

# **Pennsylvania Department of Education Educator Equity Stakeholder Meetings: Summary of Measures**

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# Introduction<sup>1</sup>

The passage of the Every Student Succeeds Act (ESSA) in 2015 was the most substantive change in federal education law and accountability in more than a decade (since No Child Left Behind). ESSA, once signed into law, required all states to create and submit new consolidated statewide plans in order to receive federal title funding. As part of the planning and writing process, states were required to engage with and gather input from stakeholders. The Pennsylvania Department of Education (PDE) met this requirement through a series of stakeholder engagement sessions they describe on their ESSA page.<sup>2</sup>

One of the ESSA requirements<sup>3</sup> that states had to address in their plans was to

*Describe ...how low-income and minority children enrolled in schools assisted under this part are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers, and the measures the State educational agency will use to evaluate and publicly report the progress of the State educational agency with respect to such description.*

Among other things, the stakeholder engagement sessions held by PDE led to initial language for the “ineffective” component of the above requirement. The state included the following definition of “effective educators” in their ESSA plan:

*Teachers who strive to engage all students in learning, demonstrate instructional and subject matter competence, and continuously grow and improve.*<sup>4,5</sup>

Although the Pennsylvania ESSA plan has been approved by the U.S. Department of Education (ED), PDE now must clarify how they will report on the number of students served by “ineffective educators,” as required by ESSA, thereby operationalizing the new definition of effectiveness.

To address this need, PDE chose to develop and facilitate a process to elicit additional stakeholder input on potential metrics to use to meet the ESSA reporting requirement. PDE brought in the Center on Great Teachers and Leaders (GTL Center) at the American Institutes for Research to serve as a partner in this process.

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<sup>1</sup> This is a condensed version of the full GTL Center report. Please contact the GTL Center for a copy of the full report.

<sup>2</sup> <http://www.education.pa.gov/K-12/ESSA/Pages/Stakeholder-Engagement.aspx>

<sup>3</sup> Section 1111(g)(1)(B) of Title I; LEAs have to address this requirement in their LEA plans as well.

<sup>4</sup> [ESSA State Plan](#) (January 2018), *Section 5.3 Educator Equity* (p. 80).

<sup>5</sup> Additional definitions of effective instruction in Pennsylvania used to fulfill state or federal mandates include:

- a. Pennsylvania’s Educator Equity Plan (Federal)—Excellent Educator(s): Teachers and/or principals who hold appropriate and valid certification in the areas they teach and/or administer. In accordance with Act 82 of 2012, teachers and principals whose overall performance evaluation is “proficient” or “distinguished” are “effective educators.” When a teacher teaches a tested subject (English language arts, mathematics, or the sciences), the value contributed to student knowledge by a teacher is incorporated into the teacher’s annual or biannual evaluation. (Source: Pennsylvania’s State Plan for Ensuring Equitable Access to Excellent Educators, September 2015).
- b. Act 82 of 2012 (State Law)—Distinguished and Proficient Educators: Under Pennsylvania’s current state educator evaluation law, classroom teachers, principals, and nonteaching professionals are given an overall rating of distinguished, proficient, needs improvement, or failing by using a calculation composed of a number of factors, including observation and practice in four distinct domains (Danielson Framework), as well as building-level data, teacher-specific data, and elective data. Teachers designated as distinguished, proficient, or needs improvement are all considered satisfactory; those designated as failing are considered unsatisfactory. Teachers who receive an overall performance rating of needs improvement or failing must participate in a performance improvement plan.

## Summary of Top Five Measures Proposed by Stakeholders to Use in Pennsylvania’s Definition of “Ineffective” for the Purposes of Equity Reporting

In order to gather stakeholder feedback on measures, the GTL Center created a data activity worksheet (see Appendix C<sup>6</sup>). Working in small groups at tables, stakeholders followed a four-step process to arrive at five of the strongest measures to recommend to PDE for the purposes of an overall definition on students’ access to effective educators. Step 1 asked stakeholders to review a list of data measures provided by the GTL Center (complete with information about whether the measures are currently available in Pennsylvania) and to add any measures not listed that they believed should be included. Step 2 asked stakeholders, as individuals, to indicate the strength of each measure as red (weak), yellow, or green (strong). Suggested criteria included whether or the extent to which data from this measure were readily available at the school, district, or state levels; showed variation in educator effectiveness; reflected educator quality; existed for all teachers, not just some; and could be aggregated and calculated easily. Stakeholders were to then select three to five of the most important or strong measures to share with the table. Step 3 asked stakeholders, as a group, to discuss each of the strong measures and come to a loose group consensus on three to five measures to share with the full group. Step 4 asked stakeholders to discuss the implications of their selected measures for the definition, as well as measures PDE should refrain from using.

