

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

704 KAR 3:346, Repeal of 704 KAR 3:345 and 704 KAR 3:370, Professional Growth and Effectiveness System Guidelines (Second Reading)

Applicable Statute or Regulation:

KRS 156.557 and 704 KAR 3:345

Action Question:

Should the Kentucky Board of Education approve 704 KAR 3:346 and 704 KAR 3:370?

History/Background:

Existing Policy. 704 KAR 3:345 established evaluation and professional growth procedures for certified personnel to serve as a guide for local districts as they develop professional growth and evaluation systems. The current regulation has resulted in as many evaluation systems as there are school districts, with no meaningful differentiation in levels of performance or support.

Because the current system has proven to be ineffective in improving certified employee effectiveness, KRS 156.557 (HB 180) was amended during the 2013 General Assembly session, subsequently requiring revisions to 704 KAR 3:345. Since completely new guidelines are needed, a new regulation is necessary. The new regulation supports the implementation of a statewide Professional Growth and Effectiveness System (PGES) for “the purpose of supporting and improving the performance of all certified school personnel.”

To put new guidelines in place, the existing regulation must be repealed. Therefore, 704 KAR 3:346 is included as a repealer regulation.

The requirements outlined in the new regulation, 704 KAR 3:370, Professional Growth and Effectiveness System Guidelines, also are aligned to Kentucky’s federal Elementary and Secondary Education Act (ESEA) waiver. To gain final approval of the Principle 3 portion of Kentucky’s ESEA waiver by the U.S. Department of Education, Kentucky’s Professional Growth and Effectiveness System has to address these six components:

- Continuous improvement of instruction
- Meaningful differentiation of teacher/principal performance using at least three performance levels
- Multiple measures of effectiveness including use of student growth data (both state standardized tests and formative growth measures that are rigorous and comparable across schools in a local district) as a significant factor

- Regular evaluation (most likely annual)
- Clear and timely feedback to include opportunities for professional development
- Use of the system to inform personnel decisions

Over the past five years, in collaboration with the Teacher and Principal Steering Committees, Kentucky has been developing a valid and reliable common statewide professional growth and effectiveness system aligned to the requirements of the ESEA waiver. Along the way, both steering committees have considered national and state research to guide their recommendations for regulatory language. The recommendations of the Teacher and Principal Steering Committees are included in Attachments A and B, respectively. These policy recommendations have been incorporated, where appropriate, into the proposed 704 KAR 3:370.

Since the February 2014 KBE meeting, the regulation has been changed by adding definitions, restructuring language for clarity and adding new sections for additional guidance. These additions and clarifications have rendered a “dirty” copy of the regulation, showing the changes, unreadable as hundreds of individual changes have been made and the editing marks excessively interfered with the coherence of the regulation. Consequently, the KBE is being provided with a clean copy of the proposed regulation. The most notable changes are explained below.

Definitions have been added for the following terms: artifact, certified administrator, certified school personnel, evaluate, local formative growth measures, overall growth rating, local contribution, preschool teacher, and state contribution. These definitions were added to provide further clarity.

The sections of the regulation have been restructured and are now as follows:

1. Definitions
2. Timeline
3. Approval of Local Professional Growth and Effectiveness System Plan and Procedures
4. Local Professional Growth and Effectiveness Policies
5. Local Evaluation Procedures and Forms
6. Training and Testing of Evaluators and Observers
7. Professional Practice Rating and Student Growth Rating of Teachers
8. Overall Performance Category of Teachers
9. Professional Growth Plan and Cycle for Teachers
10. Professional Practice Rating and Overall Student Growth Rating for Principals and Assistants
11. Overall Performance Category of Principals and Assistant Principals
12. Professional Growth Plan for Principals and Assistant Principals
13. Evaluation of Other Professionals and Preschool Teachers during the 2014-15 school year (added)
14. Evaluation of Certified Administrators during the 2014-15 school year (added)
15. District Evaluation Plan
16. Reporting
17. Monitoring

18. Local Evaluation Appeals Process
19. State Evaluation Appeals Panel
20. Incorporated by Reference (added)

The added sections provide further clarity on the implementation timeline, as well as give guidelines for the evaluation of staff affected by pilots being conducted in the 2014-15 school year.

Staff Recommendation and Rationale:

Staff recommends approval of 704 KAR 3:346 and 704 KAR 3:370. The proposed new system will support college and career readiness initiatives through the development and distribution of effective teachers and principals. The PGES will provide teachers and principals with “just in time” feedback to inform practice and provide support for professional growth. The development of a common statewide effectiveness system provides the opportunity to build capacity and support to guide the teaching and learning processes. The system also equips classroom teachers to own learning and to optimize the use of their leadership and teaching skills to meet the needs of all students.

Impact on Getting to Proficiency:

This regulation will enable teachers and principals to go beyond compliance to effectiveness.

Groups Consulted and Brief Summary of Responses:

Teacher and Principal Steering Committees
Local Superintendents Advisory Council (LSAC)

The steering committees support the two regulations. LSAC will provide input that will be reported at the April meeting.

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Commissioner of Education

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