

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Kentucky Department of Education

4 (Amendment)

5 704 KAR 3:370. Kentucky Framework for Personnel Evaluation. [~~Professional Growth and~~
6 ~~Effectiveness System.~~]

7 RELATES TO: KRS 156.557, 156.800(7), 161.740

8 STATUTORY AUTHORITY: KRS 156.070, 156.557(2), (5)(c), (7)

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.557(2), (5)(c), and (7) require the
10 Kentucky Board of Education to promulgate administrative regulations to establish a statewide
11 framework [~~professional growth and effectiveness system~~] for the purposes of supporting and
12 improving the performance of all certified school personnel, [~~and~~] to develop written guidelines
13 for local school districts to follow in implementing a [~~statewide~~] system of evaluation for
14 certified school personnel, and to establish an appeals procedure for certified school personnel.

15 This administrative regulation establishes a statewide framework [~~professional growth and~~
16 ~~effectiveness system~~] to support and improve the performance of all certified school personnel as
17 well as an appeals procedure for certified school personnel.

18 Section 1. Definitions. [~~(1) "Artifact" means a product of a certified school personnel's work that~~
19 ~~demonstrates knowledge and skills.~~] (1)[~~(2)~~] "Assistant principal" means a certified school
20 personnel who devotes the majority of employed time in the role of assistant principal, for which
21 administrative certification is required by the Education Professional Standards Board pursuant
22 to Title 16 KAR.

1 ~~(2)~~~~(3)~~ "Certified administrator" means a certified school personnel, other than principal or
2 assistant principal, who devotes the majority of employed time in a position for which
3 administrative certification is required by the Education Professional Standards Board pursuant
4 to Title 16 KAR.

5 (3) "Certified evaluation plan" means the procedures and forms for evaluation of certified
6 personnel below the level of superintendent developed by an evaluation committee and meeting
7 all requirements of the Kentucky Framework for Personnel Evaluation

8 (4) "Certified school personnel" means a certified employee, below the level of superintendent,
9 who devotes the majority of employed time in a position in a district for which certification is
10 required by the Education Professional Standards Board pursuant to Title 16 KAR and includes
11 certified administrators, assistant principals, principals, other professionals, and teachers.

12 (5) "Conference" means a meeting between the evaluator and the evaluatee for the purposes of
13 providing feedback, analyzing the results of an observation or observations, reviewing other
14 evidence to determine the evaluatee's accomplishments and areas for growth, and leading to the
15 establishment or revision of a professional growth plan.

16 (6) "Evaluatee" means the certified school personnel who is being evaluated.

17 (7) "Evaluation committee" means a group, consisting of an equal numbers of teachers and
18 administrators, who develop personnel evaluation procedures and forms for a local school
19 district as described in KRS 156.557(5)(c)(1).

20 ~~(8)~~~~(7)~~ "Evaluator" means the primary evaluator as described in KRS 156.557(5)(c)(2).

21 (9) "Evaluator certification" means successful completion of certified evaluation training to
22 ensure that certified school personnel who serve as observers of evaluatees demonstrate

1 proficiency in rating teachers and other professionals for the purposes of evaluation and
2 feedback.

3 ~~(10)[(8)] "Formative evaluation" is defined by KRS 156.557(1)(a).~~

4 ~~[(9) "Improvement plan" means a plan for improvement of up to twelve (12) months in duration~~
5 ~~for:~~

6 ~~(a) Teachers who are rated ineffective in professional practice and have a low overall student~~
7 ~~growth rating; and~~

8 ~~(b) Principals who are rated ineffective in professional practice and have high, expected, or low~~
9 ~~overall student growth rating.]~~

10 ~~(11)[(40)] "Job category" means a group or class of certified school personnel positions with~~
11 ~~closely related functions.~~

12 (12) "Kentucky Framework for Personnel Evaluation" means the statewide framework a school
13 district uses to develop a local certified personnel evaluation system.

14 ~~(11)["Local contribution" means a rating based on the degree to which a teacher, principal, or~~
15 ~~assistant principal meets student growth goals and is used for the student growth measure.]~~

16 ~~[(12) "Local formative growth measures" is defined by KRS 156.557(1)(b).]~~

17 (13) "Observation" means a data collection process conducted by a certified evaluator ~~[observer]~~,
18 in person or through video, for the purpose of evaluation, including notes, professional
19 judgments, and examination of artifacts made during one (1) or more classroom or worksite
20 visits of any duration.

21 ~~[(14) "Observer certification" means a process of training and ensuring that certified school~~
22 ~~personnel who serve as observers of evaluatees have demonstrated proficiency in rating teachers~~
23 ~~for the purposes of evaluation and feedback.]~~

1 ~~[(15) "Observer recalibration" means the process of ensuring that certified school personnel have~~
2 ~~maintained proficiency and accuracy in observing teachers for the purposes of evaluation and~~
3 ~~providing feedback.]~~

4 ~~(14)[(16)] "Other professionals" means certified school personnel, except for teachers,~~
5 ~~administrators, assistant principals, or principals pursuant to Title 16 KAR.~~

6 ~~[(17) "Overall student growth rating" means the rating that is calculated for a teacher evaluatee~~
7 ~~pursuant to the requirements of Section 7(9) and (10) of this administrative regulation and that is~~
8 ~~calculated for an assistant principal or principal evaluatee pursuant to the requirements of~~
9 ~~Section 10(8) of this administrative regulation.]~~

10 ~~(15)[(18)] "Peer observation" means observation and documentation by [trained] certified school~~
11 ~~personnel below the level of principal or assistant principal and trained to perform such~~
12 ~~observations.~~

13 ~~(16)[(19)] "Performance criteria" means the areas, skills, or outcomes on which certified school~~
14 ~~personnel are evaluated as described in KRS 156.557(4).~~

15 ~~(17) "Performance measure" means one of four measures defined in the Kentucky Framework~~
16 ~~for Personnel Evaluation. Measures include planning, environment, instruction, and~~
17 ~~professionalism.~~

18 ~~(18) [20] "Performance rating" means the rating [summative description] for each performance~~
19 ~~measure for [of] a teacher, other professional, principal or assistant principal as determined by~~
20 ~~the local district certified evaluation plan aligned to the Kentucky Framework for Personnel~~
21 ~~Evaluation [evaluatee's performance, including the ratings listed in Section 7(8) of this~~
22 ~~administrative regulation]. Ratings include exemplary, accomplished, developing, and~~
23 ~~ineffective.~~

1 (19) "Personnel Evaluation System" or "system" means an evaluation system to support and
2 improve the performance of certified school personnel that meets the requirements of KRS
3 156.557 and that uses clear and timely formative feedback to guide professional growth.

4 [~~(21) "Preschool teacher" means a certified school personnel who holds a certificate required by~~
5 ~~16 KAR 2:040 and who meets the preschool lead teacher qualifications required by 704 KAR~~
6 ~~3:410, Section 7.~~]

7 (20)[(22)] "Principal" means a certified school personnel who devotes the majority of employed
8 time in the role of principal, for which administrative certification is required by the Education
9 Professional Standards Board pursuant to Title 16 KAR [3:050].

