New Teacher Contracts in North Carolina

Understanding the Implications of Section 9.6 from Senate Bill 402

October 3, 2013
Understanding Teacher Contracts in North Carolina

| New State Statutes Governing Teacher Effectiveness and Contract Awards | Rachel Beaulieu  
Director, Legislative & Community Relations |
|---------------------------------------------------------------------|------------------------------------------------|
| Tools and Training from NC DPI                                      | Dr. Lynne Johnson  
Director, Educator Effectiveness |
| Making Decisions                                                   | Tom Tomberlin  
Director, District Human Resources |
|                                                                    | Jenn Preston  
Project Coordinator, Educator Effectiveness |
| Steps to Take                                                       | Rachel Beaulieu |
Understanding Teacher Contracts in North Carolina

New State Statutes Governing Teacher Effectiveness and Contract Awards

Rachel

Nothing herein should be construed as, nor is it, legal advice. Please consult with your local school board attorney for answers to legal questions.
Context For This Presentation

- **Locally-Controlled Process**
  This process is entirely locally-controlled.

- **NCDPI Support**
  NCDPI can only help explain the law - decisions are entirely at the discretion of the LEA within the confines of the law. *We may surface questions today that we will not be able to answer and we will continue to study these issues.*

- **Teacher Effectiveness and Evaluation Work**
  Work being done state-wide and locally to evaluate and determine the effectiveness of teachers has implications for the contracts.
New State Statutes Governing Teacher Effectiveness and Contract Awards

Time Line

**SECTION 9.6.(g) Beginning September 1, 2013, to June 30, 2014, all superintendents shall review the performance and evaluations of all teachers who have been employed by the local board for at least three consecutive years. Based on these reviews, the**

**September 1, 2013 – May 1, 2014**
Local decisions, planning and review of teacher performance and evaluation in preparation for issuance of contracts

**August 2013**
Career Status can no longer be awarded

**January 2014**
SBE to provide a model contract to LEAs

**June 30, 2014**
Deadline for all 4-year contracts to be made and accepted

**June 30, 2018**
Permanent elimination of career status for all teachers

2013 - 2014 School Year
New State Statutes Governing Teacher Effectiveness and Contract Awards

Time Line

SECTION 9.6.(g) Beginning September 1, 2013, to June 30, 2014, all superintendents shall review the performance and evaluations of all teachers who have been employed by the local board for at least three consecutive years. Based on these reviews, the

September 1, 2013 – May 1, 2014
Local decisions, planning and review of teacher performance and evaluation in preparation for issuance of contracts

One-Time Event
Influencing the next 4 years

August 2013
Career Status can no longer be awarded

January 2014
CSE to provide a model contract to LEAs

June 30, 2018
Permanent elimination of career status for all teachers

June 30, 2014
Deadline for all 4-year contracts to be made and accepted
New State Statutes Governing Teacher Effectiveness and Contract Awards

Decisions that must be made prior to June 30 2014

Draft - Represents our current understanding of the law. This is not a Recommended decision-making path, rather an economical way to represent the decision on a single slide.

- 25% of teachers with 3 or more consecutive years in district
- If Career Status, must agree to relinquish
- Additional $500 every year (of 4) on base salary

Key
- Law requires
- District decision point

Proficient?

Not Proficient?

Career Status

No Career Status

Continued Career Status Ending June 30, 2018

One Year Contract

3 or more years? consecutive in district

Less Than 3 years? consecutive in district

No Career Status

Continued Career Status Ending June 30, 2018

Career Status

No Career Status

One Year Contract

Career Status

No Career Status

Continued Career Status Ending June 30, 2018

Career Status

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Continued Career Status Ending June 30, 2018

Career Status

No Career Status

Continued Career Status Ending June 30, 2018

Career Status

Non-Renewal

Subject to all existing protections
### New State Statutes Governing Teacher Effectiveness and Contract Awards

#### Time Line 2014-15 to 2018-19

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>25% of teachers with 3 or more consecutive years in district</td>
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<tr>
<td>Teachers with Career Status who do not receive 4-year Contract</td>
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<tr>
<td>Teachers without Career Status who do not receive 4-year Contract</td>
<td>One Year Contract</td>
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</tr>
</tbody>
</table>

**Issued prior to the beginning of each school year**
Understanding Teacher Contracts in North Carolina

Four Year Contract

• 25% of which teachers?
  From 9.6(g) of SB 402:
  “…the superintendent shall identify and recommend to the local board twenty-five percent (25%) of those teachers employed by the local board for at least three consecutive years to be awarded four-year contracts beginning with the 2014-2015 school year.”

