

**Testimony before the House Education Committee  
February 19, 2014  
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My name is Deborah Loewenberg Ball. I am a former public elementary school teacher here in Michigan and currently professor and dean of the School of Education at the University of Michigan. I conduct research on mathematics teaching and learning. Every summer I also teach mathematics to fifth grade students, many of whom have been struggling with mathematics in school. I had the honor of serving as chair of the Michigan Council for Educator Effectiveness (MCEE), the commission that was appointed to develop recommendations for an educator evaluation system for Michigan's teachers and administrators. We delivered our final recommendations in July 2013 for an approach to comprehensive educator evaluation that met our criteria of being fair, transparent, and feasible.

My fellow council members and I took our charge seriously because we knew that the stakes were high for everyone, from teachers to school leaders to parents to the public. As you know, educator evaluation and student growth are complex issues and I am pleased to see so many of the MCEE's recommendations incorporated into the two revised bills before you now.

My goal today is to highlight the keys parts of the bills that best capture the intent and spirit of the MCEE's recommendations and to urge you to advance these parts of the legislation. I will also offer a few words of caution about implementation and funding.

First, I applaud the improvement-focused orientation of the proposed system. By requiring that all educators receive an evaluation each year—and by specifying that these evaluations include specific performance goals and recommended training—this system aims to raise the performance of all educators. It is also important that this system provides additional structured feedback, support, and mentoring for beginning teachers and administrators and those whose performance does not meet the standard of quality we expect from effective educators. This improvement orientation aligns well with the vision the MCEE adopted for an evaluation system for teachers and school administrators that would be fair, transparent, and feasible. This vision was fundamental to our recommendations, because of our deep commitment to educators, to their continued growth and improvement as professionals, and to the academic outcomes and future success of Michigan's children.

A word of caution: in order to realize fully the vision for an improvement-focused system, individual educators' evaluations must be treated as confidential personnel information. They should be used to focus professional development and guide improvement-focused actions, but they should not be made public or subject to the Freedom of Information Act. If evaluators fear that individual evaluations will be made public—if they worry that educators' names and ratings will be published in local newspapers or otherwise broadcasted—they may be inclined to inflate ratings to reduce exposure or risk. This has the potential to distort the system entirely. If it is determined that sharing evaluation data serves an important function in improving our schools and classrooms for Michigan's children, then that data should only be presented in aggregate. For example, districts could share information about the percentage or number of educators in each rating category without specifying individual ratings or evaluation data. Remember: the goal of the system should be improvement, not embarrassment.

Second, the shift to thinking about each evaluation being composed of a practice component and a student growth component—rather than, more narrowly, observation data and student growth data—is an important one. This allows for additional flexibility and local discretion in determining the measures that are most valid for each educator.

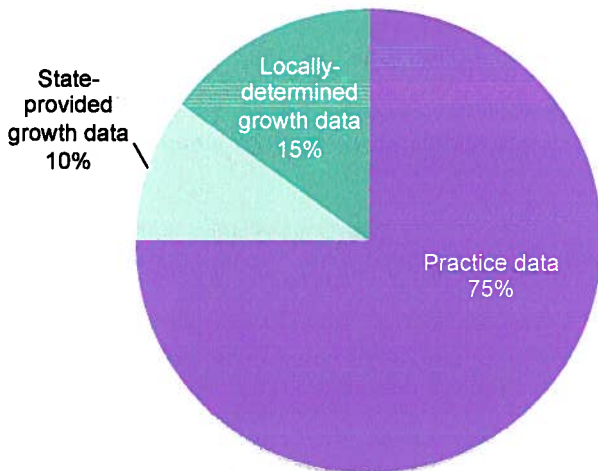
For the practice component, I am pleased to see the four teacher observation tools piloted by the MCEE (Charlotte Danielson's Framework for Teaching, Marzano Teacher Evaluation Model, The Thoughtful Classroom, and 5 Dimensions of Teaching and Learning) and the two administrator evaluation tools

recommended by the MCEE<sup>1</sup> (MASA's School ADvance Administrator Evaluation Instrument and Reeves Leadership Performance Rubric) included in the revised bills as acceptable tools for districts to use. As important, I applaud the training required under the proposed legislation. This includes not only vendor-provided training on the evaluation tools but also training in coaching, providing feedback, and rater reliability for all observers. It is also noteworthy that observers must be retrained every three years to ensure consistency and quality. This level of training will be imperative for both reliable implementation of the observation and evaluation protocols and effective deployment of an improvement-focused system of evaluation.

My next caution: appropriate levels of state funding for the purchase of the observation and evaluation tools and for the required training will be crucial to the success, stability, and legal defensibility of the evaluation system. If these costs are passed on to districts, they will be faced with a financial burden that will undermine the system.

For the student growth component, I commend the slower schedule for full reliance on student growth and assessment data. By allowing districts to use these data as 25% of the evaluation for the first three years of the system, you increase the likelihood that teachers and administrators will have a greater understanding of and trust in these measurements by the time they can be equally weighted with the practice component (in the 2017–18 school year). Also, because of the narrowness of currently available state-provided data on student growth, I applaud the flexibility built into the proposed system. This

**Figure 1: Teacher evaluation: Example of proportional data 2014–15, 2015–16, and 2016–17 school years**



flexibility allows districts to couple local measures of growth, including student learning objectives and locally developed and/or vendor-developed assessments, with state-provided data to arrive at final evaluations. In fact, even in the most straightforward cases—for teachers in the core content areas in grades and subjects for which there are growth data available from state-mandated assessments—the majority of student growth data can be generated by local measures of growth. During the first three years of the system, only 10% of a teacher's evaluation (i.e., 40% of the 25% of the evaluation that is allocated to the student growth component) must be based on state-mandated

assessments; the remaining 15% of the student growth component can be determined by local measures (see Figure 1). For special education teachers and teachers in non-core subjects or subjects for which state-mandated assessments do not exist, the full 25% of the student growth component can be determined at the local level.

