

MEMORANDUM

To: Indiana School Superintendents and Principals

From: Rebecca Estes, Director of Leadership and Innovation

Date: August 28, 2020

Re: Evaluation Plan Submission Deadline and Negative Impact

Background:

Per IC 20-28-11.5-8(d) Evaluation Plans are a discussable item and must be submitted by September 15. House Enrolled Act (HEA) 1002 (2020) amended existing I.C. 20-28-11.5-4 by removing the requirement that student assessment results from statewide standardized assessments must be used as part of a certified employee's annual evaluation performance plan. Additionally, the bill took out the requirement that the Indiana State Board of Education (SBOE) establish the measures to be used to determine student academic achievement and growth, but maintained the requirement that SBOE establish standards that define actions that constitute a negative impact on student achievement. The full bill text can be found [here](#).

Guidance:

Details on Evaluation Plan submission requirements can be found [here](#). Plans must include the existing definition for Negative Impact (below) pending any updates from SBOE. Negative impact is currently defined in SBOE rule at 511 IAC 10-6-4(c) as follows:

Negative impact on student learning shall be defined as follows:

- (1) For classes measured by statewide assessments with growth model data, the department shall determine and revise at regular intervals the cut levels in growth results that would determine negative impact on growth and achievement.
- (2) For classes that are not measured by statewide assessments, negative impact on student growth shall be defined locally where data show a significant number of students across a teacher's classes fails to demonstrate student learning or mastery of standards established by the state.

Indiana law requires the State Board of Education (SBOE) to adopt rules that establish standards to define actions that constitute a negative impact on student achievement. These standards apply to teachers with Indiana Growth Model data and teachers of non-tested subjects. The above definition, which maintains use of assessment growth and performance, remains in place unless and until SBOE modifies the definition.



Dr. Jennifer McCormick
Superintendent of Public Instruction

DEPARTMENT OF EDUCATION

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We understand and have communicated this runs counter to HEA 1002, which removes assessment results from certified employees' annual evaluations. At this time, rules have not been changed by SBOE that would allow for revision of this definition. Therefore, the existing definition of Negative Impact must be used.

If SBOE makes changes to the existing definition of Negative Impact after the submission deadline, submitting an updated plan through DOE online is acceptable.

If you have any questions related to Evaluation Plan Submission, please contact [Rebecca Estes](#).

Questions related to Negative Impact can be addressed to SBOE, [Ron Sandlin](#).