commissioner of Education may waive the provisions of subsection (b) of this section and the implementation plan provisions of this subsection for any local or regional board of education that has expressed an intent, not later than July 1, 2013, to adopt a teacher evaluation program for which such board requests a waiver in accordance with this subsection.}~~ Sec. 10-151d.

Performance Evaluation Advisory Council. Responsibilities. (a) There is established a Performance Evaluation Advisory Council within the Department of Education. Membership of the council shall consist of: (1) The Commissioner of Education and the president of the Connecticut State Colleges and Universities, or their designees, (2) one representative from each of the following associations, designated by the association, the Connecticut Association of Boards of Education, the Connecticut Association of Public School Superintendents, the Connecticut Federation of School Administrators, the Connecticut Education Association, the American Federation of Teachers-Connecticut, the Connecticut Association of School Administrators and the Connecticut Association of Schools, (3) a representative from the minority teacher recruitment task force, established pursuant to section 10-156aa, designated by the chairpersons of the minority teacher recruitment task force, and (4) persons selected by the Commissioner of Education who shall include, but need not be limited to, teachers, persons with expertise in performance evaluation processes and systems, and any other person the commissioner deems appropriate.

(b) The council shall be responsible for (1) assisting the State Board of Education in the development of (A) guidelines for a model teacher evaluation and support program, and (B) a model teacher evaluation and support program, pursuant to subsection (c) of section 10-151b, (2) the data collection and evaluation support system, pursuant to subsection (c) of section 10-10a, and (3) assisting the State Board of Education in the development of a teacher evaluation and support program implementation plan, pursuant to subsection (e) of section 10-151b. The council shall meet at least quarterly. The council shall collaborate with the minority teacher recruitment task force, established pursuant to section 10-156aa, to focus on issues concerning equity and closing the achievement gap, as defined in section 10-14u.

(c) On and after July 1, 2018, the council shall, in collaboration with the minority teacher recruitment task force, incorporate into the work of the council strategies and a framework for educators to be effective in closing the achievement gap and in increasing educational opportunities.

~~**[Sec. 10-151f. Teacher evaluation and support pilot program.-**~~

~~(a) For the school year commencing July 1, 2012, the Commissioner of Education shall administer a teacher evaluation and support pilot program. Not later than June 1, 2012, the commissioner shall select, in accordance with the provisions of subsection (d) of this section, at least eight school districts or consortia of school districts, but not more than ten school districts or consortia of school districts, to participate in a teacher evaluation and support program based on the guidelines adopted pursuant to subsection (c) of section 10-151b. For purposes of this section, "teacher" includes each professional employee of a board of education, below the rank of superintendent, who holds a certificate or permit issued by the State Board of Education.~~

~~(b) The teacher evaluation and support pilot program described in subsection (a) of this section shall (1) assess and evaluate the implementation of a teacher evaluation and support program adopted by a local or regional board of education pursuant to subsection (b) of section 10-151b that is in compliance with the guidelines for a model teacher evaluation and support program or the model teacher evaluation and support program adopted pursuant to subsection (c) of section 10-151b, (2) identify district needs for technical assistance and support in implementing such teacher evaluation and support program, (3) provide training to administrators in how to conduct performance evaluations under the teacher evaluation and support program, (4) provide orientation to teachers being evaluated under the teacher evaluation and support program, (5) include a validation process for performance evaluations to be conducted by the Department of Education, or the department's designee, and (6) provide funding for the administration of the teacher evaluation and support program developed by the local or regional board of education. (c) On or before May 25, 2012, a local or regional board of education may apply, on a form provided and in a manner prescribed by the commissioner, to participate in the teacher evaluation and support pilot program.~~

~~(d) The commissioner shall select a diverse group of rural, suburban and urban school districts with varying levels of student academic performance to participate in the teacher evaluation and support pilot program. If the commissioner does not receive an adequate amount of applications for participation in the teacher evaluation and support pilot program, the commissioner shall select school districts for participation in such teacher evaluation and support pilot program to satisfy the representation requirements under this subsection.~~

~~**Sec. 10-151g.** Neag School of Education study of teacher evaluation and support pilot program.~~

