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**Board of Elementary and Secondary Education, June 28, 2011
Remarks of Henry C. Dinger, Esq., Chairman of the Board of Directors, MBAE
Regarding Regulations on Evaluation of Educators, 603 CMR 35.00**

Thank you for the opportunity to share the concerns of Massachusetts employers regarding the proposed regulations on the evaluation of teachers and administrators. As you know, MBAE has appeared before you many times on this subject and MBAE's executive director, Linda Noonan, energetically represented the business community on the Task Force on Evaluation of Teachers and Administrators. As we have consistently indicated, one of the greatest challenges we face in providing the kind of education that we want and need to provide to every child in the Commonwealth is to make sure that there is a highly effective teacher in every classroom and that competent administrators lead every school. This challenge can only be met with a system of evaluating educators that focuses on the goal to be achieved.

The proposed regulations that you consider today take a big first step toward this end by including student achievement as a significant factor in evaluating teachers and administrators for the first time. While the regulations before you do not include every feature we would have liked to see in this regard — including a recognition that progress in student achievement should be the most important factor in evaluations — we encourage you to adopt these regulations as a significant improvement over the existing system and as a good starting point for development of a new system that will be a critical component of larger efforts to attract, develop and retain the effective educators we need.

We are pleased that this version of the regulations explicitly requires that districts **recognize and promote excellence**. MBAE has called for this emphasis to focus evaluation on constructive feedback that advances high performance. By refining the language (section 35.08 (7)) to distinguish between "proficient" and "exemplary", the four-category rating system that replaces the widely used binary one will provide an authentic opportunity to differentiate levels of performance and encourage development of highly effective teachers for the children of the Commonwealth.

The highest priority for MBAE, however, is the use of performance-based metrics of **student achievement as the central focus** of our new educator evaluation system. MBAE's position is consistent with the views of two thirds of the 669 educators participating in your survey who supported including multiple measures of student learning and growth in their evaluations - with almost half (46%) indicating "strong support". The Commissioner took a step in this direction by defining low, moderate, and high growth in the regulations to clarify how student performance measures will be applied. This language will appropriately establish consistent standards and expectations for all districts. It is disappointing, however, that the regulations fail to establish a minimum weighting for student growth measures. We hope this will be rectified when, according to section 35.11 (b) "the Department shall supplement these regulations with additional guidance on the development and use of student performance measures." While unfortunate, this delay until July 2012 is realistic *if* it is used to increase the availability of such measures to all

subjects and grades and provide the tools needed to achieve the critical purpose of education – student learning and achievement.

Agreeing on how to make student performance a significant factor in educator evaluation is also critical as districts across the Commonwealth decide whether to implement the Department's "Model System" or design one of their own. As you know, MBAE and other business organizations have urged you to make this **Model System a statewide default** to encourage as much consistency and efficiency across districts while respecting local control. This recommendation is based on our view that the changes we need in the educator workforce and the gains we desire in student achievement can only be accomplished efficiently and affordably on a statewide basis. Our suggestion also recognizes the twin realities that most districts do not have the resources to develop a new evaluation system on their own; and the Department lacks the capacity to effectually support each district plan. Section 35.11(4) requires each district by September 2013 to "identify and report to the Department a district-wide set of student performance measures for each grade and subject that permit a comparison of student learning gains." While we strongly agree with this objective, we are concerned about the ability of districts to meet this requirement and respectfully doubt the capacity of the Department to be responsive to these reports. Since you have chosen not to make the Model System the default through regulation, we hope you will essentially accomplish the same outcome by designing a model that features transformative improvements that districts will be eager to utilize. We also hope that the Department will use its power to review evaluation systems for consistency with the Boards' Principles of Evaluation (§35.11(2)) to send a powerful signal that any attempt to water down the high standards to which the Board is committed will not be accepted.

We are committed to working with you to implement the system successfully and to make the changes we believe will be required in the future to fully achieve the potential and value of a strong performance evaluation system. Although the result of this process is not exactly what we had hoped for, your vote today is a major step forward toward closing achievement gaps and educating all children for success in college, career and citizenship.