

ACT 82 – TEACHER EVALUATION LAW

Gov. Corbett signed House Bill 1901 (Act 82 of 2012), requiring the Secretary of Education to establish a new statewide rating system for evaluating teachers and principals. Act 82 requires the new rating system to base 50 percent of evaluations on multiple measures of student performance including, but not solely, test scores. Classroom observation and practice will comprise the remaining 50 percent of evaluations. Act 82 affects temporary professional and professional employees, which includes principals, classroom teachers and educational specialists who provide services other than classroom instruction. Attached is an AFTP FAQ for Act 82, which breaks down the new requirements to help you discuss the issue with members and stakeholders. Please distribute, post, reprint and share this material with members.

Act 82 Fast Facts

- Local school districts may develop their own rating tools, if PDE approves them as meeting standards established by Act 82.
- If a collective bargaining agreement includes a rating system that conflicts with Act 82, the language is discontinued when the contract expires, unless the local district has a PDE-approved rating tool.
- Student performance is required to be included in a teacher's evaluation beginning with the 2013-14 school year. For principals and non-teaching professional employees, student performance is required to be included beginning with the 2014-15 school year.
- Multiple measures of student performance, which are dictated by Act 82, will comprise HALF of the overall teacher and principal rating.
- Instead of the current "satisfactory" and "unsatisfactory" ratings, teachers and principals will be rated as "distinguished," "proficient," "needs improvement" or "failing." No one can be rated "needs improvement" or "failing" based on student test scores alone, but employees who earn the two lowest ratings are required to participate in a performance improvement plan.
- The law applies to tenured and non-tenured professional employees in traditional public schools, intermediate units and vocational-technical schools. Charter schools are not required to use the PDE evaluation tool.
- Act 82 does not require nor does it prohibit performance-based pay.

Talking Points

- AFTP continues to advocate for collaborative efforts to develop local teacher assessments through the collective bargaining process. Several affiliates have developed innovative evaluation systems in collaboration with their administrations. These should be emulated, not discarded in the interest of state control and standardization. We urge local school districts and local union leaders to develop teacher rating programs that work for their communities.
- Teaching and learning conditions matter. School safety, class sizes, digital access, availability of extra help and other factors vary widely across the commonwealth. It is unacceptable to hold teachers accountable while failing to provide basic resources. A valid evaluation must consider the context in which learning occurs.
- The goal of teacher evaluation should be to improve instruction. Evaluation should be tied to high-quality professional development and ongoing support. Teachers not meeting identified standards must be given opportunities to improve.
- All instruction supported by tax dollars should be held to the same standard, regardless of whether in a traditional, cyber or charter school.
- High-quality evaluation of teachers, coupled with rigorous pre-service education and in-service mentoring, support and professional development are crucial to raising achievement and preparing our children to compete in a global, information-technology economy.

Going Forward

Local leaders will have to determine whether they can work with their districts to develop an acceptable local rating tool, seek a waiver to allow continuation of an existing program or participate in the creation and rollout of the state evaluation system. AFTP recommends that affiliate leaders who want to maintain professional employee evaluations as part of their collective bargaining agreements reach out to their administration quickly to discuss developing a local assessment that meets Act 82 requirements. AFTP will identify and keep affiliates informed of opportunities for affiliates to participate in the development of the new assessment tool as the process moves forward.