



ESEA Waivers and Teacher-Evaluation Plans

State Oversight of District-Designed Teacher-Evaluation Systems

By Kaitlin Pennington

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Introduction and summary

In 2011, President Barack Obama and Secretary of Education Arne Duncan provided states with an opportunity for flexibility from certain requirements under the Elementary and Secondary Education Act, or ESEA, currently known as the No Child Left Behind, or NCLB, Act. A total of 43 states; Washington, D.C.; Puerto Rico; and eight districts in California that are part of the California Office to Reform Education, or CORE—have since received waivers from the U.S. Department of Education.¹

The flexibility process requires states to develop and implement new educator-evaluation systems to help identify effective teachers, as well as those who can benefit from additional supports to improve their instructional practice.² While some states required districts to adopt state-designed evaluation systems, other states gave school districts discretion in designing their own teacher-evaluation systems. Inevitably, one of the challenges those states that offered discretion now face is tracking and monitoring the variety of district teacher-evaluation plans. The capacity for a state department of education to effectively monitor these systems depends largely on the size of the state and the number of districts within that state. The task of monitoring the 545 school districts overseen by the Michigan Department of Education,³ for example, is going to be very different than the monitoring effort undertaken by the Maine Department of Education, which has slightly more than 200 districts, or the Maryland State Department of Education, which is responsible for 24 school districts.⁴

Similarly, states that have large districts may face additional challenges in monitoring the implementation of new evaluation systems. Consider Maryland—as noted above, it only has 24 school districts, but one of those districts, Montgomery County, is one of the largest school districts in the nation, with 202 schools.⁵ Naturally, the challenges of implementing a teacher-evaluation system in Montgomery County will look and be a great deal different than those for a system designed by districts with fewer than 10 schools.⁶

Under the ESEA waiver-granting process, states agreed to certain reforms, such as developing or adopting college- and career-ready standards and teacher-accountability plans that include student-achievement data as a condition of being let out of certain requirements of NCLB. The waiver plans submitted by states seeking flexibility under ESEA are comprehensive and detailed, and implementation of those plans is well underway in the states that received waivers.

As the reforms begin to take hold, it is worth tracking just how states are implementing or adapting their waiver plans. For the purposes of this report, the Center for American Progress reviewed state ESEA waiver plans as they relate to the implementation and monitoring of evaluation and support systems for teachers and principals.

When it comes to teacher-evaluation governance, state departments of education currently offer one of the following three options to school districts:

- A single, statewide teacher-evaluation system
- An opt-out system that presumes that school districts will use the state evaluation model unless otherwise requested by the school district
- A system in which the state provides criteria or outlines requirements for school districts that they must meet when creating their own teacher-evaluation systems

Of the 43 states that have ESEA waivers, 11 school districts plus the District of Columbia Public Schools require a single, statewide teacher-evaluation system.⁷ The remaining 32 waiver states, along with the California CORE districts, leave some discretion to the school districts to design their own systems.

For the states that allow school districts' discretion in the design and implementation of teacher-evaluation systems, there are several approaches that state departments of education are taking in order to hold districts accountable for their evaluation plans in accordance with Principle 3 of the ESEA waivers, which calls for "supporting effective instruction and leadership."⁸ This report identifies several trends in the ESEA waiver plans that further the goal of Principle 3, including the following:

- **Creating new departments within state departments of education or forming partnerships to support teacher evaluation.** Many state departments of education are moving from being mere compliance monitors to taking a more active role in district reform implementation. Because of this, particularly in

the educator-evaluation process, many state departments of education have created new offices or units to increase their capacity to take on the new work. Other state departments of education have formed partnerships with outside vendors to help aid them in this work.

- **Creating state-designed teacher-evaluation cheat sheets for districts.** Many states have created documents for school districts to use when developing teacher-evaluation systems to ensure that locally designed systems align with state evaluation models.
- **Designing and implementing systems to manage district plans that do not align with state requirements.** In some states, if districts do not align with the state model for teacher evaluation, the state will respond to the district with corrections that the district is expected to make prior to resubmitting its proposal. In other states, if districts refuse to report teacher-evaluation alignment and implementation plans, the state will withhold funds to the district.
- **Developing and implementing electronic data systems for approving and/or monitoring district teacher-evaluation systems.** District teacher-evaluation data collection can be a major challenge for state departments of education, particularly states with hundreds of districts to track. For this reason, several states have developed electronic data-collection systems, and many states have partnered with outside organizations in the creation of these systems.
- **Instituting backend accountability for school districts.** In some states, school districts are given the opportunity to develop parts or all of their teacher-evaluation systems without the initial input of the state department of education. However, if at the end of the school year districts are not complying with state law or have failed to meet state expectations around teacher-evaluation implementation by, for example, having a too-narrow range of teacher-evaluation results, the state department of education has the right to take away school district autonomy and begin monitoring those districts more closely.
- **Encouraging peer review of teacher-evaluation proposals between districts.** In some states, the state department of education will help facilitate a peer-review process of locally developed teacher-evaluation systems. This process allows districts throughout the state to know what others are doing in terms of teacher evaluation and provides opportunities for assistance and feedback between districts.