10 [~~(23) "Professional growth and effectiveness system" or "system" means an evaluation system to~~
11 ~~support and improve the performance of certified school personnel that meets the requirements~~
12 ~~of KRS 156.557(1)(c), (2), and (3) and that uses clear and timely feedback to guide professional~~
13 ~~development.~~]

14 [~~(24) "Professional growth plan" means an individualized plan for a certified personnel that is~~
15 ~~focused on improving professional practice and leadership skills, aligned with performance~~
16 ~~standards and the specific goals and objectives of the school improvement plan or the district~~
17 ~~improvement plan, built using a variety of sources and types of data that reflect student needs~~
18 ~~and strengths, evaluatee data, and school and district data, produced in consultation with the~~
19 ~~evaluator as described in Section 9(1), (2), (3), and (4) and Section 12(1), (2), (3), and (4) of this~~
20 ~~administrative regulation, and includes:]~~

21 [~~(a) Goals for enrichment and development that are established by the evaluatee in consultation~~
22 ~~with the evaluator;]~~

23 [~~(b) Objectives or targets aligned to the goals;]~~

1 [~~(e) An action plan for achieving the objectives or targets and a plan for monitoring progress;~~]

2 [~~(d) A method for evaluating success; and]~~

3 [~~(e) The identification, prioritization, and coordination of presently available school and district
4 resources to accomplish the goals.]~~

5 [~~(25) "Professional practice" means the demonstration, in the school environment, of the
6 evaluatee's professional knowledge and skill.]~~

7 [~~(26) "Professional practice rating" means the rating that is calculated for a teacher evaluatee
8 pursuant to Section 7(8) of this administrative regulation and that is calculated for a principal or
9 assistant principal evaluatee pursuant to the requirements of Section 10(7) of this administrative
10 regulation.]~~

11 [~~(27) "Self reflection" means the annual process by which certified school personnel assess the
12 effectiveness and adequacy of their knowledge and performance for the purpose of identifying
13 areas for professional learning and growth.]~~

14 (21)(28) "Sources of evidence" means the district approved evidences aligned to the performance
15 measure and used by evaluators to inform performance measure ratings [~~multiple measures~~]
16 listed in [~~KRS 156.557(4) and in~~] Section[s] 7 [~~8 and 10~~] of this administrative regulation.

17 [~~(29) "State contribution" means the student growth percentiles, as defined in 703 KAR 5:200,
18 Section 1(11), for teachers and the next generation learners goal for principals and assistant
19 principals.]~~

20 [~~(30) "Student growth" is defined by KRS 156.557(1)(c).]~~

21 [~~(31) "Student growth goal" means a goal focused on learning, that is specific, appropriate,
22 realistic, and time-bound, that is developed collaboratively and agreed upon by the evaluatee and
23 evaluator, and that uses local formative growth measures.]~~

1 ~~[(32) "Student growth percentile" means each student's rate of change compared to other students~~
2 ~~with a similar test score history.]~~

3 ~~[(33) "Student voice survey" means the student perception survey provided by the department~~
4 ~~that is administered annually to a minimum of one (1) district-designated group of students per~~
5 ~~teacher evaluatee and provides data on specific aspects of the classroom experience and~~
6 ~~professional practice of the teacher evaluatee.]~~

7 ~~(22)~~[(34)] "Summative evaluation" is defined by KRS 156.557(1)(b)~~(d)]~~.

8 (23) "Summative rating" means the overall rating for certified school personnel below the level
9 of superintendent as determined by the district certified evaluation plan aligned to the Kentucky
10 Framework for Personnel Evaluation.

11 ~~(24)~~[(35)] "Teacher" means certified school personnel who has been assigned the responsibility
12 for student learning in a classroom, grade level, subject, or course and holds a teaching certificate
13 under Title 16 KAR.

14 ~~[(36) "Working conditions survey goal" means a school improvement goal set by a principal or~~
15 ~~assistant principal every two (2) years with the use of data from the department-approved~~
16 ~~working conditions survey.]~~

17 Section 2. District Evaluation Procedures and Forms. (1) An evaluation committee, including
18 teachers as defined in this administrative regulation, shall develop the certified evaluation plan
19 for the evaluation of certified school personnel below the level of superintendent. The evaluation
20 committee shall submit the certified evaluation plan to the local board of education for review
21 and approval.

22 (2) The local board of education shall review and approve the certified evaluation plan that meets
23 the requirements of KRS 156.557 (5)(c) and this administrative regulation.

1 (a) The district certified evaluation plan may require the use of additional trained administrative
2 personnel to observe and provide information to the evaluator.

3 (b) Peer observations may be used as a source of evidence only if requested by the teacher or
4 other professional and would be used to inform summative ratings.

5 (c) The district certified evaluation plan shall establish uniform requirements for the length,
6 frequency, and nature of observations conducted by an evaluator for the purpose of evaluation.

7 The district certified evaluation plan shall require a conference between the evaluator and the
8 evaluatee within five (5) working days following each observation.

9 (d) The district certified evaluation plan shall require the summative evaluation to be held at the
10 end of the evaluation cycle pursuant to KRS 156.557 and to include all applicable system data.

11 (e) The district certified evaluation plan shall require a summative evaluation to occur annually
12 for each certified personnel below the level of superintendent who has not attained continuing
13 service status pursuant to KRS 161.740 or continuing status pursuant to KRS 156.800(7) and
14 shall incorporate the formative data collected during the Kentucky Teacher Internship Program,
15 pursuant to 16 KAR 7:010, in the summative evaluation of a teacher intern.

16 (f) The district certified evaluation plan shall require a summative evaluation at least once every
17 three (3) years for a teacher, other professional, principal, or assistant principal who has attained
18 continuing service status pursuant to KRS 161.740 or continuing status pursuant to KRS
19 156.800(7).

20 (g) The evaluation criteria and process used to evaluate certified personnel shall be explained to
21 and discussed with the evaluatee no later than the end of the evaluatee's first thirty (30) calendar
22 days of reporting for employment each school year.

1 (h) The district certified evaluation plan shall require a summative evaluation of certified school
2 personnel to be documented in writing and to be included in the evaluatee's official personnel
3 record.

4 (i) All evidence used to produce certified school personnel's overall performance rating shall be
5 included in the documentation of the summative evaluation.