All of the measures that emerged from stakeholder groups as options for including in the definition are provided in Appendix D<sup>7</sup>. The five measures that emerged from across the three meetings as those that participants considered to be the strongest candidates for the overall definition were as follows (more detailed feedback from participants on each of these five measures is discussed below):

- Student growth
- Observation of teachers’ practice
- Learning environment
- Professional development
- Student on-track measures for college and career readiness

*Student Growth.* Student-level academic growth data from the Pennsylvania Value-Added Assessment System (PVAAS) emerged as the strong favorite. Stakeholders agreed that student growth was attributable to teachers and what happens in the classroom. Although student growth was most often selected as an individual measure, some stakeholders combined PVAAS data with other student-level growth data derived from student learning objectives (SLOs), district-designed measures or exams, or nationally recognized standardized tests. Some stakeholders combined student growth data with student achievement data to arrive at a combined measure. Still, some stakeholders valued concepts such as student growth together with evidence of

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<sup>6</sup> Appendix C available in the full report.

<sup>7</sup> Appendix D available in the full report.

student work. They did not want a one-size-fits-all model and could not come to a consensus on the best way to measure these concepts. A few stakeholders agreed that student growth should be a measure, but they were either against using PVASS or were not sure PVAAS was the right tool. Likewise, a few stakeholders were concerned about the availability of student growth data for all content areas and urged PDE to emphasize data closer to the classroom level.

Most states' current definition of "ineffective" for the purposes of Title I equity reporting in ESSA includes a student growth component or value-added measure (see Appendix A).

*Observation of Teachers' Practice.* Most stakeholders agreed that observation of teachers' practice should be included, and they stressed that it should include multiple measures, multiple evaluators, and rubrics for best practice. With the idea that the measures could be disaggregated or considered together, most stakeholders identified four observation measures: planning and preparation, classroom environment, instruction, and professional responsibilities. Some stakeholders noted that, in districts in which such measures were not "high stakes," the evaluations could be scored by a principal from another school. A few stakeholders combined observation measures with other measures included in the Danielson rubric and approved by PDE for district use. These stakeholders characterized the Danielson Framework as very well rounded, and as inclusive of many of the elements important for teacher effectiveness.

Most states' current definition of "ineffective" for the purposes of Title I equity reporting in ESSA includes a component related to observation of teachers' practice (see Appendix A).

*Learning Environment.* Most stakeholders identified measures related to learning climate or conditions as a strong option for inclusion in the definition. They reasoned that it was important that students be provided with a positive learning climate and conditions, and some stakeholders linked this idea directly to school safety, which they said was the foundation for any idea of equity. Most stakeholders liked the measure, even where they were not sure how it would be determined or how it could be designed to prevent loopholes. Some stakeholders combined learning climate or conditions with other similar measures—most commonly student engagement and student surveys. Although some stakeholders reasoned that student feedback was important, others cautioned that it might capture skewed perspectives from students. Some stakeholders were also particularly interested in considering median class size and supports (such as guidance, nurses, free breakfast or lunch, safe and healthy learning environment, and the like).

The GTL Center's analysis suggests that one state—Michigan—uses learning environment or learning climate in their "ineffective" definition, and proposes to use indicators such as teacher diversity, teacher and leader retention/mobility, and school culture and climate for this part of their definition (see Appendix A). It remains to be seen how Michigan will combine all of their indicators, including several that reflect system-level effectiveness, in this ESSA reporting process.

*Professional Development.* Most stakeholders agreed that *availability* of professional development for teachers within the building should be included. This would include any professional development provided on a daily basis (e.g., coaching or sharing instructional strategies) as well as outside professional development. They argued that lack of access to high-quality professional development could point to inequities. They specified that such professional development should be appropriate for the setting and location and should further clear-cut goals.

Some stakeholders felt that this measure specifically should include integration of technology, teacher and student engagement, English learners, and career readiness. Other stakeholders specified the availability of professional learning communities. A few stakeholders combined this measure with student-level growth data (PVAAS), and a few combined this measure with data from the Professional Education Record Management System (PERMS; professional development activities). They noted that teacher professional development can be a powerful lever to drive student achievement and teacher actions and that building-based professional development would be better than teachers receiving continuing education units. One group of stakeholders wrote in professional development as an additional indicator, specifying that it should be related and applied to classroom practice. Another group of stakeholders wrote in professional development and combined it with advanced degrees and National Board for Professional Teaching Standards certification.

The GTL Center’s analysis suggests that two states—Nebraska and New Hampshire—have professional development or access to professional development as part of their “ineffective” definition (see Appendix A). It remains to be seen how these two states will specifically include these system-level indicators in this ESSA reporting process.