This report also uses detailed case studies to look closely at four states—Indiana, Maryland, Missouri, and Ohio—and the unique structures each has put in place to keep track of locally developed teacher-evaluation systems.

Finally, based on the specifics set out by states in their waiver plans and an examination of how the rollout of teacher-evaluation systems is proceeding in early-adopter states, this report identifies key takeaways—or best practices—for state departments of education and school districts to consider as they head into full implementation of their teacher-evaluation systems.

Methodology

The following analysis of trends in teacher-evaluation systems uses qualitative data collected through a thorough review of the 33 ESEA waiver applications that provide some level of discretion to school districts to design and implement teacher-evaluation systems. The various waiver applications can be found by clicking on each state at the following source: U.S. Department of Education, “Elementary & Secondary Education: ESEA Flexibility,” available at <http://www2.ed.gov/policy/elsec/guid/esea-flexibility/index.html> (last accessed April 2014).

Also included in this analysis are several interviews with leaders in state departments of education and in the U.S. Department of Education.

Local design and state oversight trends in ESEA waivers

For states that received funds to spur innovation and reforms in K-12 education through the Obama administration's 2009 Race to the Top competition, or RTT, Elementary and Secondary Education Act waivers are in some ways an extension of reforms that were already in motion. For those states that did not participate in the RTT competition or receive RTT funds, the ESEA waivers are, in essence, their first attempts to roll out reform proposals. And while the U.S. Department of Education has a monitoring schedule in place for checking in with states to determine their progress, the uneven start times for state implementation of plans outlined in waiver proposals have made it difficult for federal policymakers to enforce proposed deadlines.

Some deadlines have been extended, including the requirement to use student growth on state tests as a factor in personnel decisions, which was originally scheduled to go into effect at the start of the 2015-16 school year but has been moved back a year to the start of the 2016-17 school year for states that applied for the extension.⁹ Other states, with the approval of the Department of Education, are suspending some student assessments in order to field-test the new assessments from the Common Core State Standards testing consortia, the Smarter Balanced Assessment Consortium and the Partnership for Assessment of Readiness for College and Careers. This extension will help a number of states avoid double testing students by allowing them to stop some or all of their current testing programs in math and English language arts to allow more time for the field tests currently being given by the two consortia.¹⁰ Other states have been given high-risk status by the Department of Education, meaning they could lose their waivers if they do not abide by the waiver criteria. In April 2014, Washington became the first state to lose its waiver requiring it to return to the education law under NCLB at the start of the 2014-15 school year.¹¹

Of the 43 states with ESEA waivers, 11 districts plus the District of Columbia require a single, statewide teacher-evaluation system. The other 32 waiver states, as well as the California Office to Reform Education districts, leave some discretion to school districts throughout California. This means that every school district in these 32 states and the California CORE districts can, to some extent, design their own teacher-evaluation systems.¹²

In their waiver proposals, states detailed how they would approve district teacher-evaluation systems and how they would go about monitoring the implementation of those systems. According to Brad Jupp, senior program advisor at the Department of Education, the state departments of education plans to approve and monitor school district teacher-evaluation systems are equally important:

It's right to ask if the state is doing a good job of inspecting a form, but I think the real question is, "Do we have a clear understanding of what success looks like and are we supporting continuous improvement not only in routines of the state office but [in] the way that those routines interact with district offices?"¹³

The information in waiver applications is particularly important for stakeholders monitoring the implementation of evaluation systems in states that have provided districts with the flexibility to design their own systems. It is imperative that states have a process for tracking locally developed teacher-evaluation systems so that, among other ongoing technical supports, they can identify and provide assistance to districts when needed. New teacher-evaluation systems require state departments of education to move from being simply compliance monitors to active thought partners with districts. That is to say, instead of simply checking boxes for completion on state-required forms from districts, new reforms push states to monitor districts' ongoing progress and require states to intervene when there is a lack thereof. The waiver process encourages states to consider how they will begin moving beyond compliance-based tasks to those of deeper engagement with districts.

Below is a list of trends seen in the ESEA waiver applications in the 32 states that leave some discretion to school districts; also included on the list are the California CORE districts, which all allow some discretion. While this list is not comprehensive, it nonetheless provides a sample of the different trends seen in ESEA waivers.