• The $500 is added to the teacher’s base salary every year. So a teacher whose base salary would be $40,000 would earn the following over the four years:

<table>
<thead>
<tr>
<th></th>
<th>2014-15</th>
<th>2015-16</th>
<th>2016-17</th>
<th>2017-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-15</td>
<td>$40,500</td>
<td>$41,000</td>
<td>$41,500</td>
<td>$42,000</td>
</tr>
</tbody>
</table>

• Step increases or raises which might occur in state budgeting would change the above but our understanding is that the additional $500 to base will be included yearly.
New State Statutes Governing Teacher Effectiveness and Contract Awards

**Time Line 2014-15 to 2018-19**

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>25% of teachers with 3 or more consecutive years in district</td>
<td></td>
<td></td>
<td>Four Year Contract</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teachers with Career Status who do not receive 4-year Contract</td>
<td></td>
<td></td>
<td>Continued Career Status</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teachers without Career Status who do not receive 4-year Contracts</td>
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<td></td>
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</tbody>
</table>

Issued Prior to the beginning of each school year based on Superintendent recommendation.
New State Statutes Governing
Teacher Effectiveness and Contract Awards

Time Line 2014-15 to 2018-19

Things Change in 2018-2019!

1. No Career Status for anyone

2. Starting in 2018-2019 there will be three types of contracts
   - 1-year
   - 2-year
   - 4-year

3. As of now, the salary implications of these contracts are not spelled out but the stated intent of the GA is to move to a pay for performance model built on robust measures of teacher effectiveness
SECTION 9.5 of SB 402

“When a robust evaluation instrument and process that accurately assesses and evaluates the effectiveness of teachers, especially in the area of student growth, is wholly implemented in North Carolina, it is the intent of the General Assembly that the evaluation instrument and process be utilized in the implementation of a plan of performance pay for teachers in this State.”
Understanding Teacher Contracts in North Carolina

Tools and Training from NC DPI

Lynne
Tools From the State

• **NC Educator Evaluation System**
  2013-14 Evaluation Data can be used as part of contract decisions
  Remember:
  • The ratings are criterion-based – not relative
  • Work is being done on inter-rater reliability
  • Abbreviated vs. Full Evaluation

  “In school years when a career-status teacher is not renewing his/her license, the principal may choose to conduct an abbreviated evaluation. As set forth in the above policy, the principal conducts at least two informal observations using the abbreviated rubric and the abbreviated Summary/End-of-Year Rating Form. The teacher may request a full evaluation. (See Appendix C.) p. 19, *North Carolina Teacher Evaluation Process.*”
Tools From the State

Where to Find Resources?

• NCEES Wiki
   http://ncees.ncdpi.wikispaces.net/NCEES+Wiki

• Online Modules
   http://www.rt3nc.org/

• Principal Councils
  Kim Simmons leads in all 8 regions; part of RESA calendar
  http://www.ncpublicschools.org/profdev/calendar/
Tools From the State

- **State Teacher Effectiveness Model**
  NC’s Teacher Effectiveness model requires 3 years of student growth data before an effectiveness status is determined.

- Such state-level effectiveness statuses will not be available to make contract decisions in 2013-2014.
Understanding Teacher Contracts in North Carolina

Initial Guidance around Making Decisions

Jenn and Tom
New State Statutes Governing Teacher Effectiveness and Contract Awards

Decisions that must be made prior to June 30 2014

Essential Question
How do LEAs make fair decisions about who gets a four-year contract?

Proficient?

3-years? continuous in district

4-year contract

Career Status

No Career Status (rare)

No Career Status (rare)

No Career Status

Career Status (rare but possible; in cases of recent transfers into districts)

Career Status

Four Year Contract

Non-Renewal

Subject to all existing protections

One Year Contract

Continued Career Status Ending June 30, 2018

One Year Contract

• 25% of teachers with 3 or more consecutive years in district
• If Career Status, must agree to relinquish
• Additional $500 every year (of 4) on base salary

Key

Law requires

District Decision point
Value of Effective Educators
Various Research Studies

Measures of Effective Teaching Project
• Multiple measures of effectiveness are required to identify teachers who have the most positive impact on student learning

