

PA Dept. of Education Publishes New Teacher Rating Tool Act 82 Now in Effect – What You Need to Know!

The Pennsylvania Department of Education (Department) published regulations and the rating tool required by Act 82 in the Pennsylvania Bulletin on June 22, 2013. The regulations and rating tool, exempt from prior publication or independent regulatory review, went into effect on July 1, 2013.

The evaluation regulations and rating tool will be codified in a new Chapter of the Pennsylvania Code. The Department of Education adopted Chapter 19 – Educator Effectiveness Rating Tool, which will be added to Title 22 of the Code. As of this update, the old regulations and rating form are no longer valid for classroom teachers.

The New Rating Form

The regulations include the new rating form in Section 19.1, which describes the new tool as a “framework for evaluation and summative process for classroom teachers.” The new PDE 82-1 is a one-page form that sets numeric values for rating performance on a zero to three point scale. The final scores in both the observation and student performance domains will be converted to a performance rating as follows: 0.00-0.49 is Failing, 0.50-1.49 is Needs Improvement, 1.50-2.49 is Proficient, and 2.50-3.00 is Distinguished.

The regulations define classroom teachers as those who provide direct instruction to students related to a specific subject or grade and who “usually” hold an instructional certificate.

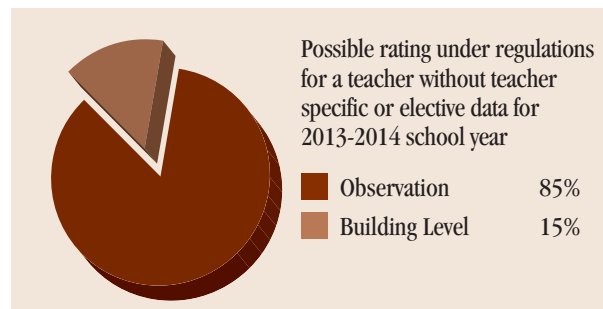
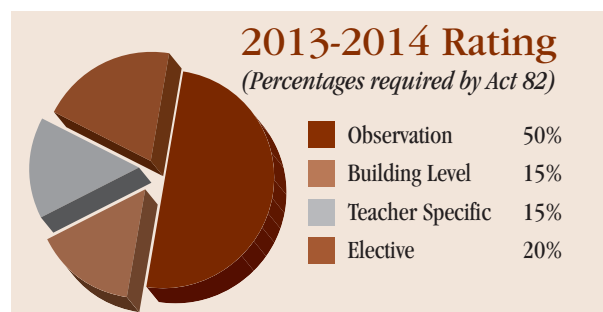
Instructions for Using the New Form

Section 19.1 also includes “Instructions for Rating Tool – Standards of Use” in six subsections. The first three subsections (I, II, III) include definitions, general provisions and standards of use for observation and practice ratings. Fifty percent of the overall rating is to be based on observation and practice (i.e. the Danielson framework), which is addressed in subsection III of 19.1. The focus of this update is on the regulations relating to the measures of student performance.

Measures of Student Performance

Subsection IV of 19.1 addresses the standards of use for multiple measures of student performance (50% of the overall rating).

Building Level Data (15%) – The regulations indicate that the Department will publish all necessary building level scores annually and describe the calculation and weight for each score. Building level scores will be reported on a 0-107 point scale and administrators will have to use the conversion table on the Department’s website to convert to the 0-3 rating scale. For classroom teachers in positions for which there is no building level score reported by the Department, ratings from observation and practice shall be used



in place of the building level rating. Teachers transferring from one building to another shall have the option to replace the building level data rating with his or her teacher specific rating for 2 years from the date of placement in the new building, but must sign an agreement giving the district permission to calculate the rating this way.