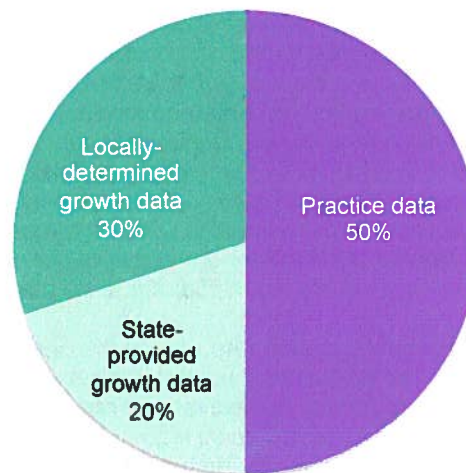
Even when full implementation is reached in the 2017–18 school year, no more than 20% of an educator's evaluation (i.e., 40% of the 50% of the evaluation that is allocated to the student growth

<sup>1</sup> HB 5224 also allows the use of Marzano School Leadership Evaluation, which the MCEE reviewed but did not recommend.

component) is required to be tied to state-provided growth data (see Figure 2). Again, for special education teachers and teachers in non-core subjects or subjects for which state-mandated assessments do not exist, the full 50% of the student growth component can be determined at the local level.

My next caution: training on student assessment tools and data will be crucial. This training should address, among other things, using student data to inform evaluations, evaluating and/or selecting third party or locally developed student assessments, maintaining adequate rigor in the development and measurement of student learning objectives, and combining practice and student growth data to arrive at ratings. Because so much of the student growth component will be left to local discretion, I urge you to require this additional training so that educators have the necessary facility with both the practice and the student growth components of the system.

**Figure 2: Teacher evaluation: Example of proportional data 2017-18 school year and beyond**



Third, the system lays out a clear, comprehensive, and rigorous protocol for implementing and using locally developed or adapted observation and/or evaluation frameworks (effectively waiving out of the state system). This

protocol requires significant documentation, appropriate transparency, and research-based evidence of validity and reliability. The importance of fair and legally defensible evaluations warrants such a detailed process and I commend the bills for their detailed and rigorous standards.

This leads me to my next caution: in order to ensure the integrity of the evaluation system, there will need to be significant central oversight of the process used by districts to adopt locally developed or adapted observation and/or evaluation frameworks. In the MCEE's recommendations, we called for the creation of a dedicated office to coordinate the waiver process. We recommended that this office be charged with:

- Developing materials (application materials, FAQs, scoring rubrics for plans, model materials).
- Maintaining a website with materials.
- Establishing a clear timeline for material submissions that allows reasonable time for review and any necessary response or revisions from districts.
- Communicating with districts and other relevant entities and aiding in capacity building.
- Keeping records of submitted plans and decisions.
- Providing written feedback in each area.
- Coordinating the review and approval of waiver requests (including clearing probationary cases when reliability and validity evidence is provided).
- Potentially supplying support or technical assistance to districts.
- Approving and denying waivers, based on rigorous, consistent review of district-provided documentation.

I urge you to consider the oversight of this process in your deliberations. Although compliance is not the point, there must be mechanisms in place to ensure skilled and principled use of the evaluation data. A framework for monitoring and improving the system should be built in from the start. Moreover, the MCEE recommended that a complete audit of the system be conducted three years after full implementation. Such an audit should examine whether the system improves teaching and learning in the state and effectively supports ongoing educator learning and development. An audit should engage key stakeholders, including teachers, administrators, and parents. I stand by these recommendations.

My final caution is directed at the four rating categories utilized by the proposed system. Under this system, data from the observation/evaluation tool and from student growth measures will be combined to rate each teacher and administrator as highly effective, effective, minimally effective, or ineffective. As you know, the MCEE recommended an alternative three-category system that would rate educators as professional, provisional, or ineffective. We opted for this three-category system for two reasons. First, we were concerned by the research we examined which indicated that the degree of measurement error involved would make it impossible to assign educators to four categories reliably. We were persuaded that trying to do so would make districts and the state vulnerable to legal challenges. Second, we were committed to orienting the evaluation system toward continuous improvement of educational practice. This commitment influenced the council to eliminate the "highly effective" category in favor of a model where a "professional rating" signifies teaching or leadership that is above the bar in terms of supporting students' learning, and yet is not "finished." We selected labels for the three categories that clearly separated practice that is unacceptable or in need of immediate improvement, on one hand, from practice that is meeting professional standards and that can be further refined, on the other. I stand by these recommendations and urge you to reconsider the four-category system.

There is no more important education reform than the one that Michigan is about to undertake. Every child in Michigan deserves skillful teaching, not just some of the time, but each and every year. And every educator deserves the opportunity to develop and continue to refine his or her professional skill—to receive targeted feedback and professional learning opportunities to improve instruction and leadership. Making skillful teaching the norm will not only enhance the life chances and fulfillment of Michigan's youth, but also boost our strength and capacity as a state.

On behalf of my fellow council members, I thank you for the opportunity to shape the future for Michigan's schoolchildren. I look forward to working with you as you finalize Michigan's educator evaluation system.