The Irreplaceables
• High-performing teachers (top 20%) generate 5 to 6 more months of student learning each year than poor-performing teachers, yet they are retained at the same rate as poor-performing teachers
• 40% of teachers with more than seven years of experience are less effective at advancing academic progress than the average first-year teacher
## Use of Multiple Measures

### Measures of Effective Teaching Project

<table>
<thead>
<tr>
<th>Observation Tool</th>
<th>State Math</th>
<th>State ELA</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Top 25%</strong></td>
<td>+1.2</td>
<td>+.2</td>
</tr>
<tr>
<td><strong>Bottom 25%</strong></td>
<td>-1.4</td>
<td>-.4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Observation Tool</th>
<th>State Math</th>
<th>State ELA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Observation Tool + Student Survey</td>
<td>+2.8</td>
<td>+.7</td>
</tr>
<tr>
<td><strong>Top 25%</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Bottom 25%</strong></td>
<td>-2</td>
<td>-.9</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Observation Tool</th>
<th>State Math</th>
<th>State ELA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Observation Tool + Student Survey + Growth (Value-Add)</td>
<td>+4.5</td>
<td>+1.2</td>
</tr>
<tr>
<td><strong>Top 25%</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Bottom 25%</strong></td>
<td>-3.1</td>
<td>-1.3</td>
</tr>
</tbody>
</table>

The statistics and charts on the following five slides do not take into account the fact that no teacher who has been in a district less than 3 years will be eligible for a 4 year contract recommendation from the superintendent. These numbers are illustrative only of the distribution of NCEES ratings state-wide.

The purpose of the information in the following five slides is to illustrate the challenge of using only evaluation data to rank teachers according to effectiveness. We are not suggesting that only classroom teachers will be considered for four-year contracts. The state Attorney General will render an opinion on this matter.
Evaluation Instrument Data

State-Wide Proficiency

- Are proficient or better on NCEES (1-5): 89,288 teachers (96.41%)
- At least one score below proficient on NCEES (1-5): 3,321 teachers (3.59%)
## Evaluation Instrument Data

### State-Wide Proficiency

<table>
<thead>
<tr>
<th>Category (at or above)</th>
<th># Teachers</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than Proficient</td>
<td>3321</td>
<td>3.59%</td>
</tr>
<tr>
<td><strong>Proficient</strong> (at or above)</td>
<td>45512</td>
<td>49.14%</td>
</tr>
<tr>
<td>Accomplished (at or above)</td>
<td>38174</td>
<td>41.22%</td>
</tr>
<tr>
<td>Distinguished</td>
<td>5602</td>
<td>6.05%</td>
</tr>
</tbody>
</table>
## Evaluation Instrument Data

### State-Wide Proficiency

**Creating a 1-5 Average on NCEES**

*Not state endorsed practice – all standards stand alone for evaluation purposes*

<table>
<thead>
<tr>
<th>Average</th>
<th>Percent of Teachers with this average or above</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>6.05%</td>
</tr>
<tr>
<td>4.8</td>
<td>7.02%</td>
</tr>
<tr>
<td>4.75</td>
<td>7.03%</td>
</tr>
<tr>
<td>4.67</td>
<td>7.06%</td>
</tr>
<tr>
<td>4.6</td>
<td>8.19%</td>
</tr>
<tr>
<td>4.5</td>
<td>12.05%</td>
</tr>
<tr>
<td>4.4</td>
<td>13.71%</td>
</tr>
<tr>
<td>4.33</td>
<td>13.75%</td>
</tr>
<tr>
<td>4.25</td>
<td>13.76%</td>
</tr>
<tr>
<td>4.2</td>
<td><strong>16.44%</strong></td>
</tr>
<tr>
<td>4</td>
<td><strong>47.69%</strong></td>
</tr>
</tbody>
</table>

The Gap between a 4.2 average and 4 average leaps from 16.44% to 47.69%.
% of Teachers Receiving a Given Average Evaluation Rating

Average Evaluation Rating

- 5
- 4.8
- 4.75
- 4.67
- 4.6
- 4.5
- 4.4
- 4.33
- 4.25
- 4.2
- 4

Percentage of Teachers
% of Teachers Receiving a Given Weighted Average Evaluation Rating

Weighted Evaluation Rating

- 7.5
- 7.17
- 6.93
- 6.83
- 6.73
- 6.63
- 6.55
- 6.5
- 6.4
- 6.34
- 6.3
- 6.24
- 6.18
- 6.14
- 6.1
- 6.05
- 6.0

Percentage of Teachers
What does this mean?