~~(a) The Neag School of Education at The University of Connecticut shall study the implementation of the teacher evaluation and support pilot program described in section 10-151f. Such study shall (1) analyze and evaluate the implementation of the teacher evaluation and support program adopted pursuant to subsection (b) of section 10-151b for each local or regional board of education participating in the teacher evaluation and support pilot program, (2) compare such teacher evaluation and support program adopted by each local or regional board of education pursuant to subsection (b) of section 10-151b to the teacher evaluation and support program guidelines adopted by the State Board of Education pursuant to subsection (c) of said section 10-151b, and (3) compare and evaluate the use of student performance data on the state-wide mastery examination, pursuant to section 10-14n, and the use of student performance data on progress monitoring tests approved by the State Board of Education as an indicator of and method for student academic growth and development.~~

~~(b) Upon completion of such study, but not later than January 1, 2014, the Neag School of Education at The University of Connecticut shall (1) submit to the State Board of Education such study and any recommendations concerning revisions to the guidelines for a model teacher evaluation and support program or model teacher evaluation and support program adopted by the State Board of Education pursuant to subsection (c) of section 10-151b, and (2) submit such study and any such recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a.]~~

Sec. 10-151h. Training and orientation programs for educators re teacher evaluation and support program.

(a) Upon the implementation of the teacher evaluation and support program adopted pursuant to subsection (b) of section 10-151b, each local and regional board of education shall conduct training programs for all evaluators and orientation for all teachers employed by such board relating to the provisions of such teacher evaluation and support program adopted by such board of education. Such training shall provide instruction to evaluators in how to conduct proper performance evaluations prior to conducting an evaluation under the teacher evaluation and support program. Such orientation shall be completed by each teacher before a teacher receives an evaluation under the teacher evaluation and support program. For purposes of this section, “teacher” includes each professional employee of a board of education, below the rank of superintendent, who holds a certificate or permit issued by the State Board of Education.

(b) For the school year commencing July 1, 2014, and each school year thereafter, each local and regional board of education shall (1) conduct the training programs and orientation described in subsection (a) of this section at least ~~biennially~~ annually to all evaluators and teachers employed by such board, (2) conduct such training programs for all new evaluators prior to any evaluations conducted by such evaluators, and (3) provide such orientation to all new teachers hired by such board before such teachers receive an evaluation.

Sec. 10-151i. Audits of teacher evaluation and support programs.

On July 1, 2014, and annually thereafter, the Commissioner of Education shall randomly select, within available appropriations, at least ten teacher evaluation and support programs adopted pursuant to section 10-151b to be subject to a comprehensive audit conducted by the Department of Education. The department shall submit the results of such audits to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a.

Sec. 10-220a. In-service training. Professional development and evaluation committees. Institutes for educators. Cooperating teacher program, regulations.

(a) Each local or regional board of education shall provide an in-service training program for its teachers, administrators and pupil personnel who hold the initial educator, provisional educator or professional educator certificate. Such program shall provide such teachers, administrators and pupil personnel with information on (1) the nature and the relationship of alcohol and drugs, as defined in subdivision (17) of section 21a-240, to health and personality development, and procedures for discouraging their abuse, (2) health and mental health risk reduction education that includes, but need not be limited to, the prevention of risk-taking behavior by children and the relationship of such behavior to substance abuse, pregnancy, sexually transmitted diseases, including HIV-infection and AIDS, as defined in section 19a-581, violence, teen dating violence, domestic violence and child abuse, (3) school violence prevention, conflict resolution, the prevention of and response to youth suicide and the identification and prevention of and response to bullying, as defined in subsection (a) of section 10-222d, except that those boards of education that implement any evidence-based model approach that is approved by the Department of Education and is consistent with subsection (c) of section 10-145a, sections 10-222d, 10-222g and 10-222h, subsection (g) of section 10-233c and sections 1 and 3 of public act 08-160*, shall not be required to provide in-service training on the identification and prevention of and response to bullying, (4) cardiopulmonary resuscitation and other emergency life saving procedures, (5)

the requirements and obligations of a mandated reporter, (6) the detection and recognition of, and evidence-based structured literacy interventions for, students with dyslexia, as defined in section 10-3d, and (7) culturally responsive pedagogy and practice. Each local or regional board of education may allow any paraprofessional or noncertified employee to participate, on a voluntary basis, in any in-service training program provided pursuant to this section.

