

1 **SECTION 3.** The evaluation system shall do the following:

- 2 (1) Support effective instruction and student achievement, and the results must
3 be used to inform district- and school-level improvement plans.
4 (2) Provide appropriate instruments, procedures, and criteria for continuous
5 quality improvement of the professional skills, and the results must be used
6 to inform the professional development of instructional personnel and school
7 administrators.
8 (3) Include a mechanism to examine performance data from multiple sources to
9 measure teacher effectiveness and drive instructional practices that can lead
10 to improved levels of student achievement.
11 (4) Differentiate among levels of performance, which are tied to differentiated
12 levels of pay based on student achievement gains.
13 (5) Allow instructional personnel and school administrators to be evaluated by
14 multiple measures.

15 **SECTION 4.** The Charlotte-Mecklenburg Schools shall ensure that some
16 percentage of the evaluation for instructional personnel is to be based on data and indicators of
17 student learning growth assessed annually by State assessments or, for subjects and grade levels
18 not measured by the State assessments, by district-developed assessments. The
19 Charlotte-Mecklenburg Schools may use State-adopted measures of student growth or select
20 comparable district-developed measures of student growth for grades and subjects by taking
21 into account the student's prior performance, grade level, and subject while considering other
22 factors, including, but not limited to, student attendance, student disciplinary records, student
23 disabilities, and student English language proficiency.

24 **SECTION 5.** The Charlotte-Mecklenburg Schools shall annually submit to the
25 Department of Public Instruction an implementation and outcome evaluation of the
26 performance-based compensation system, including the aggregate performance results of
27 instructional personnel and school administrators. In addition, the Charlotte-Mecklenburg
28 Schools shall provide consistent periodic updates to its employees concerning the development
29 and implementation of a performance-based pay structure plan. Notwithstanding anything to
30 the contrary herein, the Charlotte-Mecklenburg Schools shall make the details of any proposed
31 performance-based pay structure plan public prior to the adoption of such plan.

32 **SECTION 6.** The State Board of Education shall grant waivers of laws, rules,
33 policies, procedures, and practices to enable the Charlotte-Mecklenburg Schools to implement
34 and sustain its performance-based compensation system. In addition, the State Board of
35 Education shall allow Charlotte-Mecklenburg Schools flexibility in allocating all mandated
36 State-funded compensation, including, but not limited to, salary increases, longevity
37 compensation, and bonuses for all of its employees.

38 **SECTION 7.** This act applies to Charlotte-Mecklenburg Schools only.

39 **SECTION 8.** This act is effective when it becomes law.