

# KRS 156.557 and 704 KAR 3:370

Kentucky Board of Education  
Office of Guiding Support Services  
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# KRS 156.557: What does it do?

- HB 180 (2013) amended KRS 156.557.
- KRS 156.557 requires a statewide system of evaluation for all certified school personnel.

KRS 156.557 (2)

# KRS 156.557: What does it do?

Creates and clarifies the obligations of the Kentucky Board of Education (KBE), the Kentucky Department of Education (KDE), and local boards of education.

# KRS 156.557: What does it define?

- KRS 157.557 defines:
- Formative evaluation;
- Local formative growth measures;
- Student Growth; and
- Summative evaluation.

KRS 156.557 (1)

# KRS 156.557: What does it define?

- “Local formative growth measures” means measures that are rigorous and comparable across schools in a local district.”

KRS 156.557 (1) (b)

- Not “comparable across districts.”

# KRS 156.557: What does it define?

- “Student growth” means the change in student achievement for an individual student between two (2) or more points in time, including achievement on state assessments.

KRS 156.557 (1) (c)

# KRS 156.557: What does it define?

- “[i]ncluding...state assessments” does not mean “only use state assessments.”
- The plain language of the statute means that student growth must contain a local component.

# KRS 156.557: When must KDE act?

- Before July 1, 2014, KDE must develop a framework for a statewide personnel evaluation system.
- KDE must consult with teacher and principal steering committees.

KRS 156.557 (2)



KRS 156.557: What action must the KBE take?

- Promulgate administrative regulations to establish a statewide professional growth and effectiveness system to support and improve the performance of all certified school personnel.

KRS 156.557 (2)

KRS 156.557: What is not contemplated?

- The statute does not give the KBE the authority to promulgate an administrative regulation concerning non-certified school personnel.

## KRS 156.557: What must be in the system?

- Measures (including student growth) that utilize both state standardized tests and local formative growth measures that are rigorous and comparable across schools in a local district.

KRS 156.557 (3) (a)

## KRS 156.557: What must be in the system?

- At least three (3) performance levels.
- The four (4) performance levels in the PGES satisfy this requirement.

KRS 156.557 (3) (e)

## KRS 156.557: What must be in the system?

- The system shall [must] be used to inform personnel decisions.

KRS 156.557 (3) (f)

KRS 156.557: How must the system be used?

- Certified school personnel, below the level of superintendent, shall be evaluated using the system developed by KDE.

KRS 156.557 (5) (a)

KRS 156.557: What must the system include?

- The evaluation system shall [must] include formative evaluation and summative evaluation components.

KRS 156.557 (5) (b)

KRS 156.557: What action must the KBE take?

- Require all evaluations of certified school personnel, below the level of superintendent, to be in writing on evaluation forms and under evaluation procedures.

KRS 156.557 (5) (c) (1)



## KRS 156.557: Evaluation forms and evaluation procedures

- Evaluation forms and evaluation procedures are developed by a committee composed of an equal number of teachers and administrators.

KRS 156.557 (5) (c) (1)

## KRS 156.557: Evaluation forms and evaluation procedures

- HB 180 and the amendment of KRS 156.557 did not change the status quo regarding the development of evaluation procedures and forms.

## KRS 156.557: Evaluation forms and evaluation procedures

- 704 KAR 3:345 Section 4 (1): An evaluation committee consisting of equal numbers of teachers and administrators shall develop evaluation procedures and forms for certified positions below the level of the district superintendent.

## KRS 156.557: Evaluation forms and procedures

- KRS 156.557 (5) (c) (1)
- “All evaluations of certified school personnel below the level of the district superintendent shall be in writing on evaluation forms and under evaluation procedures developed by a committee composed of an equal number of teachers and administrators[.]”
- 704 KAR 3:345 (4) (1)
- “An evaluation committee consisting of equal numbers of teachers and administrators shall develop evaluation procedures and forms for certified positions below the level of the district superintendent.”

## KRS 156.557: What action must the KBE take?

- Require that the immediate supervisor of the certified school personnel member be designated as the primary evaluator.

KRS 156.557 (5) (c) (2)

- This aligns with 704 KAR 3:345 Section 4 (2) (a).

## KRS 156.557: What action must the KBE take?

- KRS 156.557 (5) (c) (2)
- “The immediate supervisor of the certified school personnel member shall be designated as the primary evaluator.”
- 704 KAR 3:345 (4) (2) (a)
- “The immediate supervisor of the certified school employee shall be designated the primary evaluator.”