*College and Career Readiness.* Most stakeholders agreed that having students leave high school college and career ready was an important measure. They most often combined student on-track measures (i.e., English language proficiency, chronic absenteeism, Grade 3 reading early indicators of success, Grade 7 mathematics early indicators of success) and college and career readiness measures (including graduation rate; a career readiness benchmark; industry-based learning; rigorous courses of study; and postsecondary transition to school, military, or work measures). These will all be part of the Future Ready PA Index, available from PDE in fall 2018. A few stakeholders expressed some reservations because the index has not been implemented fully so no one knows yet what implementation will bring. During the first meeting, stakeholders expressed interest in seeing the measures broken down into individual components. This was done for the second and third meetings; both meetings’ results were similar. Results from those meetings showed continued support for the measures, even when offered individually.

The GTL Center analysis does not show any states including this indicator or measure (or something similar) as part of their “ineffective” definition (see Appendix A).

## Supporting Information About Other Measures

Stakeholders were asked for measures they would discourage PDE from including. At the top of the list was student achievement alone. Stakeholders reported they did not want anything that was focused solely on student achievement without accounting for growth.

Stakeholders also talked about the role of advanced degrees. Although they believed such degrees showed continued commitment to growth in the profession, the lack of research linking degrees to effectiveness made them skeptical about using degrees as a measure.

Teachers' engagement in professional development as a measure of individual effectiveness was something about which the group expressed skepticism. With regard to professional development, the main concern was that of quality control. Stakeholders pointed to research about the varied quality of professional development opportunities, the tendency for professional development to be disconnected from areas of need, and the questionable transfer to implementation without ongoing support and coaching.

Although there was interest in student absenteeism data, stakeholders were not sure such data should be linked to teacher effectiveness. Likewise, stakeholders were concerned about teacher absenteeism but worried that legitimate absences (e.g., maternity leave, family medical leave) would be included inappropriately.

Stakeholders were interested in measures such as cultural responsiveness and social-emotional learning. However, they recognized that these are concepts for which data are not available. Still, a number of stakeholders expressed a desire to find ways to “think outside the box” in order to “get at the things that really matter” when it comes to ensuring all students, especially minority, low-income, and English learner students, have equitable access to effective educators.

# Appendix A. States’ Definitions of “Ineffective” for the Purposes of Equitable Access Reporting

## Introduction

Section 1111(g)(1)(B) of Title I of the Every Student Succeeds Act (ESSA) states that each state’s plan *shall* discuss “how low-income and minority children enrolled in schools assisted under this part are not served at disproportionate rates by *ineffective*, out-of-field, or inexperienced teachers” (emphasis added). Following is a table summarizing each state’s definition of “ineffective” for the purposes of reporting on equitable access in Title I. The table includes a link to the latest draft of each state’s ESSA plan, information about the approval status of the plan, and the exact language of the definition and the page number on which the information can be found. Following the table is a list of potential measures that may be used in a definition.

State and Link to ESSA Plan <sup>8</sup>	ESSA Plan Approved? <sup>9</sup>	Definition of “Ineffective” Teacher for the Purposes of Equitable Access Reporting <sup>10,11</sup>	Page #
<a href="#">AL</a>	Feedback Received	An ineffective teacher is a teacher who is not able to demonstrate strong instructional practices, produce significant growth in student learning, or demonstrate professionalism and dedication to the field of teaching.	32
<a href="#">AK</a>	Feedback Received	1. Any teacher who was on a plan of improvement under 4 AAC 19.010(g), or was notified that their continued employment in the district was contingent on the implementation of a plan of improvement and resigned, or 2. A tenured teacher who was receiving district support on a plan of professional growth under 4 AAC 19.010(h); or either of the Levels of Support indicated for a non-tenured teacher.	43

<sup>8</sup> These all link to the U.S. Department of Education’s website where the latest version of the plan is posted. This includes the first round of submissions, feedback from U.S. Department of Education and approved plans. There are a couple of sources that were referenced for the definition that are not in the versions on this site. For those states, a footnote with the link is provided.

<sup>9</sup> States designated as “Feedback Received” do not yet have approved plans but have received feedback notes from peer reviewers and interim feedback letters from the U.S. Department of Education. The feedback is accessible through the link to the ESSA plan (provided in the first column of the table).

<sup>10</sup> Section 1111(g)(1)(B) of Title I states that each state plan *shall* discuss “how low-income and minority children enrolled in schools assisted under this part are not served at disproportionate rates by *ineffective*, out-of-field, or inexperienced teachers” (emphasis added).

<sup>11</sup> With the exception of text in italics, language in these cells is verbatim from states’ ESSA plans.

