

# **KENTUCKY DEPARTMENT OF EDUCATION**

## **STAFF NOTE**

### **Review Item:**

704 KAR 3:370, Kentucky Framework for Personnel Evaluation (First Reading)

### **Rationale:**

To propose amendments to 704 KAR 3:370 for feedback and then bring it back for a second reading in October for approval. The amendments align the regulation with SB 1 (2017).

### **Applicable Statute or Regulation:**

KRS 156.557, 156.800(7), 161.740

### **History/Background:**

***Existing Policy:*** Over the past eight years, in collaboration with the Teacher and Principal Steering Committees, Kentucky has designed and implemented a statewide professional growth and effectiveness system aligned to the requirements of the state's ESEA waiver. Along the way, both steering committees have considered national and state research to guide their recommendations for regulatory language. These policy recommendations have been incorporated, where appropriate, into 704 KAR 3:370.

***Summary:*** With the passage of SB 1 (2017), the KDE again began collaboration with the Teacher and Principal Steering Committees to align the regulation with the changes in KRS 156.557. The steering committees developed a Kentucky Framework for Personnel Evaluation providing multiple measures for the evaluation process. These multiple measures will be the same for personnel below the level of superintendent. The framework does not establish district evidences, timeframes or documents. District certified evaluation plan committees will be responsible for establishing the evidences, timeframes and documents that most appropriately fit their settings and needs.

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

1. Definitions
  - a. Removed language related to the Professional Growth and Effectiveness System (PGES) including Student Growth
  - b. Added language related to the new Kentucky Framework for Personnel Evaluation
2. District Evaluation Procedures and Forms
  - a. Removed implementation timelines related to PGES

- b. Added language regarding evaluation committees and language addressing KRS 156.557 and district options for the new Kentucky Framework for Personnel Evaluation
- 3. Local Personnel Evaluation Policies
  - a. Removed language related to PGES
  - b. Added language related to local level policy development
- 4. Approval of District Personnel Evaluation System Plan and Procedures
  - a. Removed language related to PGES
  - b. Added language related to KDE approval of District Personnel Evaluation Systems
- 5. Revisions to Previously Approved District Personnel Evaluation Plan
  - a. Removed language related to local procedures and forms conforming to PGES
  - b. Added language and local board role for future revisions to the District Personnel Evaluation System
- 6. Training and Testing of Evaluators
  - a. Removed language related to PGES observer training cycle requirements
  - b. Added language related to district choice for observer training
- 7. Training of Peer Observers
  - a. Added language related to requirements for peer observer training
- 8. Performance Measures
  - a. Removed Professional Practice Rating and Student Growth Rating for Teachers
  - b. Added language related to the new Kentucky Framework for Personnel Evaluation
- 9. Summative Rating of Teachers, Other Professionals, Principals and Assistant Principals
  - a. Removed Overall Performance Category rating and decision rules related to professional practice and student growth
  - b. Added language for district determination
- 10. Evaluation of Certified Administrators Assigned to the District Level for Purposes of Evaluation
  - a. Removed Professional Growth Plan and Cycle for Tenured Teachers
  - b. Added language for district determination
- 11. District Evaluation Appeals Panel
  - a. Removed former sections 10-17
  - b. Added Section 11 – District Evaluation Appeals Panel with no changes to original regulation
- 12. State Evaluation Appeals Panel – no changes
- 13. Incorporation by Reference
  - a. Removed PGES reference documents
  - b. Added reference documents for the Kentucky Framework for Personnel Evaluation

**Budget Impact:** The proposed changes to this administrative regulation have no fiscal impact on state funds.

**Groups Consulted and Brief Summary of Responses**

Staff has consulted the following groups:

- Teacher Steering Committee
- Principal Steering Committee
- Local Superintendent Advisory Council (LSAC)

All parties listed above are in support of the proposed policy changes. Comments from the Local Superintendents Advisory Council should be received by the August meeting.

**Contact Person:**

Amanda Ellis, Associate Commissioner  
Office of Next Generation Learners  
(502) 564-9850  
[Amanda.Ellis@education.ky.gov](mailto:Amanda.Ellis@education.ky.gov)



---

**Commissioner of Education**

**Date:**

August 2017