

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

704 KAR 3:370, Professional Growth and Effectiveness System (PGES) (Second Reading) (Amendment to existing regulation)

Applicable Statute or Regulation:

KRS 156.557

Action Question:

Should the Kentucky Board of Education (KBE) approve the proposed changes to 704 KAR 3:370?

History/Background:

Existing Policy. At the February 2015 Kentucky Board of Education (KBE) meeting, the first reading of amendments to the PGES regulation were shared. The concerns expressed by the Local Superintendents Advisory Council, other Superintendents and the Office of Education Accountability have been addressed in the revisions for the second reading. The proposed changes, if approved, would not go into effect until the 2015-2016 school year. Outlined below are the proposed changes.

Other Professionals: KRS 156.557 requires the evaluation of all certified personnel to be outlined in an evaluation plan approved by KDE. During the 2014-2015 academic year, KDE has been piloting a system for Other Professionals. Other Professionals are defined as “certified school personnel, except for teachers, administrators, assistant principals, or principals.” This includes library/media specialists, counselors, speech pathologists, instructional coaches, and school psychologists. The Other Professional Growth and Effectiveness System (OPGES) model provided by KDE will be in full implementation during the 2015-2016 school year without being used for personnel decisions or accountability. Full implementation of OPGES for personnel decisions and accountability will be required beginning in the 2016-2017 school year.

District-level Certified Administrators: As stated above, KRS 156.557 requires that the evaluation of all certified personnel be outlined in an evaluation plan approved by KDE. However, due to concerns raised by superintendents regarding the various structures of central office and the roles of district administrators, a steering committee of district administrators is working to develop a model that reflects statutory requirements.

Districts will have access to the KDE model or may create their own evaluation system for district-level administrators that aligns with statutory requirements.

Decision Rule Change-ESEA Waiver Requirement: On June 26, 2014, Kentucky participated in a conference call with the United States Department of Education (USED) concerning Principle 3 of the ESEA Flexibility Waiver Extension Request. USED expressed concern that a decision rule used to determine the overall performance category for teachers under-valued student growth as a determining factor in teacher effectiveness. In order to address this concern, **KDE has updated the regulation to reflect that a teacher with exemplary professional practice and low student growth will now earn the performance category of “developing” (not “accomplished” as previously reflected in the regulation’s decision rule).**

Technology concerns: During the February KBE meeting, board members as well as teachers, principals, superintendents, and several partners of KDE shared a common concern around the time and technical problems that occurred with the use of Educational Delivery System/Continuous Instructional Improvement Technology System (EDS/CIITS). In response to the concerns, the second reading of the proposed amendment allows districts flexibility in the use of the state-approved technology platform for data collection. However, the proposed amendment still requires summative rating scores to be entered and submitted to KDE to fulfill the requirement of the ESEA Waiver Principle 3.

Groups Consulted and Brief Summary of Responses:

Other Professionals Steering Committee
District Certified Administrators workgroup
Office of Education Accountability (OEA)
LSAC

Feedback from most groups support the changes. LSAC will provide a letter to the board regarding its input prior to the meeting. The responses to OEA’s suggested changes are attached and most of these have been addressed.

Staff Recommendation and Rationale:

Staff recommends that the KBE approve the proposed changes to 704 KAR 3:370. The changes are reflective of feedback from constituents and align the regulation with the ESEA waiver.

Impact on Getting to Proficiency:

This regulation will enable all certified personnel to move beyond compliance to effectiveness and will ensure that all staff have responsibility for student achievement.

Contact Person:

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A handwritten signature in black ink, appearing to read "Jay Holliday". The signature is written in a cursive style with a large, sweeping initial "J".

Commissioner of Education

Date:

April 2015