KRS 156.557: What action must the KBE take?

- Require that, at the request of a teacher, other observations be incorporated into the formative process for evaluating teachers.

KRS 156.557 (5) (c) (2)

## KRS 156.557: What action must the KBE take?

- Require that evaluators be trained, tested, and approved in proper techniques for effectively evaluating certified school personnel.

KRS 156.557 (5) (c) (4)



KRS 156.557: What action must the KBE take?

- Ensure that evaluators receive support and resources necessary to ensure consistent and reliable ratings.

KRS 156.557 (5) (c) (4)

KRS 156.557: What action must the KBE take?

- Consider written requests from local districts to use an alternative effectiveness and evaluation system.

KRS 156.557 (7)

KRS 156.557: What action must the KBE take?

- Approve an alternative effectiveness system only under certain circumstances.

KRS 156.557 (7)

## KRS 156.557: What action must the KBE take?

- To be approved, the alternative system must be as rigorous, reliable, valid, and educationally sound as the statewide professional growth and effectiveness system.

KRS 156.557 (7) (a)

KRS 156.557: What action must the KBE take?

- To be approved, the alternative system must also contain the same components as the statewide system.

KRS 156.557 (7) (b-i)

## KRS 156.557: What action must the KBE take?

- Establish an appeals procedure for certified school personnel who believe the local district failed to properly implement their system.
- This does not include an appeal of judgmental conclusions from personnel evaluations.

KRS 156.557 (8)

KRS 156.557: What action must local boards of education take?

- Establish an evaluation appeals panel to review the evaluations of certified school personnel who think they were not fairly evaluated.

KRS 156.557 (9)

## KRS 156.557: What action must KDE take?

- Annually provide for on-site visits to a minimum of fifteen (15) school districts to review and ensure appropriate implementation of the evaluation system.

KRS 156.557 (9)



KRS 156.557: What action must KDE take?

- Provide technical assistance to local districts to eliminate deficiencies and to improve the effectiveness of the evaluation system.

KRS 156.557 (9)

# 704 KAR 3:370

In February, KDE presented, for your consideration, 704 KAR 3:370.

KDE never stopped working to improve this regulation.

## 704 KAR 3:370

The General Assembly set policy and described the basic requirements for a statewide professional growth and effectiveness system to support all certified school personnel.

# 704 KAR 3:370-Improvements

At the first reading of the regulation, it was organized into 17 sections. It is now organized into 20 sections.

# 704 KAR 3:370-Improvements

The regulation now proceeds from professional practice and student growth ratings, to overall performance categories, to professional growth plans and cycles.

# 704 KAR 3:370-Improvements

A section has been added to address the evaluation of certified administrators during the 2014-2015 school year, and preschool teachers have been added to the section regarding other professionals.

# 704 KAR 3:370-Improvements

The regulation now incorporates eight documents by reference:

The Framework for Teaching Evaluation Instrument, 2011 Edition;  
Principal and Assistant Principal Performance Standards;  
Model for Summative Evaluation of Teachers;  
Model for Summative Evaluation of Assistant Principals and Principals;  
Teacher Evaluation Crosswalk;  
Principal and Assistant Principal Performance Standards Crosswalk;  
Growth Plan Model for Tenured Teachers; and  
Growth Plan Model for Assistant Principals and Principals

## 704 KAR 3:370: Responsive Improvements

In response to feedback received from the Office of Education Accountability, improvements have been made to four definitions in Section 1.



## 704 KAR 3:370: Responsive Improvements

Improvements were made to the definitions for assistant principal, certified administrator, and state contribution. Peer assistance and review provisions were clarified.

## 704 KAR 3:370: Responsive Improvements

In response to feedback received from KSBA, improvements were made to Sections 2, 5, 6, 7, 10, 13, 14, and 16.

# 704 KAR 3:370: Responsive Improvements

Clarifications were made in Sections 2 and 5;

A word change was made in Section 6;

A clarification was made in Section 7;

# 704 KAR 3:370: Responsive Improvements

- An omission was corrected in Section 10;
- A clarification was made in Section 13;
- A word substitution was made in Section 14;
- A typographical error was corrected in Section 16.

## 704 KAR 3:370: Responsive Improvements

JCTA and KSBA each provided feedback regarding Section 5, Local Evaluation Procedures. KDE next carefully reviewed KRS 156.557, and its alignment, in this particular, with 704 KAR 3:345.

## 704 KAR 3:370: Responsive Improvements

Section 5 has been amended to clarify that a local evaluation committee shall develop, and the local board of education shall act upon, system procedures and forms for the evaluation of certified school personnel positions.