6 (j) The district certified evaluation plan shall provide an opportunity for the evaluatee to submit a
7 written statement in response to the summative rating and require the response to be included in
8 the official personnel record. ~~[Implementation Timeline. (1) During the 2014-2015 school year,~~
9 ~~all local districts shall fully implement the requirements of KRS 156.557 and this administrative~~
10 ~~regulation for all certified school personnel except other professionals, preschool teachers, and~~
11 ~~teachers of career and technical education in area technology centers. If the system plan is~~
12 ~~approved by the local board of education, a local school district may use the results from the~~
13 ~~system to inform personnel decisions. The use of a district's present evaluation plan, in addition~~
14 ~~to the system, during the 2014-2015 school year, shall comply with this administrative~~
15 ~~regulation. During the 2014-2015 school year, the overall school and district accountability~~
16 ~~scores described in 703 KAR 5:225 shall not include the results from the system.~~

17 ~~(2) During the 2014-2015 school year, all school districts shall pilot the system for other~~
18 ~~professionals and preschool teachers. During the 2014-2015 school year, school districts shall~~
19 ~~evaluate preschool teachers and other professionals pursuant to the requirements of Section 13 of~~
20 ~~this administrative regulation. Beginning in the 2015-2016 school year, all school districts shall~~
21 ~~fully implement the system for other professionals and preschool teachers.~~

22 ~~(3) Beginning in the 2015-2016 school year, all school districts shall fully implement the system~~
23 ~~for all certified school personnel, use the system to inform personnel decisions for all certified~~

1 ~~school personnel, and the overall school and district accountability scores described in 703 KAR~~
2 ~~5:225 shall include the results from the system.]~~

3 Section 3. ~~[Approval of Local]~~ District Personnel Evaluation Policies ~~[Professional Growth and~~
4 ~~Effectiveness System Plan and Procedures]~~. (1) The local board of education shall establish a
5 written policy for implementing the certified evaluation plan for all certified school personnel
6 below the level of superintendent in the district, consistent with the requirements of KRS
7 156.557 and this administrative regulation. The local board of education shall develop, adopt,
8 and submit to the department for approval a policy and procedure for evaluation of the district
9 superintendent. ~~[submit to the department a professional growth and effectiveness system plan~~
10 ~~and procedures to establish the district's evaluation system for all certified school personnel.~~
11 (2) ~~The department shall approve each local school district's plan and procedures that comply]~~
12 with the requirements established in KRS 156.557 and this administrative regulation.

13 Section 4. Department Approval of District Personnel Evaluation Plan ~~[Local Professional~~
14 ~~Growth and Effectiveness Policies]~~. The department shall review and approve each local school
15 district's certified evaluation plan, ~~[local board of education shall establish a written policy for~~
16 ~~implementing the system for all certified school personnel in the district, consistent with the~~
17 ~~requirements of KRS 156.557 and this administrative regulation. The local board of education~~
18 ~~shall develop, adopt, and submit to the department for approval a policy for evaluation of the~~
19 ~~district superintendent,]~~ consistent with the requirements of KRS 156.557~~[(6)]~~ and this
20 administrative regulation.

21 Section 5. Revisions to Previously Approved District [Local] Evaluation Plan ~~[Procedures and~~
22 ~~Forms]~~. (1) The local board of education shall review, as needed, the district's certified
23 evaluation plan to ensure compliance with KRS 156.557 and this administrative regulation. ~~[A~~

1 ~~local evaluation committee shall develop, and the local board of education shall review and~~
2 ~~approve, system procedures and forms for the evaluation of certified school personnel positions.]~~

3 (2) If a substantive change to the district’s certified evaluation plan is made by the local certified
4 evaluation committee, the revised certified evaluation plan shall be reviewed and approved by
5 the local board of education. If the local board of education determines the changes do not meet
6 the requirements of KRS 156.557, the certified evaluation plan shall be returned to the certified
7 evaluation committee for revision. [~~The local board of education shall review and approve~~
8 ~~procedures and forms that meet the requirements of KRS 156.557(5)(c) and include the~~
9 ~~requirements established in this subsection.]~~

10 ~~[(a) The district may require the utilization of additional trained administrative personnel to~~
11 ~~observe and provide information to the evaluator.~~

12 ~~(b) The district shall require a minimum of one (1) peer observation of a teacher evaluatee during~~
13 ~~the summative evaluation year, documentation of peer observations in the department approved~~
14 ~~technology platform, and sharing the documentation with the teacher for formative evaluation~~
15 ~~purposes. At the request of a teacher, peer observations may be used in the formative process.~~

16 ~~(c) Beyond the minimum observation requirements set forth in KRS 156.557 and this~~
17 ~~administrative regulation, the district may establish uniform requirements for the length,~~
18 ~~frequency, and nature of observations conducted by an evaluator for the purpose of evaluation.~~

19 ~~(d) The district shall require a teacher evaluator to conduct a minimum of three (3) observations~~
20 ~~of a teacher evaluatee during the summative evaluation cycle and, at a minimum, one (1) full~~
21 ~~classroom observation during the summative year and to document all observations in the~~
22 ~~department approved technology platform.~~

- 1 ~~(e) The district shall require a principal evaluator to conduct a minimum of two (2) site visits~~
- 2 ~~each year.~~
- 3 ~~(f) The district shall create a process for selection of peer observers.~~
- 4 ~~(g) The district shall require a formative evaluation conference between the evaluator and the~~
- 5 ~~evaluatee within five (5) working days following each observation by the evaluator.~~
- 6 ~~(h) The district shall require the summative evaluation conference be held at the end of the~~
- 7 ~~summative evaluation cycle and include all applicable system data.~~
- 8 ~~(i) The district shall require summative evaluation, with multiple observations, to occur annually~~
- 9 ~~for each teacher who has not attained continuing service status under KRS 161.740 or continuing~~
- 10 ~~status under KRS 156.800(7) and may utilize the formative data collected during the beginning~~
- 11 ~~teacher internship period, pursuant to 16 KAR 7:010, in the summative evaluation of an intern~~
- 12 ~~teacher.~~
- 13 ~~(j) The district shall require multiple observations of a certified school personnel who has~~
- 14 ~~attained continuing service status under KRS 161.740 or continuing status under KRS~~
- 15 ~~156.800(7) and whose observation results are determined to be ineffective.~~
- 16 ~~(k) The district shall require summative evaluation at least once every three (3) years for a~~
- 17 ~~teacher who has attained continuing service status under KRS 161.740 or continuing status under~~
- 18 ~~KRS 156.800(7).~~
- 19 ~~(l) The district, upon the request of a teacher, may use peer observation data in the formative~~
- 20 ~~process.~~
- 21 ~~(m) The district shall require summative evaluation annually for a certified administrator,~~
- 22 ~~assistant principal, or principal.~~

1 ~~(n) The district shall require a summative evaluation of a certified school personnel be~~
2 ~~documented in writing and be included in the evaluatee's official personnel record.~~

3 ~~(o) The district shall require documentation of a summative evaluation of a teacher, principal,~~
4 ~~and assistant principal in the department approved technology platform.~~

5 ~~(p) All evidence used to produce a certified school personnel's overall performance rating shall~~
6 ~~be included in the documentation of the summative evaluation.~~

7 ~~(q) The district shall provide an opportunity for a written response by the evaluatee and require~~
8 ~~the response be included in the official personnel record.]~~

9 (3) The local board of education shall submit to the department for approval [~~procedures for~~
10 ~~evaluation of the district superintendent]~~ revisions to the certified evaluation plan, consistent
11 with the requirements of KRS 156.557[~~(6)~~] and this administrative regulation.

12 Section 6. Training and Testing of Evaluators[~~and Observers~~]. (1) The district shall include
13 evaluation and observation training in the district's certified evaluation [~~system~~] plan [~~and~~
14 ~~procedures~~] submitted to the department for approval pursuant to Section 3 of this administrative
15 regulation.