(b) Not later than a date prescribed by the commissioner, each local and regional board of education shall establish a professional development and evaluation committee. Such professional development and evaluation committee shall consist of (1) at least one teacher, as defined in subsection (a) of section 10-144d, selected by the exclusive bargaining representative for certified employees chosen pursuant to section 10-153b, (2) at least one administrator, as defined in subsection (a) of section 10-144e, selected by the exclusive bargaining representative for certified employees chosen pursuant to section 10-153b, and (3) such other school personnel as the board deems appropriate. The duties of such committees shall include, but not be limited to, participation in the development or adoption of a teacher evaluation and support program for the district, pursuant to section 10-151b, and the development, evaluation and annual updating of a comprehensive local professional development plan for certified employees of the district. Such plan shall: (A) Be directly related to the educational goals prepared by the local or regional board of education pursuant to subsection (b) of section 10-220, (B) on and after July 1, 2011, be developed with full consideration of the priorities and needs related to student outcomes as determined by the State Board of Education, and (C) provide for the ongoing and systematic assessment and improvement of both teacher evaluation and professional development of the professional staff members of each such board, including personnel management and evaluation training or experience for administrators, shall be related to regular and special student needs and may include provisions concerning career incentives and parent involvement. The State Board of Education shall develop guidelines to assist local and regional boards of education in determining the objectives of the plans and in coordinating staff development activities with student needs and school programs.

(c) The Department of Education, in cooperation with one or more regional educational service centers, is authorized to provide institutes annually for Connecticut educators. Such institutes shall serve as model programs of professional development and shall be taught by exemplary Connecticut teachers and administrators and by other qualified individuals as selected by the Department of Education. The Department of Education shall charge fees for attending such institutes provided such fees shall be based on the actual cost of such institutes.

(d) The Department of Education may fund, within available appropriations, in cooperation with one or more regional educational service centers: (1) A cooperating teacher program to train Connecticut public school teachers, certified teachers at private special education facilities approved by the Commissioner of Education, certified teachers at nonpublic schools approved by the commissioner and certified teachers at other facilities designated by the commissioner, who participate in the supervision, training and evaluation of student teachers, provided such certified teachers at nonpublic schools pay for the cost of participation in such cooperating teacher program and provided further that enrollment in such program shall first be made available to public school teachers; and (2) institutes to provide professional development for Connecticut public school educators and cooperating teachers, including institutes to provide professional development for Connecticut public school educators offered in cooperation with the Connecticut Humanities Council. Funds available under this subsection shall be paid directly to school districts for the provision of substitute teachers when cooperating teachers are released

from regular classroom responsibilities and for the provision of professional development activities for cooperating and student teachers, except that such funds shall not be paid to nonpublic schools for such professional development activities. The cooperating teacher program shall operate in accordance with regulations adopted by the State Board of Education in accordance with chapter 54, except in cases of placement in other countries pursuant to written cooperative agreements between Connecticut institutions of higher education and institutions of higher education in other countries. A Connecticut institution may enter such an agreement only if the State Board of Education and the Board of Regents for Higher Education have jointly approved the institution's teacher preparation program to enter into such agreements. Student teachers shall be placed with trained cooperating teachers. Cooperating teachers who are Connecticut public school teachers shall be selected by local and regional boards of education. Cooperating teachers at such private special education facilities, nonpublic schools and other designated facilities shall be selected by the authority responsible for the operation of such facilities. If a board of education is unable to identify a sufficient number of individuals to serve in such positions, the commissioner may select qualified persons who are not employed by the board of education to serve in such positions. Such regulations shall require primary consideration of teachers' classroom experience and recognized success as educators. The provisions of sections 10-153a to 10-153n, inclusive, shall not be applicable to the selection, placement and compensation of persons participating in the cooperating teacher program pursuant to the provisions of this section and to the hours and duties of such persons. The State Board of Education shall protect and save harmless, in accordance with the provisions of section 10-235, any cooperating teacher while serving in such capacity.