Creating new departments within state departments of education or forming partnerships to support teacher evaluation

To ease the transition from being mainly compliance monitors to playing a much more active role in the implementation of district-level reforms, state departments of education are creating new systems to increase capacity. Specifically, in the area of educator evaluation, a number of state education agencies have established new units and added staff to take on this new work. Still other agencies have opted to enter into partnerships with outside vendors to assist with teacher evaluations. Let's examine a few below:

- **Connecticut** created the Bureau of Certification and Evaluation, also known as the Connecticut State Department of Education, or CSDE, Talent Office, which takes direct responsibility for rolling out the new evaluation systems. Reviews of local teacher-evaluation proposals are done by the Talent Office or by a panel of state and local experts.
- **Indiana** established a new division, the Office of Educator Effectiveness and Leadership, which was created specifically to address the new initiatives called for with the implementation of teacher-evaluation systems. With the establishment of this office, the Indiana Department of Education committed resources and personnel to ensure successful statewide implementation of the evaluation system.
- **Oregon** partnered with the State Implementation & Scaling-Up of Evidence-based Practices Center, or SISEP, “a national technical assistance center funded by the U.S. Department of Education’s Office of Special Education Programs,”¹⁴ to build capacity to implement systems for educator evaluation and support. The role of the SISEP Center is to build the capacity of state education systems to both implement and scale-up effective education innovations statewide.
- **Rhode Island**, using RTT funding, hired Intermediary Service Providers, or ISPs, individuals who are trained in the state’s intermediary evaluation systems. The new positions within the Rhode Island Department of Education were created to ensure that school districts have the capacity they need to implement teacher-evaluation systems. The ISPs are available to support both evaluators and teachers as needed and are accessible to each school district for a specified number of days based on district RTT funding.

Creating state-designed teacher-evaluation ‘cheat sheets’ for districts

To ensure that locally developed teacher-evaluation systems align with state requirements, states created documents to use as templates to help districts align with their evaluation models.

- **Florida** school districts received a crosswalk to measure ESEA flexibility requirements and state guidelines against each other. In addition to the primary technical-assistance document provided to the school districts for implementation, they also received a review and approval checklist for RTT teacher- and principal-evaluation systems.
- **Kansas** developed a draft Teacher and Leader Evaluation Instrument Review that outlines the requirements for districts that choose not to use the state’s educator-evaluation instrument.
- **Louisiana** requires each teacher and leader standard to include a recommended model-performance rubric and descriptors that clearly summarize observable instructional and leadership behaviors. In addition, the Louisiana Department of Education created implementation guides; inter-rater reliability training and resources that streamline the process of multiple people evaluating the same teacher; and video-based resources to train teachers, principals, and district staff on new evaluation measures.
- **Massachusetts**, through its Department of Elementary and Secondary Education, is developing a comprehensive survey that will accompany the districts’ required submissions of their systems for state review.
- **Michigan**, in order to support the work of the Michigan Council for Educator Effectiveness, or MCEE—a temporary commission charged with developing a fair, transparent, and feasible evaluation system for teachers and school administrators¹⁵—had its department of education create a resource kit that aligns with MCEE thinking and direction for districts to use.
- **Minnesota** created workgroups that defined evaluation criteria and developed a rubric for school districts and the Minnesota Department of Education to use to determine if locally developed plans meet state guidelines.
- **New Mexico** developed a detailed rubric to provide districts with guidance and

expectations for using a locally developed assessment through its state department of education.

- At the time of its waiver-proposal submission, the **Virginia Department of Education** was developing new guidance materials and resources for school divisions as they moved toward implementation of Virginia’s revised teacher-evaluation system. In particular, a guidance document was being developed to support school divisions’ appropriate use of student-growth percentiles in teacher-performance evaluations.

Designing and implementing systems to manage district plans that do not align with state requirements

In order to ensure that districts’ teacher-evaluation plans align with state requirements, states have put in place different structures to allow them to interact with districts that do not align in order to get them on track.

- **Florida** gives the state board of education the authority to take action against school districts that fail to revise their teacher- and principal-evaluation systems in accordance with the Student Success Act, Florida’s bill that pertains to personnel-evaluation systems.¹⁶ That authority includes but is not limited to declaring a school district ineligible for competitive grants or reporting a school district to the state legislature so that body can consider taking action.
- **Idaho** has designated a team of reviewers at the Idaho State Department of Education trained in the teacher-evaluation framework to review and approve districts’ teacher-evaluation models. District plans that are not approved are returned to districts, with highlighted recommendations for change. After the districts revise and resubmit their plans, the Idaho State Department of Education starts another round of review and approval.
- **Utah** has established an Educator Evaluation Advisory Committee that reviews each district’s teacher-evaluation plan and makes recommendations for state board of education approval. School districts must report alignment and implementation efforts to the state board of education on a yearly basis. The state board of education has the option to withhold funds and other resources from school districts that are not in compliance.