State and Link to ESSA Plan <sup>8</sup>	ESSA Plan Approved? <sup>9</sup>	Definition of “Ineffective” Teacher for the Purposes of Equitable Access Reporting <sup>10,11</sup>	Page #
<a href="#">AR</a>	Yes	<p>An INEFFECTIVE TEACHER is an experienced teacher (completed at least 3 years of teaching) who has shown a pattern of ineffective teaching practices as demonstrated by the lowest performance rating within a state-approved evaluation and support system that includes multiple measures of student growth. For example, the educator:</p> <ul style="list-style-type: none"> <li>▪ Consistently fails to plan and prepare to meet the needs of all students;</li> <li>▪ Does not establish an environment most conducive for learning;</li> <li>▪ Does not use highly effective instructional practices;</li> <li>▪ Does not communicate and collaborate effectively with all stakeholders; and</li> <li>▪ Does not seek continual professional growth or engage in ethical professional practice.</li> </ul>	82
<a href="#">AZ</a> <sup>12</sup>	Yes	<p>An ineffective teacher consistently fails to meet expectations and requires a change in performance. This teacher’s instructional performance is ineffective and her/his students generally made unacceptable levels of academic progress. The ineffective teacher demonstrates minimal competency in the state board of education adopted professional teaching standards, as determined by classroom observations required by ARS §15-537.</p>	

<sup>12</sup> This definition is not from their ESSA plan, but their ESSA plan references their educator evaluation definition of ineffective. This is the definition from their educator evaluation handbook from 2016–17 retrieved from <https://cms.azed.gov/home/GetDocumentFile?id=57ed9958aadebe0bd08a76fa>

State and Link to ESSA Plan <sup>8</sup>	ESSA Plan Approved? <sup>9</sup>	Definition of “Ineffective” Teacher for the Purposes of Equitable Access Reporting <sup>10,11</sup>	Page #
<a href="#">CA</a> <sup>13</sup>	Feedback Received	<p>Under NCLB, California did not collect data regarding teacher effectiveness, nor did the state have a definition for the term “ineffective teacher.” The CDE has consulted with diverse stakeholders regarding the most appropriate approach for addressing the Every Student Succeeds Act (ESSA) requirement to evaluate and publicly report data regarding “ineffective” teachers and the students they serve.</p> <p>To meet ESSA requirements, California’s definition for “ineffective teacher” builds on LCFF<sup>14</sup> Priority 1 by focusing on credential and assignment status—specifically whether teachers are not appropriately assigned or are teaching without a credential—while recognizing the flexibility afforded charter schools under state law. California will meet the requirement by reporting—at the school and district levels and statewide—data illustrating the various credential statuses recognized by state law and teacher misassignments and any equity gaps that may exist within each status. The data profile will include:</p> <ul style="list-style-type: none"> <li>▪ The percent of teachers who are holding either preliminary or clear credentials;</li> <li>▪ The percent of teachers with intern credentials;</li> <li>▪ The percent of teachers who are misassigned; and</li> <li>▪ The percent of teachers with emergency permits, provisional permits, or waivers.</li> </ul>	52
<a href="#">CO</a> <sup>15</sup>	Feedback Received	<p>An ineffective educator has received an annual evaluation based on Colorado’s Educator Quality Standards that results in a rating of Ineffective or Partially Effective. For more information, please see the <a href="#">User’s Guide: Colorado State Model Educator Evaluation System</a>.</p>	93
<a href="#">CT</a>	Yes	<p>A teacher who demonstrates a pattern of ratings as defined in Connecticut’s System for Educator Evaluation and Support (SEED) or as defined by a local or regional board of education in their CSDE-approved educator evaluation and support plan.</p>	68
<a href="#">DC</a>	Yes	<p>Teachers rated on any tier that is below “effective” on an LEA’s teacher evaluation system.</p>	39

<sup>13</sup> Not yet determined.

<sup>14</sup> LCFF is Local Control Funding Formula.

<sup>15</sup> This definition came from the revised ESSA plan retrieved from [https://www.cde.state.co.us/fedprograms/co\\_consolidatedstateplan\\_2018\\_revision2\\_accessibledocx](https://www.cde.state.co.us/fedprograms/co_consolidatedstateplan_2018_revision2_accessibledocx)

