

Oregon Revised Statute 342.850

Teacher Evaluation

(1) The district superintendent of every school district, including superintendents of education service districts, shall cause to have made at least annually but with multiple observations an evaluation of performance for each probationary teacher employed by the district. The purpose of the evaluation is to aid the teacher in making continuing professional growth and to determine the teacher's performance of the teaching responsibilities. Evaluations shall be based upon at least two observations and other relevant information developed by the district.

(2)(a) The district school board shall develop an evaluation process in consultation with school administrators and with teachers. If the district's teachers are represented by a local bargaining organization, the board shall consult with teachers belonging to and appointed by the local bargaining organization in the consultation required by this paragraph.

(b) The district school board shall implement the evaluation process that includes:

(A) The establishment of job descriptions and performance standards which include but are not limited to items included in the job description;

(B) A preevaluation interview which includes but is not limited to the establishment of performance goals for the teacher, based on the job description and performance standards;

(C) An evaluation based on written criteria which include the performance goals;

(D) A post-evaluation interview in which:

(i) The results of the evaluation are discussed with the teacher; and

(ii) A written program of assistance for improvement is established, if one is needed to remedy any deficiency specified in ORS [342.865 \(Grounds for dismissal or contract nonextension of contract teacher\)](#) (1)(a), (d), (g) or (h); and

(E) The utilization of peer assistance whenever practicable and reasonable to aid teachers to better meet the needs of students. Peer assistance shall be voluntary and subject to the terms of any applicable collective bargaining agreement. No witness or document related to the peer assistance or the record of peer assistance shall be admissible in any proceeding before the Fair Dismissal Appeals Board, or in a probationary teacher nonrenewal hearing before a school board under ORS [342.835 \(Probationary teacher\)](#), without the mutual consent of the district and the teacher provided with peer assistance.

(c) Nothing in this subsection is intended to prohibit a district from consulting with any other individuals.

(3) Except in those districts having an average daily membership, as defined in ORS [327.006 \(Definitions for State School Fund distributions\)](#), of fewer than 200 students, the person or persons making the evaluations must hold teaching licenses. The evaluation shall be signed by the school official who supervises the teacher and by the teacher. A copy of the evaluation shall be delivered to the teacher.

(4) The evaluation reports shall be maintained in the personnel files of the district.

(5) The evaluation report shall be placed in the teacher's personnel file only after reasonable notice to the teacher.

(6) A teacher may make a written statement relating to any evaluation, reprimand, charge, action or any matter placed in the teacher's personnel file and such teacher's statement shall be placed in the personnel file.

(7) All charges resulting in disciplinary action shall be considered a permanent part of a teacher's personnel file and shall not be removed for any reason. A teacher shall have the right to attach the teacher's response, or other relevant documents, to any document included under this subsection.

(8) The personnel file shall be open for inspection by the teacher, the teacher's designees and the district school board and its designees. District school boards shall adopt rules governing access to personnel files, including rules specifying whom school officials may designate to inspect personnel files.

(9) A program of assistance for improvement or evaluation procedure shall not be technically construed, and no alleged error or unfairness in a program of assistance for improvement shall cause the overturning of a dismissal, nonextension of contract, nonrenewal of contract or other disciplinary action unless the contract teacher suffered a substantial and prejudicial impairment in the teacher's ability to comply with school district standards. [1971 c.570 §5; 1973 c.298 §3; 1973 c.458 §1; 1977 c.881 §3; 1979 c.598 §1; 1979 c.668 §2a; 1987 c.663 §1; 1989 c.491 §29; 1997 c.864 §9]

Source: <https://www.oregonlaws.org/ors/342.850>

Oregon Revised Statute 342.856

Core Teaching Standards

(1) The State Board of Education, in consultation with the Teacher Standards and Practices Commission, shall adopt core teaching standards to improve student academic growth and learning by:

(a) Assisting school districts in determining the effectiveness of teachers and administrators and in making human resource decisions; and

(b) Improving the professional development and the classroom and administrative practices of teachers and administrators.

(2) The core teaching standards adopted under this section must:

(a) Take into consideration multiple measures of teacher effectiveness, based on widely accepted standards of teaching that encompass a range of appropriate teaching behaviors and that use multiple evaluation methods;

(b) Take into consideration evidence of student academic growth and learning based on multiple measures of student progress, including performance data of students, schools and school districts;

(c) Be research-based;

(d) Be separately developed for teachers and administrators; and

(e) Be able to be customized for each school district, which may include individualized weighting and application of standards.