Designing and implementing electronic data systems for approving and/or monitoring district teacher-evaluation systems

Several states have developed electronic data-collection systems or partnered with outside organizations to create data-collection systems to keep track of district-level teacher-evaluation systems.

- **Arizona** contracted with the WestEd Regional Educational Laboratory, or REL, to assist its department of education in the development of a process for reviewing school districts' systems for teacher and principal evaluation and support. This process will be tied to sampling used for districts' evaluation processes. The REL evaluation will inform the department of education on a school district's fidelity of implementation as it pertains to the district framework and/or the statewide teacher and principal evaluation model. Data gleaned from these reviews will be triangulated with data regarding the performance levels of teachers and principals and the school district's letter grade—Arizona gives districts and individual schools letter grades from A to F as part of its evaluation and accountability process—which are based on student academic achievement.
- **Georgia** will use an electronic platform to collect data from rubric-based observations, surveys about professional practices and school climate, student-learning objectives, and student and school academic growth. The electronic platform will be embedded in the state education department's longitudinal data system.
- **North Carolina** has launched a web-based version of the North Carolina Educator Evaluation System developed in collaboration with the Mid-continent Research for Education and Learning, or McREL. The system, which went live in September 2010, allows teachers to complete their own self-assessments and principals to access the information from any location. The tool also allows principals and central-office staff to view the status of each teacher's evaluation, aggregate data and customize reports, track teacher performance longitudinally, and complete and submit reports to the district or state. Use of this electronic system will provide the state and researchers with access to teacher- and principal-evaluation information, which can be linked to a variety of other variables, including student outcomes and teacher-preparation programs.

- **Ohio** has instituted an electronic reporting system to ensure evaluation-system alignment. If an Ohio school district chooses to use a locally designed evaluation system, it must demonstrate alignment to the respective Ohio educator-evaluation rubric, which is based on the Ohio Standards for Educators. This alignment will be demonstrated through an electronic alignment tool as part of the required electronic reporting system. See the Ohio case study below for more details.

Instituting backend accountability for school districts

In some states, districts are given the opportunity to develop parts or all of their teacher-evaluation systems without the initial input of their state departments of education. However, if at the end of the school year school districts are not complying with state law or fail to meet state expectations, some states will take away school district autonomy and monitor districts more closely.

- **Nevada** requires districts to submit annual reports that detail inputs, outputs, and outcomes in teacher evaluation. If the state finds that a school district is not compliant, it will require the school district to take corrective action and make use of technical assistance to support full implementation as required under state regulations. The state may withhold federal funds if a district does not implement an evaluation framework effectively.
- **Tennessee** has authorized the state department of education to monitor observation scores throughout the school year and enforce consistent application of standards across school districts. Upon the conclusion of the school year and relevant data collection, the state department of education will publish evaluation results by school district. School districts that fall outside the acceptable range of results—subject to student-achievement scores—will not be approved to use alternative educator-evaluation models the following school year. Furthermore, the district will be subject to additional training and monitoring by the state department of education.
- **Texas** law gives the state education agency the authority to monitor school district use of teacher appraisals through data collection from school districts, with the concurrent ability to adapt and intervene as required. In addition, the agency will implement random spot-checking of school districts to monitor compliance, coupled with providing technical assistance to ensure districts receive the necessary support. Based on the results of spot monitoring, if the agency finds that a

district is not in compliance with state law—not implementing the state model or a system that has the same components as the state model—it will require districts to comply with state law and revert to implementing the state model. The agency has the authority to take enforcement action to ensure implementation.

Encouraging peer review of teacher-evaluation proposals between districts

In some states, the state department of education will help facilitate a peer-review process of locally developed teacher-evaluation systems. This process provides districts the opportunity to learn from one another and to facilitate district-to-district assistance and feedback.

- **Alaska**, through its Department of Education & Early Development, will work with districts on a peer-review process to give districts the opportunity to request feedback on their evaluation systems prior to the submission of their evaluation systems for state approval.
- The eight school districts in the **California CORE**, in their waiver requests, agreed to participate in cross-district peer review of evaluation-system adequacy and alignment to the principles laid out in the waiver applications.
- **New Hampshire**, through its education department, has invited all schools in the state to participate in a peer-review process. Implementing a peer review of districts' educator-evaluation systems will allow the department of education to receive structured reviews of each district's evaluation system and will hopefully lead to a convergence of acceptable models and measures of student growth. In addition, the New Hampshire Department of Education may also make on-site visits on an as-needed basis or as requested in order to provide additional support to districts.
- **Oregon** has charged its department of education with developing and piloting a peer-review process using peer-review panels to ensure alignment of local evaluation and support systems with state guidelines during the 2013-14 and 2014-15 school years. The peer-review process will include both an accountability component and a collegial professional-learning component. The peer-review panel will appraise districts' systems for alignment with the state guidelines and identify districts' needs for professional development and technical assistance. By July 1, 2015, all school districts must present their local evaluation and support systems to a peer-review panel.