State and Link to ESSA Plan <sup>8</sup>	ESSA Plan Approved? <sup>9</sup>	Definition of “Ineffective” Teacher for the Purposes of Equitable Access Reporting <sup>10,11</sup>	Page #
<a href="#">DE</a>	Yes	Educator Evaluation Summative Ratings: An ineffective educator has earned an overall unsatisfactory summative rating (either “Ineffective” or “Needs improvement”) on his/her most recent overall summative evaluation. The overall summative rating reflects educator performance in five equally weighted components using Delaware's Performance Appraisal System II (DPAS-II) or an equivalent, alternative evaluation system and is aligned with the requirements contained within Delaware statute.	85
<a href="#">FL</a>	Feedback Received	A teacher who has received a summative performance evaluation rating of unsatisfactory per s. 1012.34, F.S., Personnel evaluation procedures and criteria.	30
<a href="#">GA</a>	Yes	Ineffective teachers are those that are rated ineffective or needs development on the Teacher Assessment on Performance Standards (TAPS) Summative Assessment. These ratings align with the Georgia Professional Standards Commission definition of unsatisfactory. O.C.G.A. 20-2-210	74
<a href="#">HI</a>	Yes	A teacher who has a rating of less than “Effective” on their teacher evaluation	67
<a href="#">IA</a>	Feedback Received	<i>Iowa does not provide a definition of “ineffective” teacher in its ESSA plan.</i>	
<a href="#">ID</a>	Yes	<p>Ineffective teacher:</p> <ul style="list-style-type: none"> <li>▪ Majority (50% +1 student) of his/her students have NOT met their measurable student achievement targets (pursuant to 33-1001, Idaho Code), or</li> <li>▪ Has a summative evaluation rating of unsatisfactory.</li> </ul> <p>Note that Idaho’s ineffective teacher definition is in alignment with the requirements in the state’s salary apportionment law (Career Ladder) found in 33-1001, Idaho Code for educators to advance on the compensation table.</p>	46
<a href="#">IL</a>	Yes	A teacher who has received a “needs improvement” or “unsatisfactory” on an evaluation and, in a subsequent evaluation, received a rating of “unsatisfactory” or “needs improvement.”	101
<a href="#">IN</a>	Yes	An ineffective teacher receives a summative effectiveness rating of “Ineffective” as determined through the local performance evaluation system that meets the requirements established by Indiana Code 20-28-11.5. An ineffective teacher consistently fails to meet expectations as determined by a trained evaluator, in locally selected competencies reasonably believed to be highly correlated with positive student learning outcomes. The ineffective teacher’s students, in aggregate, have generally achieved unacceptable levels of academic growth and achievement based on guidelines suggested by the IDOE.	78

State and Link to ESSA Plan <sup>8</sup>	ESSA Plan Approved? <sup>9</sup>	Definition of “Ineffective” Teacher for the Purposes of Equitable Access Reporting <sup>10,11</sup>	Page #
<a href="#">KS</a>	Yes	A teacher deemed to be ineffective in instructional practice and/or student growth measures on a state-approved educator evaluation, reported in school aggregates.	48
<a href="#">KY</a>	Feedback Received	[D]ue to the passage of Senate Bill 1 (2017), the measure and method for collecting teacher and leader effectiveness data will be adjusted to fulfill the state law regarding district reporting and data collection. The revised measures will be adjusted to reflect the disproportionality rates of the percent of students taught by inexperienced, out-of-field, and ineffective teachers on students who are identified as at-risk. The percentage of students taught by ineffective, inexperienced, and out-of-field teachers will be provided for each subpopulation (students with disabilities, students experiencing poverty, minority students and English learners). This data will be collected from multiple data sources, including the EPSB <sup>16</sup> Local Educator Assignment Data (LEAD) report and the district submission of ineffective and inexperienced teachers through the use of Infinite Campus (IC), the statewide student information system.	87
<a href="#">LA</a>	Yes	An ineffective teacher is any teacher who received a transitional student growth rating of Ineffective or Effective: Emerging.	83
<a href="#">MA</a>	Yes	<i>Although Massachusetts does not provide an explicit definition for an ineffective teacher within its plan, it calculates the rates at which certain students are taught by teachers who receive needs improvement or unsatisfactory overall ratings based on its teacher evaluation system, which includes objective measures of student learning and growth that research demonstrates are critically important to measuring teacher quality.<sup>17</sup></i>	
<a href="#">MD</a>	Yes	An educator who is deemed unsuccessful by a state-approved local evaluation model.	49

<sup>16</sup> EPSB is the Education Professional Standards Board.

<sup>17</sup> [https://www.nctq.org/dmsView/MA\\_NCTQ\\_ESSA\\_Educator\\_Equity\\_Analysis](https://www.nctq.org/dmsView/MA_NCTQ_ESSA_Educator_Equity_Analysis)

State and Link to ESSA Plan <sup>8</sup>	ESSA Plan Approved? <sup>9</sup>	Definition of “Ineffective” Teacher for the Purposes of Equitable Access Reporting <sup>10,11</sup>	Page #
<a href="#">ME</a>	Yes	<p>SEA Guidance for the development of a definition of ineffective teachers recommended by the ESSA Advisory Workgroup. Ineffective Teacher. Ineffective teachers describes actions, behaviors, and outcomes that may be characterized by one or more of the following:</p> <ul style="list-style-type: none"> <li>▪ A limited or inconsistent repertoire of effectively demonstrating strategies in a professional practice model</li> <li>▪ A limited understanding of student development</li> <li>▪ A limited ability to collaborate with peers and community appropriately</li> <li>▪ An inconsistent or low positive impact on student learning and growth. Teachers who are working to expand their skills and knowledge of the teaching craft benefit from the close monitoring and support of administrators and accompanied peers who can facilitate their growth.</li> </ul>	66
<a href="#">MI</a>	Yes	<p>Educator effectiveness is the end-goal of a process of continuous improvement, for both the individual educator via local systems of evaluation and support and for the school and district via the comprehensive needs assessment. An effective teaching environment is one in which many supports for students and educators are present; an ineffective teaching environment is one in which few supports for students and educators are present. There is no precise definition or measurement of an effective teaching environment, but there are measurable indicators that help the state, districts, and schools identify where they are strong and what challenges they face so that they can continuously work toward a more effective teaching environment. To that end, the MDE plans to phase in additional indicators identified in the table below<sup>18</sup> in order to better and more accurately measure factors that correlate more and less strongly with inequitable distributions of teachers and better inform and tailor the identification of strategies to close access gaps at the state and local levels. These indicators will be measured and reported in order to provide LEAs with information to make thoughtful decisions about improvements in their educator workforce; these indicators will not be used as accountability indicators for public reporting.</p>	50–51