(3) The core teaching standards adopted under this section must attempt to:

(a) Strengthen the knowledge, skills, disposition and classroom and administrative practices of teachers and administrators in public schools;

(b) Refine the support, assistance and professional growth opportunities offered to a teacher or an administrator, based on the individual needs of the teacher or administrator and the needs of the students, the school and the school district of the teacher or administrator;

(c) Allow each teacher or administrator to establish a set of classroom or administrative practices and student learning objectives that are based on the individual circumstances of the teacher or administrator, including the classroom or other assignments of the teacher or administrator;

(d) Establish a formative growth process for each teacher and administrator that supports professional learning and collaboration with other teachers and administrators; and

(e) Use evaluation methods and professional development, support and other activities that are based on curricular standards and that are targeted to the needs of each teacher and administrator.

(4) A school district board must include the core teaching standards adopted under this section for all evaluations of teachers and administrators of the school district. The standards shall be customized based on the collaborative efforts of the teachers and administrators of the school district and the exclusive bargaining representative of the employees of the school district. [2011 c.729 §2; 2011 c.729 §4]

Note: [342.856 \(Core teaching standards\)](#) was added to and made a part of [342.805 \(Short title\)](#) to [342.937 \(Reimbursement for teacher dismissal costs\)](#) by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

Source: <https://www.oregonlaws.org/ors/342.856>

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## **Oregon Administrative Rule 581-022-2410**

### **Teacher and Administrator Evaluation and Support**

(1) A school district board shall include the core teaching standards and administrator standards adopted by the State Board for all evaluations of teachers and administrators of the school district occurring on or after July 1, 2013. The standards shall be customized based on the collaborative efforts of the teachers and administrators of the school district and the exclusive bargaining representative of the employees of the school district.

(2) The core teaching standards and administrator standards must:

(a) Take into consideration multiple measures of teacher and administrator effectiveness that encompass a range of appropriate teaching and administrative behaviors that use multiple evaluation methods that use multiple measures to evaluate teacher and administrator performance which may include, but are not limited to:

(A) Student performance;

(B) Student assessments;

(C) Classroom-based assessments including observations, lesson plans and assignments;

(D) Portfolios of evidence;

(E) Supervisor reports; and

(F) Self-reflections and assessments.

- (b) Take into consideration evidence of student academic growth and learning based on multiple measures of student progress, including performance data of students, schools, and school districts;
  - (c) Be research-based;
  - (d) Be separately developed for teachers and administrators; and
  - (e) Be customized for each school district, which may include individualized weighting and application of standards.
- (3) Evaluations using the core teaching and administrator standards must attempt to:
- (a) Strengthen the knowledge, skills, disposition and classroom and administrative practices of teachers and administrators in public schools;
  - (b) Refine the support, assistance and professional growth opportunities offered to a teacher or an administrator, based on the individual needs of the teacher and administrator and the needs of the students, the school and the school district;
  - (c) Allow each teacher or administrator to establish a set of classroom or administrative practices and student learning objectives that are based on the individual circumstances of the teacher or administrator, including the classroom or other assignments of the teacher or administrator;
  - (d) Establish a formative growth process for each teacher and administrator that supports professional learning and collaboration with other teachers and administrators; and
  - (e) Use evaluation methods and professional development, support and other activities that are based on curricular standards and that are targeted to the needs of each teacher and administrator.
- (4) Local evaluation and support systems established by school districts for teachers and administrators must be:
- (a) Designed with four performance level ratings of effectiveness as defined in the Oregon Framework for Teacher and Administrator Evaluation and Support Systems;
  - (b) Based on significant consideration of student learning which may include but is not limited to:
    - (A) School-wide academic growth, as determined by the statewide assessment system implemented by the Department of Education under ORS 329.485;
    - (B) Formative and summative assessments; and
    - (C) For teachers, classroom-level student learning goals set collaboratively between teachers and evaluators.
- (5) Local evaluation and support systems established by school districts must evaluate teachers and administrators on a regular cycle.
- (6) District superintendents shall regularly report to their governing boards on implementation of their local evaluation and support systems and educator effectiveness.

**Statutory/Other Authority:** ORS 342.805 - 342.937

**Statutes/Other Implemented:** 2011 OL Ch. 729 Sec. 2 (Enrolled SB 290)

Source: <https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=145351>