• Using NCEES alone will not necessarily lead to an easy way to identify the 25% of teachers who could receive 4-year contracts.

• Additionally, research suggests manager-rated observation/evaluation instruments alone are not ideal to make a high-stakes decision such as who should get a 4-year contract.
### Performance and Evaluation Data Districts Might Consider with Pros and Cons when determining local strategies for contract decisions

<table>
<thead>
<tr>
<th>State-Wide Measure/Data/Information that we anticipate districts might consider</th>
<th>Pros</th>
<th>Cons (no single measure should be used to make 4-year contract decision)</th>
</tr>
</thead>
</table>
| **2013-2014 NCEES Evaluation Data** | • Required by law  
• Criterion-based  
• Established expectation | • One-year  
• Does not have sufficient variation to rank teachers |
| **Historical NCEES Evaluation Data** | • Required by law  
• Criterion-based  
• Established expectation | • Performance may have changed |
| **2012-2013 EVAAS Growth Data** | • Measure of teacher’s influence on student outcomes | • One-year  
• Not all teachers have this measure |
| **Historical EVAAS Growth Data** | • Measure of teacher’s influence on student outcomes  
• Trend over time reduces error in estimations | • Performance may have changed  
• Not all teachers have this measure |
| **Student Survey Pilot Data** | • Correlates with student gains  
• *NOTE: State is considering administering student survey in 2013-2014* | • Only a small portion of teachers have this data available from the pilot year |
### Performance and Evaluation Data Districts Might Consider
with Pros and Cons when determining local strategies for contract decisions

<table>
<thead>
<tr>
<th>Measure/Data/Information</th>
<th>Pros</th>
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<tbody>
<tr>
<td><strong>District Level</strong></td>
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<tr>
<td>Measure/Data/Information</td>
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<tr>
<td>that we anticipate districts might consider</td>
<td></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Local Walk-Through or Other Observation Data</strong></td>
<td>• Additional data on performance</td>
<td>• May have been done exclusively for feedback (think: peer observation)</td>
</tr>
<tr>
<td><strong>Student Work or Other Student Work Artifacts</strong></td>
<td>• More student data • Authentic</td>
<td>• Comparability may be challenging • Collection may be arduous</td>
</tr>
<tr>
<td><strong>Teacher Work Artifacts</strong></td>
<td>• May indicate rigor and expectations</td>
<td></td>
</tr>
<tr>
<td><strong>Achievement Data</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Local or State)</td>
<td></td>
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</tr>
<tr>
<td>(e.g. PLC Developed Unit Exams, Benchmarks, EOCs or EOGs)</td>
<td>• More data may yield an increasing reliable picture of student learning</td>
<td>• Comparability may be challenging • Growth may be hard to estimate</td>
</tr>
<tr>
<td><strong>Local Surveys</strong></td>
<td></td>
<td></td>
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<tr>
<td>(Student/Parent)</td>
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<td></td>
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<tr>
<td><strong>Master’s Degree, National Board Certification</strong></td>
<td>• Easy to measure</td>
<td>• Not performance or evaluation information</td>
</tr>
<tr>
<td><strong>Other?</strong></td>
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Understanding Teacher Contracts in North Carolina

Steps to Take And Key Questions

Rachel
New State Statutes Governing Teacher Effectiveness and Contract Awards
Decisions that must be made prior to June 30, 2014

- 25% of teachers with 3 or more consecutive years in district
- If Career Status, must agree to relinquish
- Additional $500 every year (of 4) on base salary

Making Decisions Guidance for District Process

- 3-years continuous in district?

  - Yes
    - Professional Status
    - Four Year Contract Ending June 30, 2018
    - No Career Status (rare but possible; in cases of recent transfers into districts)
  - No
    - Non-Renewal Subject to all existing protections

- Less Than 3-years continuous in district?
  - Yes
    - One Year Contract
  - No
    - Professional Status
    - Four Year Contract Ending June 30, 2018
    - No Career Status (rare but possible; in cases of recent transfers into districts)

Reflect on it now
Consult with school board and attorneys being aware of avoiding potential legal claims

Determine a process with stakeholder input
Teacher groups explicitly as well as others

Ensure that you use multiple measures and have consistency across district

Be transparent
Publicize the methodology your district will use as far in advance of June 30, 2014 as possible

Key
- Law requires
- District Decision point
NCDPI

• Are there state-level data DPI can supply to the districts?

• Again, confer with your school board attorney on any related legal issues. Nothing herein should be construed as, nor is it, legal advice.