<sup>18</sup> The table includes the following measures: teacher effectiveness labels, teacher (in)experience, teachers out-of-field, disproportionality in identification for special education services, school leader effectiveness labels, teacher diversity, teacher retention/mobility, school leader retention/mobility, school leader (in)experience, effective implementation of educator evaluations, student discipline, suspension and expulsion, school culture and climate, teacher leader roles and opportunities, compensation, teacher absenteeism, professional learning programming, induction and mentoring programming, and cultural competency/racial bias.

State and Link to ESSA Plan <sup>8</sup>	ESSA Plan Approved? <sup>9</sup>	Definition of “Ineffective” Teacher for the Purposes of Equitable Access Reporting <sup>10,11</sup>	Page #
<a href="#">MN</a>	Yes	Minnesota will define “ineffective teacher” as a teacher who is not meeting professional teaching standards as defined in local teacher development and evaluation systems. In order to be identified as “effective,” a teacher must be evaluated using the local teacher development and evaluation system. Pre-K teachers must also be evaluated in order to be considered effective [Executive Summary].	13
<a href="#">MS</a>	Feedback Received	An ineffective teacher is one that has earned a performance level rating of 1 on the Mississippi Educator and Administrator Professional Growth System (PGS).	40
<a href="#">MO</a>	Yes	MO-DESE provides a model Educator Evaluation System for LEA and school use. Using MO-DESE’s model, a teacher cannot be considered effective if any one of the following three criteria exist (see page 3 of the Summative Evaluation Form, Appendix F): 1. There is a significant area of concern initiating an improvement protocol. 2. There is less-than-expected performance by the teacher, as determined by years in the current position, on quality indicators selected by the LEA or school. 3. Student growth targets have not been fully met.	35
<a href="#">MT</a>	Yes	By the fall of 2018, the [MT] OPI will determine the definition of an ineffective teacher.	55
<a href="#">NC</a>	Feedback Received	Teachers who do not meet the level of proficiency on the evaluation standards or the student growth measure are deemed “In Need of Improvement.”	60
<a href="#">ND</a>	Yes	A teacher is considered ineffective within a specific element/component in which the teacher rates a one in the teacher evaluation model. Statewide guidelines are provided under the Determination of Educator Effectiveness.	101

State and Link to ESSA Plan <sup>8</sup>	ESSA Plan Approved? <sup>9</sup>	Definition of “Ineffective” Teacher for the Purposes of Equitable Access Reporting <sup>10,11</sup>	Page #
<a href="#">NE</a>	Feedback Received	<p>This item emphasizes a systems-level measure that will message to districts and buildings the degree to which LEA policy-indicated systems of evaluation and integrated supports reflect best practices and align with the Nebraska Model for Evaluation. The “ineffective” measure relies on district- and school-selected responses to Evidence-Based Analysis (EBA) Educator Effectiveness items. A policy audit will serve to validate district and school EBA responses.</p> <p>The EBA Educator Effectiveness items that pertain to this measure are as follows:</p> <ul style="list-style-type: none"> <li>▪ The school/district utilizes a research-based instructional model aligned to the Nebraska Teacher and Principal Performance Framework (NTPPF).</li> <li>▪ The school/district utilizes a formal staff evaluation process aligned to the Nebraska Evaluation Model for Teachers and Principals.</li> <li>▪ The school/district develops an annual professional learning plan that supports continuous improvement.</li> </ul>	158
<a href="#">NH</a>	Yes	<p>Ineffective educators performing at the ineffective level may advance some student growth and achievement but frequently fail to improve most students’ growth. They are unable to establish ambitious and reasonable expectations for student learning for most students and may be unable to engage students in appropriate learning opportunities. Educators performing at the ineffective level may have a limited knowledge of content, standards, and competencies, but these teachers do not use their knowledge and skills to engage their students in accessible and meaningful learning opportunities aligned to the content, standards, and perhaps competencies. Educators performing at the ineffective level may attempt to facilitate personalized learning using a mix of research-based and other strategies but cannot prove consistent improvement in instruction. Finally, educators performing at the ineffective level participate in learning communities but do not attend to their own self-directed professional growth or support the growth of their colleagues. These educators generally uphold professional standards of practice.</p>	56
<a href="#">NJ</a>	Yes	<p>An educator who receives an annual summative evaluation rating of “ineffective” on the AchieveNJ evaluation system, mandated by the TEACHNJ law  <a href="http://www.njleg.state.nj.us/2012/Bills/PL12/26_.PDF">http://www.njleg.state.nj.us/2012/Bills/PL12/26_.PDF</a></p>	99
<a href="#">NM</a>	Yes	<p>A New Mexico teacher earning an “Ineffective” rating on the NMTEACH evaluation system or one that earns student growth ratings in the bottom decile statewide</p>	125

