

Legislative Analysis



GROWTH AND ASSESSMENT DATA IN PERFORMANCE EVALUATIONS

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**Senate Bills 122 (S-2) and 202 (S-2) as referred to
second committee**

Sponsor: Sen. Kenneth Horn

1st House Committee: Education

2nd House Committee: Ways and Means

Senate Committee: Education and Career Readiness

Complete to 4-23-19

BRIEF SUMMARY: Senate Bills 122 and 202 would amend the Revised School Code to freeze the percentage of annual year-end teacher and administrator evaluations based on student growth and assessment data at 25% for the 2018-2019 school year.

FISCAL IMPACT: The bills would have no fiscal impact on the state or local units of government.

THE CONTENT OF THE BILLS:

Senate Bill 122 would amend the Revised School Code to suspend for one year the scheduled increase in the percentage of annual year-end teacher evaluations based on student growth and assessment data from 25% to 40%.

Currently, the Code specifies that school district and intermediate school district (ISD) boards and public school academy (PSA, or charter school) boards of directors must ensure that student growth and assessment data account for 25% of year-end teacher evaluations for the school years 2015-2016, 2016-2017, and 2017-2018. That percentage is slated to increase to 40% of the evaluation beginning with the 2018-2019 school year.

Instead, the bill would delay the increase until 2019-2020.

MCL 380.1249

Senate Bill 202 would likewise reflect a delayed increase—from 2018-2019 to 2019-2020—for building-level school administrators and central-office-level school administrators who are regularly involved in instructional matters.

MCL 380.1249b

Each bill would take effect 90 days after its enactment.

HOUSE COMMITTEE ACTION:

The House Education committee referred the Senate-passed versions of Senate Bills 122 and 202 to the House Ways and Means committee without amendment.

BACKGROUND INFORMATION:

The federal Every Student Succeeds Act (ESSA) of 2015, which replaced the No Child Left Behind Act, eliminated the requirement that states adopt an evaluation system significantly based on student growth and prevented the U.S. Department of Education from prescribing specific measures for evaluations. Under the ESSA, states could determine how much student growth data are used in educator evaluations.

Michigan Public Act 173 of 2015¹ made several changes to the Code, one of which was to adjust the weight of growth data in teacher assessments. Since 2011, a series of bills have proposed an increase to the weight given to growth data but, ultimately, the weight has stayed at 25%. SBs 122 and 202 would continue this policy, at least for the 2018-2019 school year. Those testifying before the House Education committee indicated that the House and Senate would engage in a robust discussion on the weighting of growth following this school year.

	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	Going forward
PA 336 of 2010 (SB 1509) ²	No requirement for inclusion of growth data.						
PA 102 of 2011 (HB 4627) ³	25%	40%	50%	—————→			
PA 257 of 2014 (SB 817) ⁴			50%	—————→			
PA 173 of 2015 (SB 103) ⁵			25%	25%	25%	40%	—————→
SB 122 of 2019						25%	40%

States have taken varying approaches in accounting for growth data in teacher evaluations. Some states, such as Kentucky, eliminated student growth data as a consideration in teacher evaluations.⁶ In contrast, Tennessee requires that 50% of a teacher's evaluation be based in student growth data.⁷

ARGUMENTS:

For:

Proponents of the bills argue that, while student growth is an important factor to consider when evaluating educator effectiveness, it should not be the determining factor. An increase to 40% would shift the measure too far in favor of a single metric and fail to

¹<http://legislature.mi.gov/doc.aspx?2015-SB-0103>
²<http://legislature.mi.gov/doc.aspx?2010-SB-1509>
³<http://legislature.mi.gov/doc.aspx?2011-HB-4627>
⁴<http://legislature.mi.gov/doc.aspx?2014-SB-0817>
⁵<http://legislature.mi.gov/doc.aspx?2015-SB-0103>
⁶<http://www.lrc.ky.gov/recorddocuments/bill/17RS/SB1/bill.pdf>
⁷<https://www.tn.gov/education/data/tvaas.html>

account for other factors outside of a teacher's control, such as the student's home environment and school attendance. Some have also argued that teachers could be deterred from working with at-risk or remedial students, out of a concern that more challenging students may be less likely to show growth and thus, with more weight given to that growth, poorer teacher evaluations. Proponents believe that more discussion is needed in the next year before the weight is raised from 25% to 40%.

Supporters also pointed to the Michigan Council for Educator Effectiveness recommendations from 2013, which stated that "considerable scientific concern exists" regarding the instability and measurement error in using growth and assessment tools, as well as value-added models.

Furthermore, proponents argued that it is not even clear that the M-STEP provides an accurate representation of student growth. Perhaps the question should be not whether growth is important, or to what extent, but whether the test intended to test for that measure is doing so. These are questions that deserve further consideration, supporters say.

Against:

Opponents argued that limiting the impact of growth on evaluations discredits the impact of teachers on a child's learning. No other measure has as much influence on how much a student learns in a given year, they say, and so its impact on a teacher's evaluation should reflect as much. Additionally, opponents argued that student growth data provide the only objective measure available to gauge educator effectiveness.

Moreover, critics argued, if there is a concern that assessments will fail to take into account factors outside teachers' influence, or that teachers would be disadvantaged by evaluations based on objective criteria, the legislature should instead focus on instituting meaningful professional development and teacher preparation measures to better prepare them for the challenges faced in a classroom.

The stepped-up schedule of weighting growth was reached via broad compromise and consensus throughout the education community, opponents stated, and it should be allowed to take effect. It is impossible to make progress on educational issues when the same concepts are continuously re-litigated, they argued.

POSITIONS:

A representative of the Michigan Association of Secondary School Principals testified in support of the bills. (4-23-19)

The following organizations indicated support for the bills (4-23-19):

Michigan Department of Education
Michigan Association of Public School Academies
Michigan Association of Superintendents and Administrators
Michigan Education Association

Grand Rapids Public Schools
West Michigan Talent Triangle
Michigan Association of School Boards
Oakland Schools
Barry, Branch, Calhoun, Jackson, Lenawee, and Monroe ISDs

The Grand Rapids Chamber indicated a neutral position on the bills. (4-23-19)

The Business Leaders of Michigan indicated a neutral position on the bills. (4-23-19)

A representative of the Education Trust-Midwest testified in opposition to the bills.
(4-23-19)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.