# 704 KAR 3:370: Improvements to Section 1

Definitions have been added for:

Artifact, certified administrator, certified school personnel, evaluatee, local formative growth measures, overall growth rating, preschool teacher, state contribution, and working conditions survey goal.

# 704 KAR 3:370: Improvements to Section 1

Definitions have been amended for:

Assistant principal, conference, evaluator, job category, observation, observer certification, observer recalibration, other professionals, peer assistance and review, peer observation, performance criteria, performance rating, exemplary, accomplished, developing, ineffective, professional growth and effectiveness system, professional growth plan, professional practice rating, self-reflection, sources of evidence, student growth percentile, student voice survey, summative evaluation, and teacher.



# 704 KAR 3:370: Improvements to Section 1

Definitions have been deleted for:

Exemplary performance rating, accomplished performance rating, developing performance rating, ineffective performance rating, and working conditions goal.

## 704 KAR 3:370: Improvements to Section 2

Section 2 has been improved to add detail about implementation, the piloting of the system for other professionals and preschool teachers, provisions for teachers of career and technical education in area technology centers, and the use of dual evaluation systems.

## 704 KAR 3:370: Improvements to Section 3

Section 3 provides more detail about the approval of local professional growth and effectiveness system plans.

## 704 KAR 3:370: Improvements to Section 4

Section 4 has been enhanced to provide additional clarity regarding local board policies on the evaluation of certified school personnel.

## 704 KAR 3:370: Improvements to Section 5

Section 5 has been edited to clarify local evaluation procedures and forms. This section now includes information about observations and the documentation of evaluations.

## 704 KAR 3:370: Improvements to Section 6

Section 6 reflects enhancements of the requirements for the training and testing of evaluators and observers.

## 704 KAR 3:370: Improvements to Section 7

Section 7 now details professional practice ratings and student growth ratings for teachers.

## 704 KAR 3:370: Improvements to Section 8

Section 8 now provides detailed information about determining the overall performance category of teachers.



## 704 KAR 3:370: Improvements to Section 9

Section 9 now explains the professional growth plan and cycle for teachers, and provides additional detail.

## 704 KAR 3:370: Improvements to Section 10

Section 10 now describes and explains professional practice ratings and overall student growth ratings for principals and assistant principals.

## 704 KAR 3:370: Improvements to Section 11

Section 11 now provides detailed information regarding the overall performance categories for principals and assistant principals.

## 704 KAR 3:370: Improvements to Section 12

Section 12 now describes professional growth plans for principals and assistant principals, and provides clear guidelines.

## 704 KAR 3:370: Improvements to Section 13

Section 13 now describes the evaluation of Other Professionals and Preschool Teachers during the 2014-2015 school Year.

## 704 KAR 3:370: Improvements to Section 14

Section 14 now explains the evaluation of certified school administrators in the 2014-2015 school year. These evaluations must be consistent with KRS 156.557 and 704 KAR 3:370.

## 704 KAR 3:370: Improvements to Section 15

Section 15 now explains the district evaluation plan, how the plan is reviewed, how the plan is revised, and how the plan is submitted to KDE.

## 704 KAR 3:370: Improvements to Section 16

Section 16 now explains reporting requirements. Districts are to report, to KDE, the percentage of teachers, principals, and assistant principals in each performance category and the percentage of teachers on each professional growth plan.



## 704 KAR 3:370: Improvements to Section 16

Section 16 also explains that KDE will publicly report, by district, the aggregate number of principals, assistant principals, and teachers in each overall performance category.

## 704 KAR 3:370: Improvements to Section 17

- Section 17 now explains the monitoring of districts that implement an alternative professional growth and effectiveness system. Initial monitoring will occur within three (3) years of implementation.

## 704 KAR 3:370: Section 18

- Section 18 explains the role and function of a local evaluation appeals panel. Districts provide details through their professional growth and effectiveness system plan.

## 704 KAR 3:370: Section 19

Section 19 describes the state evaluation appeals panel, and clarifies that this panel does not have jurisdiction to consider the professional judgment conclusion of an evaluation.

## 704 KAR 3:370: Section 20

Section 20 lists the documents incorporated by reference.

## In closing...

The General Assembly provided KDE, the KBE, and districts with general instructions and guidelines. KDE, in conjunction with our education partners, has refined 704 KAR 3:370 into a detailed, well-organized, and efficient regulation for districts to use in supporting, and improving the performance of, all certified school personnel. Today, we are asking you to approve the regulation.