<b>State and Link to ESSA Plan<sup>8</sup></b>	<b>ESSA Plan Approved?<sup>9</sup></b>	<b>Definition of “Ineffective” Teacher for the Purposes of Equitable Access Reporting<sup>10,11</sup></b>	<b>Page #</b>
<a href="#">NV</a>	Yes	An ineffective teacher is defined as one who receives either an “ineffective” or “minimally effective” rating on the Nevada Educator Performance Framework during the prior academic year.	46
<a href="#">NY</a>	Yes	A teacher who receives an Ineffective rating on his or her overall composite rating	102
<a href="#">OH</a>	Yes	A teacher receiving a final summative rating of “Ineffective” on the Ohio Teacher Evaluation System	53
<a href="#">OK</a>	Feedback Received	A measure based on a set of indicators of effectiveness, including (1) Teacher Leader Effectiveness (TLE) evaluation qualitative rating (two consecutive years of needs improvement or ineffective; (2) limited progress on PL <sup>19</sup> focus for two consecutive years; and (3) teacher absences (10% or 18 days—not including FMLA, bereavement, military, approved professional development)	59
<a href="#">OR</a>	Yes	2017–18 School Year: Educators who earn the lowest rating on the reported in the Teacher / Principal Data Collection 2018–19 School Year: To be determined by LEAs with collaboratively developed guidance from ODE <sup>20</sup>	77
<a href="#">PA</a> <sup>21</sup>	Yes	Effective teachers: Teachers who strive to engage all students in learning, demonstrate instructional and subject matter competence, and continuously grow and improve.	74
<a href="#">PR</a>	Yes	Teachers and principals with more than three years of experience: 1. Minimum execution; 2. Ineffective execution: Teachers and principals with 0–3 years of experience: Ineffective execution under basic ineffective teacher is one who constantly fails to meet expectations and requires a change in performance due to the minimum level of competence, or one who gets a result of “Ineffective” or “Needs Improvement” in his or her evaluation.	121
<a href="#">RI</a>	Feedback Received	Any teacher who is not performing at a consistently high level as evidenced by a Final Effectiveness Rating of Ineffective within the last three years.	52
<a href="#">SC</a>	Feedback Received	An ineffective teacher is defined as a teacher on an annual or continuing contract who has received a Not Met rating for one year OR a teacher on an induction contract who has received a Not Met rating for a second year. Prior to implementation of a new four-level teacher evaluation system in 2018–19, the SCDE will determine which levels will constitute a Not Met rating for future reporting	74

<sup>19</sup> PL is professional learning.

<sup>20</sup> Guidance will be developed collaboratively with personnel from ODE, districts, teacher preparation programs, and education partners. Guidance will be finalized before the start of the 2018–19 school year. FMLA is the Family Medical Leave Act.

