

House Bill 1065

By: Representatives Smith of the 41st, Wilkerson of the 38th, Lopez Romero of the 99th, Robichaux of the 48th, and Nguyen of the 89th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-2-210 of the Official Code of Georgia Annotated, relating to
2 annual performance evaluation, so as to provide that a teacher who has accepted a certain
3 number of consecutive school year contracts and who receives certain annual performance
4 ratings shall be offered the opportunity to request a new evaluator for the following school
5 year; to provide for an exception; to provide for related matters; to repeal conflicting laws;
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 20-2-210 of the Official Code of Georgia Annotated, relating to annual
10 performance evaluation, is amended by revising paragraph (5) of subsection (b) as follows:

11 "(5) All teachers of record, assistant principals, and principals shall have a pre-evaluation
12 conference, midyear evaluation conference, and a summative evaluation conference, in
13 accordance with state board rules. All teachers of record, assistant principals, and
14 principals shall be notified of and have access to the results of the annual summative
15 performance evaluation and any formative observations conducted throughout the school
16 year pursuant to this subsection within ten working days of such evaluation or
17 observations. A teacher of record, assistant principal, or principal, or an evaluator of any
18 such individuals, may request a conference within ten working days of notice of results
19 of a formative observation, and such conference shall be provided within ten working
20 days of the request. Conferences shall include the individual being evaluated, his or her
21 supervisor, and the evaluator, unless otherwise agreed upon. For teachers of record, the
22 annual evaluation shall include multiple classroom observations conducted each year by
23 appropriately trained and credentialed evaluators, using clear, consistent observation
24 rubrics, and supplemented by other measures aligned with student achievement and
25 professional growth. A teacher who satisfies the conditions set forth in paragraph (1)
26 or (4) of subsection (b) of Code Section 20-2-942, relating to the number of school year

27 contracts accepted, and who receives a performance rating of 'Needs Development' or
28 'Ineffective' on his or her annual summative performance evaluation shall be offered in
29 writing the opportunity to have an alternative evaluator assigned to evaluate him or her
30 during the school year immediately following the school year for which he or she
31 received such performance rating, except that if the opportunity to have an alternative
32 evaluator assigned cannot be offered to a teacher as provided for in this paragraph due
33 to the lack of an available alternative evaluator, the teacher shall be so notified in writing.

34 A local school system or charter school may include in its flexibility contract, or other
35 agreement with the State Board of Education for local school systems that are not under
36 a flexibility contract, a provision for a tiered evaluation system, in which reduced
37 observations of certain teachers of record may be conducted to provide additional time
38 for evaluators to coach and mentor new teachers and teachers with a performance rating
39 of 'Needs Development' or 'Ineffective' pursuant to paragraph (4) of this subsection on
40 a pathway of continuous improvement. For the evaluation of teachers of record with a
41 minimum of three years' teaching experience and a performance rating of 'Proficient' or
42 'Exemplary' pursuant to paragraph (4) of this subsection in the previous school year, the
43 local school system or charter school, in its discretion, shall require no less than two
44 classroom observations and one summative evaluation for the school year."

45 **SECTION 2.**

46 All laws and parts of laws in conflict with this Act are repealed.