16 (2) The district shall ensure an evaluator meets the requirements in [~~of~~] the district's evaluation
17 [~~system~~] plan [~~and procedures~~] prior to conducting a formative or summative evaluation
18 [~~evaluating a certified school personnel~~].

19 (3) An evaluator shall be trained, [~~and~~] tested, and approved according to this administrative
20 regulation and the district's certified evaluation [~~system~~] plan [~~on a four (4) year cycle~~].

21 (4) Evaluator training shall include [~~Year one (1) of the district's evaluator training cycle shall~~
22 ~~include the following training requirements~~]:

- 1 (a) Initial certified evaluation training and testing provided by the Kentucky Department of
2 Education or a provider approved by the department;
- 3 ~~(b)(a)~~ Training on KRS 156.557 and the requirements of this administrative regulation;
- 4 ~~(c)(b)~~ Training in ~~[identifying effective teaching and management practices, in]~~ effective
5 observation and conferencing techniques, ~~[in development of student growth goals,]~~ in providing
6 clear and timely feedback, in establishing and assisting with a professional growth plan, and in
7 summative decision techniques;
- 8 ~~[(e) Training provided by the department for all certified administrator evaluators who have
9 never evaluated certified school personnel. Other certified administrators who have not received
10 training in the skill areas listed in paragraph (b) of this subsection may also be trained by the
11 department; and]~~
- 12 (d) A minimum of six (6) hours annually of personnel evaluation system training ~~[Training, for
13 all other evaluators, by a provider who has been]~~ approved by the ~~[department as a trainer for
14 the]~~ Effective Instructional Leadership [Improvement] Act [Program] established in 704 KAR
15 3:325.
- 16 ~~[(5) Year one (1) of the district's evaluator training cycle shall include the testing requirements
17 established in this subsection.~~
- 18 ~~(a) An evaluator shall successfully complete testing of research-based and professionally
19 accepted teaching and management practices and effective evaluation techniques.~~
- 20 ~~(b) The testing shall be conducted by the department or an individual or agency approved by the
21 department.~~

1 ~~(e) The testing shall include certification as an observer through the department approved~~
2 ~~observer certification process for an evaluator who is observing teachers for the purpose of~~
3 ~~evaluation.~~

4 ~~(6) The department shall issue year one (1) approval as an evaluator upon the evaluator's~~
5 ~~successful completion of the required evaluation training and testing program and successful~~
6 ~~completion of observer certification.~~

7 ~~(7) Years two (2) and three (3) of the district's evaluator training and testing cycle shall include a~~
8 ~~minimum of six (6) hours in each year and shall include:~~

9 ~~(a) Observer recalibration training, in the department approved technology platform, for all~~
10 ~~evaluators who observe teachers for the purpose of evaluation;~~

11 ~~(b) Update training on professional growth and effectiveness statutes and administrative~~
12 ~~regulations; and~~

13 ~~(c) Training for evaluators on any changes to the Professional Growth and Effectiveness System~~
14 ~~and certified evaluation plan, policies, or procedures.~~

15 ~~(8) Year four (4) of the district's evaluator training and testing cycle shall include refresher~~
16 ~~evaluator training and, if evaluating teachers, refresher observer certification training and testing.~~

17 ~~(9) The district shall require peer observers to complete the department developed peer observer~~
18 ~~training at least once every three (3) years.~~

19 ~~(10) The district shall designate a contact person responsible for monitoring evaluator training~~
20 ~~and for implementing the system.]~~

21 Section 7. Training of Peer Observers. (1) The district shall require peer observations be
22 performed by individuals who are trained in peer observation techniques and responsibilities
23 prior to the first peer observation.

1 (2) Peer observation training shall include training in effective observation and conferencing
2 techniques as well as roles and responsibilities.

3 Section 8 [7]. Performance Measures [~~Professional Practice Rating and Student Growth Rating~~
4 ~~for Teachers~~]. (1) The district's certified evaluation plan [~~professional practice rating form~~] shall
5 utilize the Kentucky Framework for Personnel Evaluation [~~The Framework for Teaching~~
6 ~~Evaluation Instrument, 2011 Edition, in conjunction with the Teacher Evaluation Crosswalk,~~] in
7 compliance with KRS 156.557 and the requirements of this administrative regulation and shall
8 include the following performance measures:

9 (a) Planning [~~and Preparation Domain. Components shall include: Knowledge of Content and~~
10 ~~Pedagogy, Demonstrating Knowledge of Students, Setting Instructional Outcomes,~~
11 ~~Demonstrating Knowledge of Resources, Designing Coherent Instruction, and Designing Student~~
12 ~~Assessments~~];

13 (b) [~~Classroom~~] Environment [~~Domain. Components shall include: Creating an Environment of~~
14 ~~Respect and Rapport, Establishing a Culture of Learning, Managing Classroom Procedures,~~
15 ~~Managing Student Behavior, and Organizing Physical Space~~];

16 (c) Instruction [~~Domain. Components shall include: Communicating with Students, Questioning~~
17 ~~and Discussion Techniques, Engaging Students in Learning, Using Assessment in Instruction,~~
18 ~~and Demonstrating Flexibility and Responsiveness~~]; and

19 (d) Professionalism [~~Responsibilities Domain. Components shall include: Reflecting on~~
20 ~~Teaching, Maintaining Accurate Records, Communicating with Families, Participating in a~~
21 ~~Professional Community, Growing and Developing Professionally, and Showing~~
22 ~~Professionalism~~].

1 (2) The district's certified evaluation plan shall define criteria for each performance [professional
2 practice] measure [rating evaluation form shall list, in each component, the performance criteria]
3 from the Kentucky Framework for Teaching, the Kentucky Framework for Teaching: Specialist
4 Frameworks, and the Principal and Assistant Principal Performance Standards that characterize
5 effective practice [teaching] and apply to the [teacher] evaluatee.

6 [~~3~~] The district shall explain and discuss the professional practice rating domains, components,
7 and performance criteria, and the evaluation process with a teacher evaluatee no later than the
8 end of the evaluatee's first thirty (30) calendar days of reporting for employment each school
9 year. Amendments to local systems of teacher evaluation approved by the department after the
10 end of the teacher's first thirty (30) calendar days of the school year shall not apply to the teacher
11 until the following school year.

12 (4) A professional practice rating evaluation form shall be specific to the teacher's job category.

13 (5) The evaluator shall utilize The Framework for Teaching Evaluation Instrument, 2011 Edition,
14 in conjunction with the Teacher Evaluation Crosswalk, in compliance with KRS 156.557 and the
15 requirements of this administrative regulation, to determine ratings for the teacher on each of the
16 four (4) domains.]

17 (3)[~~6~~] The evaluator shall use sources of evidence [from professional growth plans and self-
18 reflection, observation, and student voice surveys,] in combination with professional judgment,
19 to inform the rating on each of the four (4) performance measures [domains] listed in subsection
20 (1) of this section.

21 [~~7~~] The evaluator may, if included in the district's approved evaluation plan, use additional
22 district-determined sources of evidence to inform the teacher's professional practice rating.