Case studies: Teacher-evaluation implementation structures

As the state trends show, there are several approaches that state departments of education are taking to hold districts accountable for locally designed teacher-evaluation plans. The oversight structures put in place by states vary greatly depending on the size of the state and the number of districts and schools within the state. Below, we take a closer look at how some states are monitoring the implementation of locally designed evaluation systems.

The states we highlight are vastly different in size and capacity, and their varying approaches to local educator-evaluation review and oversight reflect these differences. All of the states chosen for case study allow some discretion to school districts, and they are either fully implementing teacher-evaluation systems or will do so in the 2014-15 school year. Because our case-study states are further along in their implementation of teacher-evaluation systems, they offer valuable insight for states just beginning to roll out the implementation of their teacher-evaluation systems and structures.

Indiana: Evaluation-system transparency

As mandated by Indiana state law, each school district must submit its teacher-evaluation plan to the Indiana Department of Education, or IDOE, which will then publish it on the department's website. When submitting teacher-evaluation plans, districts must complete an IDOE-created cover sheet that includes a brief checklist to ensure that districts are meeting minimum state criteria. According to Sarah Pies, an IDOE educator effectiveness specialist, making all districts' teacher-evaluation plans publicly available on the IDOE website acts as a kind of collective accountability within the system. "Other districts, parents, and teachers can see what districts are doing. ... It creates a transparency for what districts are using [for teacher evaluation]," said Pies.¹⁷

According to Indiana’s Elementary and Secondary Education Act waiver plan, a school district has the option to adopt the state-model teacher-evaluation plan known as RISE; modify the state plan; or develop its own plan, as long as it fulfills the state’s priorities for educator evaluations. Districts do not need the state board of education’s approval to adopt their own locally developed plans; according to the ESEA waiver language, however, if a school district modifies the model plan or develops its own plan, it must have 75 percent of its teachers approve the plan in order to apply for state pay-for-performance grant money. The ESEA waiver proposal requires the IDOE to ensure that district plans meet minimum state criteria if a district selects not to use RISE.¹⁸

There is a lot for the IDOE to keep track of, including the state’s 289 public school districts and 73 charter schools, each of which constitutes their own school district.¹⁹ Moreover, the IDOE encourages districts to develop local teacher-evaluation systems, whether modified state models or their own. “The Indiana Department of Education doesn’t support RISE over other models,” said Glenda Ritz, Indiana’s superintendent of public instruction.²⁰ According to Pies, during the first year of teacher-evaluation implementation—the 2012-13 school year—the majority of Indiana districts chose to use RISE, but that number has gone down during the second year of implementation. “We saw a drop in the districts using RISE, moving more to a modified RISE or to a locally developed evaluation plan this year,” said Pies:

Of the districts that have to follow the Indiana code for evaluation and compensation, there are 63 districts that are using RISE singularly, and the rest are using either a modified RISE or a locally developed plan.²¹

Pies speculates that because RISE goes beyond the minimum requirements set out in Indiana state law, including the number of classroom observations and the multiple-measure components, among other elements, school districts are modifying their teacher-evaluation systems in the second year of implementation in order to step down from some of the more restrictive aspects of RISE:

RISE goes above and beyond the Indiana code ... I think because initially a quick turnaround was necessary when the law went into effect, it was easier and more cost effective just to use the model developed by the state. ... Now that districts have gone through the first year of implementation, they can see that the state model goes above and beyond what the legal requirement says. This year, they either scrapped it or modified it so much that they can’t say it’s a modified RISE so they’re saying it’s locally developed.²²

Maryland: State department of education support to districts

Maryland's ESEA waiver was largely influenced by the state's Race to the Top application and reward. Of the 24 school districts in the state, 22 districts participated in RTT.²³ According to David Volrath, teacher principal evaluation planning and development officer at the Maryland State Department of Education, or MSDE, because of the state's ESEA alignment to its RTT application, the 22 RTT district participants were, for the most part, automatically compliant with Maryland's teacher-evaluation requirements under the waiver.²⁴ The MSDE is currently working with the final two districts to ensure compliance.

Maryland is a state that values local autonomy. In its ESEA waiver, the MSDE encouraged districts to submit locally developed teacher-evaluation plans. Volrath explains that while there are only 24 districts in the state, the districts vary vastly in size, from the Montgomery County Public Schools, which has more students than the entire state of Delaware, to the Garrett County Public Schools, which has only a few thousand students. Therefore, encouraging districts to develop teacher-evaluation systems at the local level that met varying district needs made the most sense for the MSDE.