<sup>21</sup> Defined *effective* teachers

State and Link to ESSA Plan <sup>8</sup>	ESSA Plan Approved? <sup>9</sup>	Definition of “Ineffective” Teacher for the Purposes of Equitable Access Reporting <sup>10,11</sup>	Page #
<a href="#">SD</a> <sup>22</sup>	Yes	SD DOE does not collect this data and trusts the integrity of district leaders to define what an ineffective teacher is in their local context. As such, SD DOE has not created a statewide definition for ineffective teacher nor does it collect teacher effectiveness or plan of assistance data. South Dakota will instead rely on its districts to provide assurances as part of the consolidated application process that they are attending to the needs of students and are ensuring that subpopulations of students within the district are not being taught at disproportionate rates by ineffective teachers. Furthermore, through regular accreditation audits, SD DOE conducts in-depth reviews to hold districts to account for implementing teacher evaluations with fidelity.	
<a href="#">TN</a>	Yes	For purposes of determining equity and disproportionality, an ineffective educator has an LOE <sup>23</sup> of below expectations or significantly below expectations. Ineffective educators are shown to produce limited or no student growth.	228
<a href="#">TX</a> <sup>24</sup>	Feedback Received	For the purposes of equity gaps, TEA calculates teacher effectiveness based on student academic growth based on state assessments. Comparison between actual student growth to expected student growth for minority and low-income students against expected student growth to actual student growth for non-minority and non-low-income students. <i>The state is asking LEAs to define ineffective. Guidance for LEAs on this process can be found at: <a href="https://texasequitytoolkit.org/">https://texasequitytoolkit.org/</a>.</i>	34–35
<a href="#">UT</a>	Feedback Received	<i>Utah does not explicitly define “ineffective” but does include in its ESSA plan the term “Qualified in Field,” which is defined as “...an educator who is fully licensed and endorsed to teach.”<sup>25</sup></i>	45–46
<a href="#">VA</a>	Feedback Received	<i>Virginia’s ESSA plan appears to use “highly qualified teacher” as the definition of effective, as reported in their 2015 Educator Equity Plan.<sup>26</sup></i>	30
<a href="#">VT</a>	Yes	Ineffective teachers – teachers who are teaching out-of-field on an emergency or temporary license.	84
<a href="#">WA</a>	Yes	OSPI will publish and annually update the data regarding rates and disproportionalities and percentages of teachers in each LEA categorized by effectiveness level, out-of-field, or inexperienced on its website at <a href="http://www.k12.wa.us/TitleIIA/EquitableAccess/default.aspx">www.k12.wa.us/TitleIIA/EquitableAccess/default.aspx</a> .	74

<sup>22</sup> Not defined at the state level.

<sup>23</sup> LOE is levels of overall effectiveness.

<sup>24</sup> Texas included a definition in their revised application retrieved from [https://tea.texas.gov/About\\_TEA/Laws\\_and\\_Rules/ESSA/Every\\_Student\\_Succeeds\\_Act/](https://tea.texas.gov/About_TEA/Laws_and_Rules/ESSA/Every_Student_Succeeds_Act/)

<sup>25</sup> [https://www.nctq.org/dmsView/UT\\_NCTQ\\_ESSA\\_Educator\\_Equity\\_Analysis](https://www.nctq.org/dmsView/UT_NCTQ_ESSA_Educator_Equity_Analysis)

<sup>26</sup> [https://www.nctq.org/dmsView/VA\\_NCTQ\\_ESSA\\_Educator\\_Equity\\_Analysis](https://www.nctq.org/dmsView/VA_NCTQ_ESSA_Educator_Equity_Analysis)

State and Link to ESSA Plan <sup>8</sup>	ESSA Plan Approved? <sup>9</sup>	Definition of “Ineffective” Teacher for the Purposes of Equitable Access Reporting <sup>10,11</sup>	Page #
<a href="#">WV</a>	Yes	A teacher who receives an unsatisfactory rating within the West Virginia Educator Evaluation System	49
<a href="#">WI</a>	Yes	Wisconsin is identifying teachers who do not meet the Wisconsin teaching standards as ineffective.	54
<a href="#">WY</a>	Yes	Ineffective Teacher: Any teacher who is not considered effective as defined through their district’s evaluation system. The district’s certified personnel system must meet the requirements outlined in Chapter 29 <a href="https://drive.google.com/file/d/0B5tdnP0670ZEaFkyek5oOGlwZE0/view">https://drive.google.com/file/d/0B5tdnP0670ZEaFkyek5oOGlwZE0/view</a> and approved by the State Board of Education.	28

## Potential Measures

In defining “ineffective” teacher, states may wish to engage stakeholders to select a set of indicators on which all of their districts must report. Indicators that states may wish to consider include the following:

- “value-added” measures or student growth measures;
- student learning objectives;
- classroom observations;
- student surveys;
- teaching credential or emergency credentials;<sup>27</sup>
- teacher attendance/absences or substitute teachers;
- National Board for Professional Teaching Standards certification;
- Advanced Placement/International Baccalaureate certification;
- master’s degree;
- novice teachers;
- teacher engagement;
- teacher misconduct; and
- learning conditions.

<sup>27</sup> It is worth noting that ESSA requires state report cards to present the number and percentage of the following (in the aggregate and disaggregated by high- and low-poverty schools [20 U.S.C. §6311(h)(1)(C)(ix)(I)-(III)]): (1) inexperienced teachers, principals, and other school leaders; (2) teachers teaching with emergency or provisional credentials; and (3) teachers who are not teaching in the subject or field for which the teacher is certified or licensed. Therefore, states could realize efficiencies by collecting and reporting teacher emergency credential information for both accountability and equitable access purposes.

Because some of these indicators (e.g., emergency credentials, teacher engagement) also may be collected and reported for other Title I purposes, using these indicators might offer benefits in terms of efficiency and coherence. States may be collecting some of these data already for other purposes as well and easily could use these data for equitable access reporting and planning.

For more information, see the GTL Center's resource [\*Educator Effectiveness in the Every Student Succeeds Act: A Discussion Guide\*](#).