1 ~~(8) The evaluator shall utilize the decision rules in this subsection for determining the~~
2 ~~professional practice rating for a teacher.]~~

3 (a) The evaluator shall use the following ratings:

4 1. "Exemplary" shall be the rating for performance that consistently exceeds expectations for
5 effective performance;

6 2. "Accomplished" shall be the rating for performance that consistently meets expectations for
7 effective performance;

8 3. "Developing" shall be the rating for performance that inconsistently meets expectations for
9 effective performance; and

10 4. "Ineffective" shall be the rating for performance that consistently fails to meet expectations for
11 effective performance.

12 ~~[(b) If a teacher is rated ineffective in the classroom environment domain or in the instruction~~
13 ~~domain, the teacher's professional practice rating shall be not be exemplary or accomplished.~~

14 ~~(c) If a teacher is rated ineffective in the classroom environment domain and in the instruction~~
15 ~~domain, the teacher's professional practice rating shall be ineffective.~~

16 ~~(d) If a teacher is rated ineffective in any domain, the teacher's professional practice rating shall~~
17 ~~be accomplished, developing, or ineffective.~~

18 ~~(e) If a teacher is rated developing in two (2) domains and accomplished in two (2) domains, the~~
19 ~~teacher's professional practice rating shall be accomplished.~~

20 ~~(f) If a teacher is rated developing in two (2) domains and exemplary in two (2) domains, the~~
21 ~~teacher's professional practice rating shall be accomplished.~~

22 ~~(g) If a teacher is rated accomplished in two (2) domains and exemplary in two (2) domains, the~~
23 ~~teacher's professional practice rating shall be exemplary.~~

1 ~~(9) The district shall determine the teacher's overall student growth rating as established in this~~
2 ~~subsection.~~

3 ~~(a) The student growth measure shall consist of a state contribution, when available, and a local~~
4 ~~contribution.~~

5 ~~(b) The Kentucky Board of Education shall determine the scale for low, expected, and high~~
6 ~~growth regarding the state contribution, and the department shall provide the scale to local~~
7 ~~school districts.~~

8 ~~(c) Student growth goals shall be determined as established in this paragraph.~~

9 ~~1. The teacher shall develop and implement a minimum of one (1) student growth goal each~~
10 ~~year.]~~

11 ~~(b)[2.] Because individual[ized] education program [plan] (IEP) goals are student-specific, IEP~~
12 ~~goals may inform, but shall not be used as a single source of evidence for any performance~~
13 ~~measure [, student growth goals].~~

14 ~~[3. The district shall ensure that student growth goals and measures of student growth are~~
15 ~~rigorous and comparable across schools in the local school district.~~

16 ~~(d) The local school district shall determine the scale for low, expected, and high student growth~~
17 ~~goal ratings. In determining the scale, local school districts shall consider the definition of typical~~
18 ~~yearly growth contained in 703 KAR 5:200, Section 1(12).~~

19 ~~(10) The local school district shall develop a process for using professional judgment and the~~
20 ~~following sources of evidence to determine the overall student growth rating:~~

21 ~~(a) Growth trends consisting of the three (3) most recent years of student growth percentile data,~~
22 ~~if, when] available, for teachers; and~~

1 ~~(b) Growth trends consisting of the three (3) most recent years of student growth goal data, if~~
2 ~~available, for all teachers.]~~

3 Section 9 [8]. Summative Rating [Overall Performance Category] of Teachers, Other
4 Professionals, Principals, and Assistant Principals. (1) The overall performance category for
5 teachers, other professionals, principals, and assistant principals shall be a district-determined
6 rating by combining the four (4) performance measures provided in Section 8.[teacher's
7 professional practice rating and the teacher's overall student growth rating, as illustrated by the
8 Kentucky Professional Growth and Effectiveness System Model for Summative Evaluation of
9 Teachers].

10 [~~(2) The district shall determine the teacher's overall performance category with the decision~~
11 ~~rules established in this subsection.~~

12 (a) A teacher's overall performance rating shall be exemplary if:

13 1. ~~The professional practice rating is exemplary and the overall student growth rating is high;~~

14 2. ~~The professional practice rating is exemplary and the overall student growth rating is~~
15 ~~expected; or~~

16 3. ~~The professional practice rating is accomplished and the overall student growth rating is high.~~

17 (b) A teacher's overall performance rating shall be accomplished if:

18 1. ~~The professional practice rating is exemplary and the overall student growth rating is low;~~

19 2. ~~The professional practice rating is accomplished and the overall student growth rating is~~
20 ~~expected; or~~

21 3. ~~The professional practice rating is developing and the overall student growth rating is high;~~

22 (c) A teacher's overall performance category shall be developing if:

23 1. ~~The professional practice rating is accomplished and the overall student growth rating is low;~~

1 ~~2. The professional practice rating is developing and the overall student growth rating is~~
2 ~~expected;~~

3 ~~3. The professional practice rating is developing and the overall student growth rating is low; or~~

4 ~~4. The professional practice rating is ineffective and the overall student growth rating is high.~~

5 (d) A teacher's overall performance category shall be ineffective if:

6 ~~1. The professional practice rating is ineffective and the overall student growth rating is~~
7 ~~expected; or~~

8 ~~2. The professional practice rating is ineffective and the overall student growth rating is low.]~~

9 Section 10 [9]. Evaluation of Certified Personnel Assigned to the District Level for Purposes of
10 Evaluation. (1) The district's certified evaluation plan for certified personnel assigned to the
11 district level for purposes of evaluation shall:

12 (a) Utilize the performance criteria outlined in KRS 156.557(4), in compliance with KRS
13 156.557 and the requirements of this administrative regulation; and

14 (b) List the performance criteria applicable to the evaluatee that characterizes professional
15 effectiveness.

16 (2) The district certified evaluation plan for certified personnel assigned to the district level for
17 purposes of evaluation shall be specific to the evaluatee's job category.

18 ~~[Professional Growth Plan and Cycle for Tenured Teachers. A teacher shall be placed on an~~
19 ~~appropriate plan and summative evaluation cycle based on the professional practice rating and~~
20 ~~the overall student growth rating, as illustrated by the Kentucky Professional Growth Plan and~~
21 ~~Cycle for Tenured Teachers.~~

22 ~~(1) A teacher whose professional practice rating is exemplary or accomplished and who has an~~
23 ~~expected or high overall student growth rating shall have a professional growth plan that~~

1 ~~includes: goals set by the teacher, with evaluator input; activities that are teacher directed and~~
2 ~~implemented with colleagues; a formative review annually; and a summative evaluation that~~
3 ~~occurs at the end of year three (3) of the evaluation cycle.~~

4 ~~(2) A teacher whose professional practice rating is accomplished or exemplary, with a low~~
5 ~~overall student growth rating, or developing, with a high overall student growth rating, shall have~~
6 ~~a professional growth plan that includes: goals set by the teacher with evaluator input; if there is~~
7 ~~a low student growth rating, one (1) goal shall focus on low student growth outcome; an annual~~
8 ~~formative review; and a summative evaluation that occurs at the end of year three (3) of the~~
9 ~~evaluation cycle.~~