To ensure compliance with state criteria and to support school districts with teacher- and principal-evaluation implementation, the MSDE teacher- and principal-evaluation team crafted a service-delivery system for school districts that it dubbed "influencing transformation."²⁵ Maryland's plan for implementing and sustaining teacher and principal evaluation is divided into five so-called spheres of influence. Each sphere is approximately two-and-a-half to three months in duration and is designed as an opportunity for the MSDE teacher- and principal-evaluation team to provide information and training to school districts in advance of the work that is required in each stage of the annual evaluation cycle.²⁶

Within each sphere, information is gradually released and training is sequentially translated from MSDE staff to leaders, practitioners, and those being evaluated in each school district. In Sphere One, for example, which was held from July 1, 2013, to September 19, 2013, the information and training focused on setting student-learning objectives, translating Maryland school assessments, and conducting teacher-evaluation preconferences with educators. In Sphere Three, which was held from November 1, 2013, to January 31, 2014, the information and training spotlighted monitoring of and a midyear status check on student-learning objectives.²⁷

At the end of each influencing transformation sphere, districts participate in a reflective quality-control activity. This activity allows school districts to give the MSDE feedback about the effectiveness of the support given to them in a particular sphere and to identify areas where each school district believes additional support from the MSDE is needed before moving to the next sphere. Volrath admits, however, that even though districts are at different places in teacher-evaluation implementation, the sequence of the spheres is the same for all districts, and, as a consequence, the types of conversations that the MSDE has with each school district at the end of a sphere can vary greatly.²⁸

One advantage of the spheres is that they allow the MSDE to identify school districts that are strong in particular aspects of implementation and to connect those districts with districts that are struggling in a specific area. Said Volrath:

At the end of sphere two, we found a couple of districts that were clearly indicating that they lacked confidence in their ability to manage the technical aspects of this work. ... So we went back into the data and discovered that we had about a third of our districts that were fully confident in their ability to do this. We immediately put together a webinar and went to our districts that were fully confident and allowed them to do the presentations in the webinar.²⁹

Positive evidence of this peer-to-peer approach can be seen in the confidence levels of districts to proceed with subsequent sphere trainings, which increased from 62 percent in October 2013 to 82 percent in February 2014.³⁰ Confidence levels are measured through a post-sphere survey of district leaders.

The influencing transformation spheres were initially funded with money from Maryland's RTT grant, which will end at the culmination of this academic year. However, the MSDE plans on receiving a no-cost extension into next year. After the conclusion of the extension, according to Volrath, the MSDE wants to be positioned to transition what has been happening in the spheres into an institutionalized process so that, with or without extra funding, the work of the spheres can continue. Volrath says that this will involve building a principal pipeline that will help sustain the leadership in schools needed to continue the work. "The work will continue to evolve and take a direction that I think is going to be more about principals and the people that supervise in schools," Volrath explained. "At the state level, we don't have the ability to reach into every classroom and touch every teacher. We just don't have that capacity."³¹

Missouri: Regional service centers

Leaders at the Missouri Department of Elementary and Secondary Education are less concerned about immediate local teacher-evaluation adoption and are concentrating more on supporting the transformation of teacher-evaluation systems throughout the state over several years. “You don’t align in a year’s time,” said Assistant Commissioner of Education Paul Katnik:

Many of the principles of the teacher-evaluation framework are less about what particular evaluation model you have adopted and more about what you do with that model. It takes some initial learning and practicing. For me, it’s not that they align in the next year; we’re in a transition.³²

Missouri’s waiver application language mirrors Katnik’s reflections. The waiver says that regardless of whether a school district adopts the state model or implements its own local evaluation process, all school districts in the state must commit to the essential principles detailed by the state for teacher evaluation. However, the waiver places much less emphasis on upfront alignment, focusing instead on the types of technical support the Missouri Department of Elementary and Secondary Education will provide districts as they transition their teacher-evaluation systems. Currently, the state is undergoing a pilot year of teacher evaluation in many districts throughout the state, with full implementation set for the 2014-15 school year.

To help districts transition to new teacher-evaluation systems that align with the state model, the state department of education and districts throughout Missouri have relied on regional service centers. Missouri has 520 public school districts and between 50 to 60 public charter school operators that are grouped into 11 regions, each with its own regional service center.³³ The centers provide professional development to teachers and administrators in districts within each region.³⁴ The Southwest Regional Center, for example, is responsible for 91 school districts and has provided dozens of trainings for educator-evaluation systems over the past year.³⁵

“Our main task is to help implement and roll out things like the teacher-evaluation system or other kinds of initiatives, like in special education,” said Rick Breault, the coordinator of programs at the southwest center. “But then some of our consultants are also what we call—at least at our center—fund generating. That means that part of their contract requires them to raise funds for the center by going out to districts and offering services that districts ask for or that we promote.”³⁶