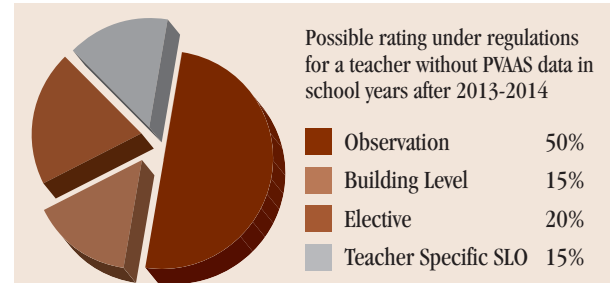
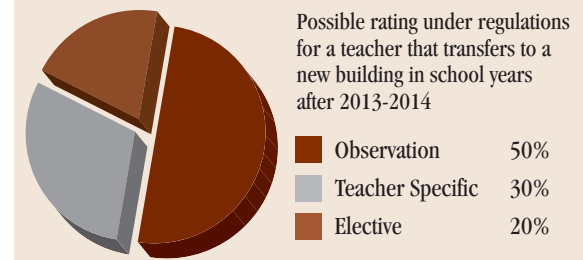
Teacher Specific Data (15%) – The regulations reiterate that teacher data shall include the 5 data points set forth in Act 82 (student assessment data, value-added assessment data, progress on student IEP goals, and locally developed district rubrics), but add the qualification, “when data is available and applicable to a specific classroom teacher” it shall be used. The regulations also require that any data used for a rating be attributable to the specific classroom teacher who is being evaluated and rated.

The regulations provide additional provisions relating to calculating scores based on student assessment data, value added assessment data, IEP goal progress data and locally developed rubrics.

Act 82 Regulations, *continued from page 1*

- Student assessment data scores, which may count for no more than 5% of a rating, are directly related to the percentage of students who score proficient or advanced. The assessment score will also be on a 0-3 scale. A teacher with 95% or more students scoring proficient or advanced will get a 3 and a teacher with less than 60% of students scoring proficient or advanced will get a 0.
- Value added assessment scores must be based on a rolling average of the last 3 years of PVAAS data – these scores will be provided by the Department – and shall comprise no more than 10% of a rating. The reporting of the PVAAS scores will initially be based on PVAAS data from 2013-2014, 2014-2015 and 2015-2016. For 2013-2014, for teachers with PVAAS data, the rating from the observation and practice shall be used in place of the teacher specific rating based on assessments and PVAAS.
- IEP progress scores and locally developed rubric scores shall be based on SLOs developed in accordance with the elective data requirements discussed below. A score attributable to a classroom teacher relating to IEP progress or a locally developed rubric shall comprise no more than 5% of the teacher's rating. SLOs must be used to measure and validate IEP progress and locally developed rubrics. For teachers without attributable assessment or PVAAS data or data related to IEP progress, the locally developed rubric score may comprise up to 15% of the final rating.

For classroom teachers with no assessment data, no PVAAS data and no SLOs for IEP progress or locally developed rubrics in 2013-2014, the rating from observation and practice shall be used for the teacher specific rating. If a teacher transfers from one district to another,



the prospective employer may ask the teacher for written authorization to obtain the teacher specific data from the previous district to provide for the continuity of the 3 year rolling average.

Elective Data (20%) – Elective data shall consist of measures of student achievement selected by the districts from a list published by the Department by June 30 of each year, including, but not limited to: district designed measures and examinations, nationally recognized standardized tests, industry certification exams, student projects and student portfolios. Every elective data measure must be validated and weighted based on SLO and must be recorded using a process dictated by the Department. If multiple elective measures are used for one classroom teacher, the district shall determine the percentage weight given to each elective data measure. SLOs for collecting elective data must be in place for 2014-2015 ratings. If elective data is not available in school year 2013-2014, the rating from observation and practice shall be used for the elective data rating.

For additional information and regulatory requirements, read the complete regulations in Volume 43, Number 25 (June 22, 2013) of the Pennsylvania Bulletin at www.pabulletin.com or visit www.education.state.pa.us

Contact Ira Weiss, Esq. iraweiss@weisslawoffices.com or Jocelyn Kramer, Esq. jkramer@weisslawoffices.com at the Law Offices of Ira Weiss at (412)391-9890 for further assistance relating to Act 82 and the new system of teacher evaluation.

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