10 ~~(3) A teacher whose professional practice rating is developing, with an expected overall student~~
11 ~~growth rating, shall have a professional growth plan that includes: goals set by the teacher with~~
12 ~~evaluator input; one (1) goal that addresses professional practice or student growth; activities that~~
13 ~~are teacher directed and implemented with colleagues; an annual formative review; and a~~
14 ~~summative evaluation that occurs at the end of year three (3) of the evaluation cycle.~~

15 ~~(4) A teacher whose professional practice rating is developing, with a low overall student growth~~
16 ~~rating, or whose professional practice rating is ineffective, with an expected or high overall~~
17 ~~student growth rating, shall have a professional growth plan that includes goals determined by~~
18 ~~the evaluator: goals shall focus on professional practice and student growth, include an annual~~
19 ~~formative review, and include a summative evaluation that occurs at the end of one (1) year.~~

20 ~~(5) A teacher whose professional practice rating is ineffective, with a low overall student growth~~
21 ~~rating, shall have an improvement plan with goals determined by the evaluator: the goals shall~~
22 ~~focus on low performance areas and a summative evaluation shall occur at the end of the plan,~~
23 ~~whose duration is determined by the evaluator and may last up to one (1) year.]~~

1 ~~[Section 10. Professional Practice Rating and Overall Student Growth Rating for Principals and~~
2 ~~Assistant Principals. (1) The district's professional practice rating form shall utilize the Principal~~
3 ~~and Assistant Principal Performance Standards and the Principal and Assistant Principal~~
4 ~~Performance Standards Crosswalk, in compliance with KRS 156.557 and the requirements of~~
5 ~~this administrative regulation, and shall include the performance standards and descriptors~~
6 ~~established in this subsection.~~

7 ~~(a) Instructional Leadership Performance Standard. The evaluatee fosters the success of all~~
8 ~~students by facilitating the development, communication, implementation, and evaluation of a~~
9 ~~shared vision of teaching and learning that leads to student academic growth and school~~
10 ~~improvement.~~

11 ~~(b) School Climate Performance Standard. The evaluatee fosters the success of all students by~~
12 ~~developing, advocating, and sustaining an academically rigorous, positive, and safe school~~
13 ~~climate.~~

14 ~~(c) Human Resources Management Performance Standard. The evaluatee fosters effective~~
15 ~~human resources management by assisting with selection and induction and by supporting,~~
16 ~~evaluating, and retaining quality instructional and support personnel.~~

17 ~~(d) Organizational Management Performance Standard. The evaluatee fosters the success of all~~
18 ~~students by supporting, managing, and overseeing the school's organization, operation, and use~~
19 ~~of resources.~~

20 ~~(e) Communication and Community Relations Performance Standard. The evaluatee fosters the~~
21 ~~success of all students by communicating and collaborating effectively with stakeholders.~~

- 1 ~~(f) Professionalism Performance Standard. The evaluatee fosters the success of all students by~~
2 ~~demonstrating professional standards and ethics, engaging in continuous professional learning,~~
3 ~~and contributing to the profession.~~
- 4 ~~(2) The district's professional practice rating evaluation form for assistant principals and~~
5 ~~principals shall list, in each standard, the performance criteria that characterize professional~~
6 ~~effectiveness and apply to the evaluatee.~~
- 7 ~~(3) The district shall explain and discuss the professional practice rating standards, indicators,~~
8 ~~and performance criteria, and the evaluation process to assistant principal and principal~~
9 ~~evaluatees no later than the end of the evaluatee's first thirty (30) calendar days of the school~~
10 ~~year. Amendments to local systems of certified personnel evaluation approved by the department~~
11 ~~after the end of an evaluatee's first thirty (30) calendar days of the school year shall not apply to~~
12 ~~the evaluatee until the following school year.~~
- 13 ~~(4) The district's professional practice rating evaluation form shall be specific to the evaluatee's~~
14 ~~job category. The district, at its discretion, may utilize forms for pre and post evaluation~~
15 ~~conferences.~~
- 16 ~~(5) The evaluator shall utilize the Principal and Assistant Principal Performance Standards and~~
17 ~~the Principal and Assistant Principal Performance Standards Crosswalk, in compliance with KRS~~
18 ~~156.557 and the requirements of this administrative regulation, to determine ratings for an~~
19 ~~assistant principal or principal evaluatee on each of the performance standards.~~
- 20 ~~(6) The evaluator shall use evidence from professional growth plans and self reflection, the~~
21 ~~department approved survey of perception of superintendents, district personnel, and teachers on~~
22 ~~principal practice; and the department approved working conditions survey goal. The evaluator~~
23 ~~shall also use evidence from site visits, for principals only. The evaluator may, if included in the~~

1 ~~district's approved evaluation plan, use additional district-determined sources of evidence to~~
2 ~~inform the evaluatee's rating on each of the six (6) standards listed in subsection (1) of this~~
3 ~~section.~~

4 ~~(7) The evaluator shall use the decision rules in this subsection to determine a professional~~
5 ~~practice rating.~~

6 ~~(a) If the evaluatee is rated exemplary in at least four (4) of the standards and no standard is rated~~
7 ~~developing or ineffective, the professional practice rating shall be exemplary.~~

8 ~~(b) If the evaluatee is rated accomplished in at least four (4) standards and no standard is rated~~
9 ~~ineffective, the professional practice rating shall be accomplished.~~

10 ~~(c) If the evaluatee is rated developing in at least five (5) standards, the professional practice~~
11 ~~rating shall be developing.~~

12 ~~(d) If the evaluatee is rated ineffective in two (2) or more standards, the professional practice~~
13 ~~rating shall be ineffective.~~

14 ~~(8) The overall student growth rating for principals and assistant principals shall be determined~~
15 ~~as established in this subsection.~~

16 ~~(a) The student growth measure for principals and assistant principals shall consist of a state~~
17 ~~contribution and a local contribution.~~

18 ~~(b) The state contribution for principals and assistant principals shall be based on the degree to~~
19 ~~which the evaluatee meets the next generation learners goal. A principal's next generation~~
20 ~~learners goal shall be the assistant principal's next generation learners goal as well.~~

21 ~~(c) The local contribution for the student growth measure for principals and assistant principals~~
22 ~~shall be a rating based on the degree to which the principal or assistant principal meets student~~
23 ~~growth goals. Assistant principals shall share the principal's student growth goals.~~

1 ~~(d) All principals and assistant principals shall develop and implement a minimum of two (2)~~
2 ~~student growth goals each year, one (1) of which shall focus on school gap population data.~~

3 ~~(e) One (1) goal shall address the needs outlined in the school's comprehensive school~~
4 ~~improvement plan.~~

5 ~~(f) One (1) goal shall be based on local student growth data.~~

6 ~~(g) The district shall ensure that student growth goals are rigorous and comparable across schools~~
7 ~~in the local district.~~

8 ~~(h) The scale for low, expected, and high student growth goal ratings shall be determined by the~~
9 ~~local school district. In determining the scale, local school districts shall consider the schools~~
10 ~~goals and measures of success in the comprehensive school improvement plan required in 703~~
11 ~~KAR 5:225, Section 9.~~