For state-designed professional development around teacher evaluation, the Missouri Department of Elementary and Secondary Education channels both federal and state funds to the centers. Breault explains that the state develops most of the teacher-evaluation professional-development program, including everything from most of the PowerPoint slides' material to the handouts given out at trainings. "We are more or less implementing and delivering the curriculum that's been developed by the state," said Breault. "Now certainly there can be tweaks depending on the needs of specific administrators or teachers, but the curriculum is established by the state's program."³⁷

To attend teacher-evaluation professional-development trainings, district attendees travel to central locations in the center's region. The consultants offering the professional development have all been teachers in the region and, therefore, know many of the people they are providing with professional-development training. According to Breault:

They are in a translator role in a way. They are practitioners who know the area and understand the people. So I think they do a nice job, saying, "While, yes, this is required, but let's show you how it can still be meaningful for your students. I'm a teacher, I understand what you're going through."³⁸

Consultants at each regional center collect and provide both formal and informal data regarding district implementation on new educator-evaluation processes to the state department of education. In addition to informal check-ins and calls with the state department of education, at each professional-development session, attendees evaluate the session and provide useful feedback and hard data on the effectiveness of the training. "We keep in touch with our consultants about the trainings and what they're learning about districts," said Katnik. "We don't have the capacity to do it all at the state department of education, so we consider our consultants in our regional centers as an extended team."³⁹

Ohio: Electronic alignment tool

Ohio rolled out full teacher-evaluation implementation during the 2013-14 school year.⁴⁰ According to the state's ESEA waiver, all 614 public school districts and more than 330 public charter school operators were required to align to the Ohio Teacher Evaluation System, or OTES, performance rubric.⁴¹ Considering the

breadth of districts throughout the state, the Ohio Department of Education, or ODE, teamed with the American Institutes for Research, or AIR, and RANDA Solutions, a software firm serving the education sector, to create an electronic alignment tool for districts to report teacher-evaluation plans to the ODE. The electronic alignment tool is one part of Ohio's electronic Teacher and Principal Evaluation System, or eTPES.

Julia Simmerer, director of the Office of Educator Effectiveness at the ODE, explains that prior to the start of the 2013-14 school year, every district in the state had to complete the electronic alignment exercise for teacher evaluation. "All districts must show alignment and also must report final teacher summative ratings at the end of the year through the electronic monitoring system," Simmerer said.⁴² Districts that choose to use the state teacher-evaluation model must complete the electronic alignment exercise by going online and simply clicking the appropriate box. Districts that choose to modify the state rubric must identify which standards they modified and how they modified them.

Assuming that districts may continue to use popular teacher-evaluation rubrics, the ODE and AIR created a crosswalk, which compares rubrics against each other, of the OTES performance rubric; the Danielson Group's Framework for Teaching; the Marzano Teacher Evaluation Model; and TAP: The System for Teacher and Student Advancement rubrics, which makes it easier for districts using one of the popular rubrics to complete the alignment exercise. At the end of the exercise, each district is asked to upload electronic copies of their rubrics. Finally, superintendents in each district are required to review and sign off on the teacher-evaluation system. The ODE estimated that the entire alignment process should take each district that chooses to use a different model than the state's approximately 60 minutes to complete.

The ODE does not approve or reject district performance rubrics; instead, it uses the electronic alignment tool to track which districts are using a rubric other than OTES and then determines alignment against OTES for those districts. The electronic alignment tool flags misaligned districts for the ODE. However, 92 percent, or 897 of the 973 districts that reported in the electronic system, have opted to use the state-chosen performance rubric, so the ODE need only worry about alignment for 76 districts—a large number for some states, but a relatively small number for Ohio.⁴³ "Two years ago, I would have been shocked at that number because we thought everyone would have been all over the place," said Simmerer. "But once districts received training [on the OTES rubric], it seems as though they didn't want to reinvent the wheel."⁴⁴

The partnership between the ODE, AIR, and RANDA was a collaborative process, explained Lisa Lachlan-Haché, a research scientist at AIR who led the development of Ohio’s electronic alignment tool.⁴⁵ AIR had been working with the ODE on its teacher-evaluation system prior to the formation of the electronic alignment tool, so the continued partnership was a natural next step. RANDA was brought on board to run the technical backend platform for the alignment tool. Said Lachlan-Haché:

The idea [for the electronic alignment tool] developed through conversations between the state, AIR, and the writing group—made up of stakeholders from across the state representing teachers, principals, and superintendents—that supported us in the development of the new evaluation system. We had multiple iterations of the alignment tool because we had a lot of voices involved in its creation. We had to take into consideration changes suggested by ODE and the stakeholder group before coming up with a streamlined system that could address the nuances of each district’s system.⁴⁶

