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An Act Regarding School Administrator Effectiveness

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA c. 508-A is enacted to read:

CHAPTER 508-A

ADMINISTRATOR EFFECTIVENESS

§ 13711. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Administrator. "Administrator" means a superintendent, assistant superintendent, special education director or curriculum coordinator.

2. Effectiveness rating. "Effectiveness rating" means the level of effectiveness of an administrator derived through implementation of a performance evaluation and professional growth system.

3. Performance evaluation and professional growth system. "Performance evaluation and professional growth system" or "system" means a method developed in compliance with this chapter by which administrators are evaluated, rated on the basis of effectiveness and provided opportunities for professional growth.

4. Professional improvement plan. "Professional improvement plan" means a written plan developed by a school board with input from an administrator that outlines the steps to be taken over the coming year to improve the effectiveness of the administrator. The plan must include but need not be limited to appropriate professional development opportunities.

5. Summative effectiveness rating. "Summative effectiveness rating" means the effectiveness rating of an administrator that is assigned at the end of an evaluation period. Ratings or comments provided to the administrator during the evaluation period for the purpose of providing feedback, prior to assignment of a final effectiveness rating, are not summative effectiveness ratings.

§ 13712. Local development and implementation of system

A school administrative unit shall develop and implement a performance evaluation and professional growth system for administrators. The system must meet the criteria set forth in this chapter and comply with rules adopted pursuant to this chapter and must be approved by the department. Every year the school administrative unit's school board must use the system to analyze the performance of the school administrative unit's administrators.

§ 13713. Use of effectiveness rating

A school board shall use effectiveness ratings of administrators to inform strategic human capital decision making, including, but not limited to, decision making regarding professional development, compensation, assignment and dismissal.

Receipt of summative effectiveness ratings indicating that an administrator is ineffective for 2 consecutive years constitutes just cause for termination of an administrator's contract.

§ 13714. Elements of system

A performance evaluation and professional growth system consists of the following elements:

1. Standards of professional practice. Standards of professional practice by which the performance of administrators must be evaluated.

A. The department shall provide, by rule, a set of standards of professional practice or a set of criteria for determining acceptable locally determined standards for administrators;

2. Multiple measures of effectiveness. Multiple measures of administrator effectiveness, other than standards of professional practice, including but not limited to student learning and growth;

3. Rating scale. A rating scale consisting of 4 levels of effectiveness.

A. The rating must be based on standards of professional practice and measures of administrator effectiveness. The proportionate weight of the standards and the measures is a local decision, but measurements of student learning and growth must be a significant factor in the determination of the rating of an administrator.

B. The rating scale must set forth the professional growth opportunities and the employment consequences tied to each level.

C. At least 2 of the levels must represent effectiveness, and at least one level must represent ineffectiveness;

4. Professional development. A process for using information from the system to inform professional development;

5. Implementation procedures. Implementation procedures that include the formation of a steering committee composed of school board members, teachers, administrators and other school administrative unit staff that regularly reviews and refines the performance evaluation and professional growth system to ensure that it is aligned with school administrative unit goals and priorities; and

6. Professional improvement plan. The opportunity for an administrator who receives a summative effectiveness rating indicating ineffectiveness in any given year to implement a professional improvement plan.

§ 13715. Phase-in of requirements

The requirements of this chapter apply to all school administrative units beginning in the 2016-2017 school year. In the 2014-2015 school year, each unit shall develop a system that meets the standards of this chapter, in collaboration with teachers, principals, administrators, school board members, parents and other members of the public. In the 2015-2016 school year, each unit shall operate as a pilot project the system developed in the prior year by applying it without using results in any official manner or shall employ other means to provide information to enable the unit to adjust the system prior to the first year of full implementation. Nothing in this section prohibits a unit from fully implementing the system earlier than the 2016-2017 school year.

§ 13716. Rules

The department shall adopt rules to implement this chapter, including but not limited to a rule relating to the method of identifying the administrator whose effectiveness ratings are affected by the measurement of learning or growth of a particular student. The department shall also adopt rules pertaining to the approval of performance evaluation and professional growth systems pursuant to section 13712. Rules adopted pursuant to this section are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill requires school administrative units to develop and implement performance evaluation and professional growth systems for administrators. A performance evaluation and professional growth system must meet certain criteria, be consistent with rules adopted by the Department of Education and be approved by the department. Every year the school board must use the system to analyze the performance of the school administrative unit's administrators.