12 ~~(i) The district shall develop a process for using professional judgment and evidence from the~~
13 ~~following sources of evidence to determine the overall student growth rating:~~

14 ~~1. Growth trends over the three (3) most recent years of next generation learners student growth~~
15 ~~data, calculated pursuant to 703 KAR 5:200; and~~

16 ~~2. Growth trends over the three (3) most recent years of student growth goal data.~~

17 ~~Section 11. Overall Performance Category of Principals and Assistant Principals. (1) The overall~~
18 ~~performance category for principals and assistant principals shall be determined by combining~~
19 ~~the principal or assistant principal's professional practice rating and overall student growth~~
20 ~~rating, as illustrated by the Kentucky Professional Growth and Effectiveness System Model for~~
21 ~~Summative Evaluation of Assistant Principals and Principals.~~

22 ~~(2) The district shall determine the overall performance category for principals and assistant~~
23 ~~principals with the decision rules established in this subsection.~~

- 1 ~~(a) An evaluatee's overall performance category shall be exemplary if:~~
2 ~~1. The professional practice rating is exemplary and the overall student growth rating is high;~~
3 ~~2. The professional practice rating is exemplary and the overall student growth rating is~~
4 ~~expected; or~~
5 ~~3. The professional practice rating is accomplished and the overall student growth rating is high.~~

- 6 ~~(b) An evaluatee's overall performance category shall be accomplished if:~~
7 ~~1. The professional practice rating is accomplished and the overall student growth rating is~~
8 ~~expected; or~~
9 ~~2. The professional practice rating is developing and the overall student growth rating is high.~~

- 10 ~~(c) An evaluatee's overall performance category shall be developing if:~~
11 ~~1. The professional practice rating is exemplary and the overall student growth rating is low;~~
12 ~~2. The professional practice rating is accomplished and the overall student growth rating is low;~~
13 ~~3. The professional practice rating is developing and the overall student growth rating is~~
14 ~~expected; or~~
15 ~~4. The professional practice rating is developing and the overall student growth rating is low.~~

- 16 ~~(d) An evaluatee's overall performance category shall be ineffective if the professional practice~~
17 ~~rating is ineffective.~~

18 ~~Section 12. Professional Growth Plan for Principals and Assistant Principals. The evaluator shall~~
19 ~~place an assistant principal or principal evaluatee on an appropriate professional growth plan~~
20 ~~based on the professional practice rating and the overall student growth rating, as illustrated by~~
21 ~~the Kentucky Professional Growth Plan for Assistant Principals and Principals.~~

- 22 ~~(1) An evaluatee whose professional practice rating is exemplary, with an expected to high~~
23 ~~overall student growth rating, shall have, at a minimum, a professional growth plan with goals~~

1 set by the evaluatee with evaluator input and a summative evaluation that occurs at the end of
2 each school year.

3 ~~(2) An evaluatee whose professional practice rating is accomplished, with an expected to high
4 student overall student growth rating, shall have, at a minimum, a professional growth plan with
5 goals set by the evaluatee with evaluator input and a summative evaluation that occurs at the end
6 of each school year.~~

7 ~~(3) An evaluatee whose professional practice rating is developing, with a high overall student
8 growth rating, shall have, at a minimum, a professional growth plan with goals set by the
9 evaluatee with evaluator input and a summative evaluation that occurs at the end of each school
10 year.~~

11 ~~(4) An evaluatee whose professional practice rating is developing, with a low to expected overall
12 student growth rating, shall have, at a minimum, a professional growth plan with goals
13 determined by the evaluator and a summative evaluation at the end of each school year.~~

14 ~~(5) An evaluatee whose professional practice rating is ineffective shall have, at a minimum, an
15 improvement plan with the goals determined by the evaluator and a summative evaluation at the
16 end of the plan, as determined by the evaluator, not to exceed one (1) year in duration.~~

17 ~~Section 13. Evaluation of Other Professionals and Preschool Teachers During the 2014-2015~~

18 ~~School Year. (1) The district shall include, in its professional growth and effectiveness plan, a
19 plan for the evaluation of other professionals and preschool teachers during the 2014-2015
20 school year.~~

21 ~~(2) The district's procedures for other professional and preschool teacher evaluatees, whose
22 evaluation cycle requires evaluation during the 2014-2015 school year, shall include the
23 requirements established in this subsection.~~

1 ~~(a) Beyond the minimum requirements set forth in this administrative regulation, the local~~
2 ~~district may establish requirements as to the length, frequency, and nature of observations~~
3 ~~conducted by an evaluator.~~

4 ~~(b) The district shall require the evaluation to include a formative evaluation conference between~~
5 ~~the evaluator and the evaluatee within five (5) working days following each observation, the~~
6 ~~summative evaluation conference held at the end of an evaluation cycle that ends during the~~
7 ~~2014-2015 school year, all evaluation data.~~

8 ~~(c) The district shall require multiple observations to be conducted of an evaluatee who has~~
9 ~~earned continuing service status pursuant to KRS 161.740 and whose observation results are~~
10 ~~ineffective.~~

11 ~~(d) The district shall require a summative evaluation to occur, if required by the evaluation cycle~~
12 ~~of the evaluatee.~~

13 ~~(e) The district shall include the evaluation in the evaluatee's official personnel record.~~

14 ~~(f) The district shall provide in the evaluation process an opportunity for a written response by~~
15 ~~the evaluatee and shall include the response in the evaluatee's official personnel record.~~

16 ~~(g) A copy of the evaluation shall be provided to the evaluatee.~~

17 ~~(3) The evaluation form shall include a list of performance criteria. Under each criterion, specific~~
18 ~~descriptors or indicators that can be measured or observed and recorded shall be listed.~~
19 ~~Additionally, standards of performance shall be established for each criterion. The performance~~
20 ~~criteria shall include those that are identified in KRS 156.557(4) applicable to the evaluatee.~~

21 ~~(4) The evaluation criteria and process shall be explained to and discussed with the evaluatee no~~
22 ~~later than the end of the evaluatee's first thirty (30) calendar days of the 2014-2015 school year.~~

1 ~~(5) An evaluative form shall be specific to each job category. The district may use forms for pre-~~
2 ~~and post evaluation conferences.~~

3 ~~(6) The district shall provide evaluatees an opportunity for an appeal to the local evaluation~~
4 ~~appeals committee as outlined in Section 18 of this administrative regulation.~~

5 ~~(7) An evaluatee who believes that the local district is not properly implementing the evaluation~~
6 ~~plan as approved by the department shall have the opportunity to appeal to the Kentucky Board~~
7 ~~of Education as outlined in Section 19 of this administrative regulation.~~

8 ~~Section 14. Evaluation of Certified Administrators in the 2014-2015 School Year. (1) The~~
9 ~~district shall include, in the professional growth and effectiveness plan, a plan for the evaluation~~
10 ~~of certified administrators.~~

11 ~~(2) Beyond the minimum requirements set forth in KRS 156.557 and this administrative~~
12 ~~regulation, the local district may establish requirements as to the length, frequency, and nature of~~
13 ~~observations conducted by an evaluator.~~