Simmerer expects that the ODE will need to work with all districts on teacher-evaluation implementation, not just the districts using something other than OTEs. She expects that a lot of time will be spent working with districts to help them understand the electronic system and to ensure that they all upload summative data at the end of the year. The ODE is hopeful that it will have the time and capacity to conduct audits on teacher-evaluation systems throughout the state, most likely in districts that have extremities in teacher-evaluation data, such as a majority of teachers scoring extremely high or extremely low on the evaluations. “We know the first look will be whether or not districts’ data fields are complete, and then obviously we’ll try to fill those data holes,” Simmerer said. “And then we’re going to get our feet wet doing random monitoring, which [is] meant to be a way to check and balance, making sure we’re staying true to the purpose of what the evaluation was intended to be. And where we can, define some gaps and openings that we can help close by providing support.”⁴⁷

Key takeaways and conclusion

The U.S. Department of Education waivers were created in response to the almost unanimous agreement that No Child Left Behind is broken. Elementary and Secondary Education Act waivers provide an opportunity for states and districts to move past an outdated system of teacher evaluation given the constraints of NCLB.

When it comes to teacher-evaluation implementation, what becomes immediately clear from examining ESEA waivers is that the devil is in the details. It is one thing to have a good plan; it's another thing for that plan to be implemented with fidelity, particularly given the enormous demand on the capacity of state and local educational systems. While the speed with which states and districts have revamped or created new teacher-evaluation systems has been impressive, these systems may not be fully and successfully implemented for years. In the words of Brad Jupp with the Department of Education, "My orientation is not what's happening in fall 2015 but how we are using fall 2015 or fall 2014 as a platform to get better in fall 2016 and beyond."⁴⁸

To ensure that teacher-evaluation systems are set up for the long run, states should start with the evaluation plans outlined in ESEA waiver applications and then consider the following key takeaways related to teacher-evaluation implementation from the early-adopter states profiled in this report:

- **Develop a clear idea of what successful implementation of teacher evaluation looks like.** Prior to full implementation of teacher-evaluation systems, states are required to pilot the systems. The pilot years serve as an opportunity to identify areas of strength and weakness. States should closely study these first glimpses of the teacher-evaluation plans and then, based on their observations, articulate what constitutes successful implementation. Having clarity around how a plan on paper translates into action is imperative to the success of teacher-evaluation systems, particularly when there are many different locally developed models.

- **Commit to continuous improvement.** The road to teacher-evaluation implementation success will inevitably be bumpy. It is important that state departments of education and school districts are committed to continuously improving systems throughout the process in order to get it right. This will require frequent communication and interaction between districts, schools, teachers, and state departments of education. It may also involve the willingness to change course and adapt to challenges along the way. The ability to be flexible to ensure that these new systems improve teaching and learning is a necessity for success.
- **Build capacity at the local level.** While plans for teacher evaluation begin at the federal and state levels, the real work takes place at the local level in schools and classrooms. In order for teacher-evaluation implementation to proceed smoothly, there needs to be capacity at the local level to do the work required. Creating leadership roles for teachers to help with implementation, creating new positions within school leadership, and bringing in outside consultants are examples of how states and districts can build this capacity. Teacher-evaluation reform forces districts and schools to rethink structures within schools that impede or prohibit successful implementation.
- **Create clear communication cycles around data with state departments of education and school districts.** When it comes to keeping track of, and monitoring the success of, locally developed teacher-evaluation systems, data management is key. First and foremost, as is already happening in many states, departments of education must implement some kind of data-collection system for school district teacher-evaluation progress and results. But state departments of education cannot stop there. The collection of data is not enough; state departments of education should also communicate frequently with school districts around teacher-evaluation data throughout the school year. Checking in with school districts two to three times per year, in addition to a final, end-of-year conversation, will establish a culture of using data to inform decisions in districts and schools.
- **Develop systemic relationships between state and district leaders.** If reform efforts that penetrate directly into classrooms, such as teacher evaluation, are to have a chance at success, all reform stakeholders—be they at the federal, state, district, or classroom level—must be on board. This degree of buy-in will necessitate leaders to form new types of relationships with each other and require that they talk to each other in different ways. State and district leaders in particular need to work to develop systemic relationships so that trust can be built between levels of implementation and support can be provided when necessary.

State and locally developed timelines for the implementation of teacher-evaluation systems make it challenging for the U.S. Department of Education, states, districts, and education advocacy groups to track how districts' evaluation systems are progressing. However, the ESEA waivers have provided an opportunity for states and districts to take more control of reform efforts at the local level and have greater influence over the process. In this time of education change, it's paramount that states and districts share best practices and triumphs as well as challenges—a free flow of information to ensure that teacher-evaluation systems throughout the United States can best serve educators and students alike.

About the author

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