14 ~~(3) The district shall require the evaluation to include a formative evaluation conference between~~
15 ~~the evaluator and the evaluatee within five (5) working days following each observation, the~~
16 ~~summative evaluation conference held at the end of the summative evaluation cycle, and the~~
17 ~~inclusion of all professional growth and effectiveness data.~~

18 ~~(4) The district shall document the certified administrator's summative evaluation decision,~~
19 ~~include documentation of the sources of evidence used in determining the performance rating of~~
20 ~~the evaluatee, and include these documentations in the evaluatee's official personnel record.~~

21 ~~(5) The district shall provide an opportunity for a written response by the evaluatee, and the~~
22 ~~response shall be included in the evaluatee's official personnel record.~~

23 ~~(6) A copy of the evaluation shall be provided to the evaluatee.~~

1 ~~(7) The evaluation form for certified administrators shall include a list of performance criteria~~
2 ~~that characterize effective administrative practices.~~

3 ~~(8) Under each criterion, specific descriptors or indicators shall be listed.~~

4 ~~(9) The performance criteria shall include those that are identified in KRS 156.557(4) applicable~~
5 ~~to the evaluatee.~~

6 ~~(10) The evaluation criteria and process used to evaluate certified administrators shall be~~
7 ~~explained to and discussed with the evaluatee no later than the end of the evaluatee's first thirty~~
8 ~~(30) calendar days of the school year.~~

9 ~~(11) The district's evaluation form shall be specific to the evaluatee's job category. The district~~
10 ~~may utilize forms for pre and post evaluation conferences.~~

11 ~~(12) The district shall provide certified administrator evaluatees an opportunity for an appeal to~~
12 ~~the local evaluation appeals committee as outlined in Section 18 of this administrative regulation.~~

13 ~~(13) An evaluatee who believes that the local district is not properly implementing the evaluation~~
14 ~~plan as approved by the department shall have the opportunity to appeal to the Kentucky Board~~
15 ~~of Education as outlined in Section 19 of this administrative regulation.~~

16 ~~Section 15. District Evaluation Plan. (1) The local board of education shall review, as needed,~~
17 ~~the district's evaluation plan to ensure compliance with KRS 156.557 and this administrative~~
18 ~~regulation.~~

19 ~~(2) If a substantive change is made to the district's evaluation plan, the local board of education~~
20 ~~shall utilize the evaluation committee, described in KRS 156.557(5)(c)1, in formulating the~~
21 ~~revision. Examples of substantive change shall include changes in the evaluation cycle,~~
22 ~~observation frequency, forms, or appeal procedures.~~

1 ~~(3) The local board of education shall review and approve revisions to the plan and submit the~~
2 ~~amended plan to the department for approval.~~

3 ~~Section 16. Reporting. (1) Beginning in the 2014-2015 school year, districts shall report to the~~
4 ~~department the percentage of principals, assistant principals, and teachers in each overall~~
5 ~~performance category listed in Sections 8 and 11 of this administrative regulation and the~~
6 ~~percentage of teachers on each plan listed in Section 9 of this administrative regulation.~~

7 ~~(2) The department shall publicly report, by district, the aggregate number of principals, assistant~~
8 ~~principals, and teachers in each overall performance category.~~

9 ~~Section 17. Monitoring. A district implementing an alternative professional growth and~~
10 ~~effectiveness plan approved by the department pursuant to KRS 156.557(7) shall be monitored~~
11 ~~within three (3) years of the initial implementation of the alternative plan, and subsequently at~~
12 ~~the discretion of the department.]~~

13 Section 11 [48]. District [~~Local~~] Evaluation Appeals Panel. The district shall provide the
14 following in its system plan for an appeal to the district [~~local~~] evaluation appeals panel:

15 (1) A right to a hearing as to every appeal;

16 (2) An opportunity, five (5) days in advance of the hearing, for the evaluator and evaluatee to
17 adequately review all documents that are to be presented to the district [~~local~~] evaluation appeals
18 panel; and

19 (3) A right to have the evaluatee's chosen representative present at the hearing.

20 Section 12 [49]. State Evaluation Appeals Panel. (1) Certified school personnel who believes that
21 the local district is not properly implementing the district certified evaluation plan as approved
22 by the department shall have the opportunity to appeal to the Kentucky Board of Education.

23 (2) The appeal procedures shall be as established in this subsection.

1 (a) The Kentucky Board of Education shall appoint a committee of three (3) state board members
2 to serve on the state evaluation appeals panel (SEAP). The SEAP's jurisdiction shall be limited
3 to procedural matters already addressed by the district [~~local~~] appeals panel related to the
4 district's alleged failure to implement an evaluation plan as approved by the department. The
5 SEAP shall not have jurisdiction of a complaint involving the professional judgment conclusion
6 of an evaluation, and the SEAP's review shall be limited to the record of proceedings and
7 documents therein, or lack thereof, at the local district level.

8 (b) No later than thirty (30) calendar days after the final action or decision at the [~~local~~] district
9 level, a certified school personnel may submit a written request to the chief state school officer
10 for a review before the SEAP. If a certified school personnel does not appeal within the time
11 frame listed in this paragraph, the request shall not be considered. A specific description of the
12 complaint and grounds for appeal shall be submitted with the request.

13 (c) A brief, written statement or other document that a party wishes to submit for consideration
14 by the SEAP shall be filed with the panel and served on the opposing party at least twenty (20)
15 days prior to the scheduled review.

16 (d) A decision of the SEAP shall be rendered within fifteen (15) working days after the review.

17 (e) A determination of district noncompliance with the district [~~local~~] evaluation plan or absence
18 of a district [~~local~~] certified evaluation plan shall render the evaluation void~~[-and the certified~~
19 ~~employee shall have the right to be reevaluated].~~

20 Section 13 [~~20~~]. Incorporation by Reference. (1) The following material is incorporated by
21 reference:

22 (a) "Kentucky Framework for Teaching", February 2014 [~~"The Framework for Teaching~~
23 ~~Evaluation Instrument, 2011 Edition", May 2014]~~];

- 1 (b) “Kentucky Framework for Teaching with Specialist Frameworks for Other Professionals”,
2 June 2015 [“Principal and Assistant Principal Performance Standards”, May 2014];
3 (c) “Principal and Assistant Principal Performance Standards”, May 2014 [“Kentucky
4 Professional Growth and Effectiveness System Model for Summative Evaluation of Teachers”,
5 May 2014;]
6 [(d) “Kentucky Professional Growth and Effectiveness System Model for Summative Evaluation
7 of Assistant Principals and Principals”, May 2014];
8 (e) “Teacher Evaluation Crosswalk”, May 2014;
9 (f) “Principal and Assistant Principal Performance Standards Crosswalk”, May 2014;
10 (g) “Kentucky Professional Growth Plan and Cycle for Tenured Teachers”, July 2014; and
11 (h) “Kentucky Professional Growth Plan for Assistant Principals and Principals”, July 2014].

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13 the Department of Education, 5th floor, 300 Sower Boulevard, [1st Floor, Capital Plaza Tower,
14 500 Mero Street,] Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (40
15 Ky.R. 2651; 41 Ky.R. 61; 264; eff. 8-11-2014.)