EDUCATION AND LABOR CABINET
Kentucky Board of Education
Department of Education
(Amendment)

704 KAR 3:370. Kentucky Framework for Personnel Evaluation.

RELATES TO: KRS 156.557, 156.800(7), 161.740
STATUTORY AUTHORITY: KRS 156.070, 156.557(2), (5)(c), (7)
CERTIFICATION STATEMENT:
NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.557(2) and (5)(c), and (7) require the Kentucky Board of Education to promulgate administrative regulations to establish a statewide framework for the purposes of supporting and improving the performance of all certified school personnel, to develop written guidelines for local school districts to follow in implementing a system of evaluation for certified school personnel, and to establish an appeals procedure for certified school personnel. This administrative regulation establishes a statewide framework to support and improve the performance of all certified school personnel as well as an appeals procedure for certified school personnel.

Section 1. Definitions.
(1) "Assistant principal" means a certified school personnel who devotes the majority of employed time in the role of assistant principal, for which administrative certification is required by the Education Professional Standards Board pursuant to 16 KAR Chapter 3.
(2) "Certified administrator" means a certified school personnel, other than principal or assistant principal, who devotes the majority of employed time in a position for which administrative certification is required by the Education Professional Standards Board pursuant to 16 KAR Chapter 3.
(3) "Certified evaluation plan" means the procedures and forms for evaluation of certified school personnel below the level of superintendent developed by an evaluation committee and meeting all requirements of the Kentucky Framework for Personnel Evaluation.
(4) "Certified school personnel" means a certified school employee, below the level of superintendent, who devotes the majority of employed time in a position in a district for which certification is required by the Education Professional Standards Board pursuant to Title 16 KAR and includes certified administrators, assistant principals, principals, other professionals, and teachers.
(5) "Conference" means a meeting between the evaluator and the evaluatee for the purposes of providing feedback, analyzing the results of an observation or observations, reviewing other evidence to determine the evaluatee's accomplishments and areas for growth, and leading to the establishment or revision of a professional growth plan.
(6) "Evaluatee" means the certified school personnel who is being evaluated.
(7) "Evaluation committee" means a group, consisting of an equal number of teachers and administrators, who develop personnel evaluation procedures and forms for a local school district pursuant to KRS 156.557(5)(c)(1).
(8) "Evaluator" means the primary evaluator pursuant to KRS 156.557(5)(c)2.
(9) "Evaluator certification" means successful completion of certified evaluation training to ensure that certified school personnel who serve as observers of evaluatees demonstrate proficiency in rating teachers and other professionals for the purposes of evaluation and feedback.
(10) "Formative evaluation" is defined by KRS 156.557(1)(a).
(11) "Job category" means a group or class of certified school personnel positions with closely related functions.

(12) "Kentucky Framework for Personnel Evaluation" means the statewide framework a school district uses to develop a local certified school personnel evaluation system.
(13) "Observation" means a data collection process conducted by a certified evaluator, in person or through video, for the purpose of evaluation, including notes, professional judgments, and examination of the data collected during one (1) or more classroom or worksite visits of any duration.
(14) "Other professionals" means certified school personnel, except for teachers, administrators, assistant principals, or principals for which certification is required by the Education Professional Standards Board pursuant to KAR Title 16.
(15) "Peer observation" means observation and documentation by certified school personnel below the level of principal or assistant principal and trained to perform such observations.
(16) "Performance criteria" means the areas, skills, or outcomes on which certified school personnel are evaluated as described in KRS 156.557(4).
(17) "Performance measure" means one (1) of four (4) measures defined in the Kentucky Framework for Personnel Evaluation. Measures include planning, environment, instruction, and professionalism.
(18) "Performance rating" means the rating for each performance measure for a teacher, other professional, principal, or assistant principal as determined by the local district certified evaluation plan aligned to the Kentucky Framework for Personnel Evaluation. Ratings shall be exemplary, accomplished, developing, and ineffective.
(19) "Personnel Evaluation System" or "system" means an evaluation system to support and improve the performance of certified school personnel that meets the requirements of KRS 156.557 and that uses clear and timely formative feedback to guide professional growth.
(20) "Principal" means a certified school personnel who devotes the majority of employed time in the role of principal, for which administrative certification is required by the Education Professional Standards Board pursuant to KAR Title 16.
(21) "Sources of evidence" or "source of evidence" means the district-approved evidence aligned to the performance measure and used by evaluators to inform performance measure ratings listed in Section 8 of this administrative regulation.
(22) "Summative evaluation" is defined by KRS 156.557(1)(b).
(23) "Summative rating" means the overall rating for certified school personnel below the level of superintendent as determined by the district certified evaluation plan aligned to the Kentucky Framework for Personnel Evaluation.
(24) "Teacher" means a certified school personnel who has been assigned the responsibility for student learning in a classroom, grade level, subject, or course and holds a teaching certificate pursuant to KAR Title 16.

Section 2. District Evaluation Procedures and Forms.
(1) An evaluation committee shall develop the certified evaluation plan for the evaluation of certified school personnel below the level of superintendent. The evaluation committee shall submit the certified evaluation plan to the local board of education for review and approval.
(2) The local board of education shall review and approve the certified evaluation plan that meets the requirements of KRS 156.557(5)(c) and this administrative regulation.
(a) The district certified evaluation plan may require the use of additional trained administrative personnel to observe and provide information to the evaluator.
(b) Peer observations may be used as a source of evidence to inform a summative rating only if requested by the teacher or other professional being evaluated.
(c) The district certified evaluation plan shall establish uniform requirements for the length, frequency, and nature of observations conducted by an evaluator for the

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

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

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

(f) The district certified evaluation plan shall require a summative evaluation once every five (5) years for a teacher, other professional, principal, or assistant principal who has attained continuing service status pursuant to KRS 161.740 or continuing status pursuant to KRS 156.800(7).

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

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

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

(j) The district certified evaluation plan shall provide an opportunity for the evaluatee to submit a written statement in response to the summative rating and require the response to be included in the official personnel record.

Section 3. District Personnel Evaluation Policies.

(1) Each local school district shall establish a written policy for implementing the certified evaluation plan for all certified school personnel below the level of superintendent in the district, consistent with the requirements of KRS 156.557 and this administrative regulation.

(2) The local board of education shall develop, adopt, and submit to the department for approval a policy and procedure for evaluation of the district superintendent.

Section 4. Department Approval of District Personnel Evaluation Plan. The department shall review each local school district's certified evaluation plan and approve a certified evaluation plan that is consistent with the requirements of KRS 156.557 and this administrative regulation.

Section 5. Revisions to Previously Approved District Evaluation Plan.

(1) The local board of education shall review, as needed, the district's certified evaluation plan to ensure compliance with KRS 156.557 and this administrative regulation.

(2) If a source of evidence is added or removed from the certified evaluation plan or if a decision rule or calculation is changed in the summative rating formula, the revised certified evaluation plan shall be reviewed and approved by the local board of education. If the local board of education determines the changes do not meet the requirements of KRS 156.557, the certified evaluation plan shall be returned to the certified evaluation committee for revision.

Section 6. Training and Testing of Evaluators.

(1) The district shall include evaluator certification and observation training in the district's certified evaluation plan submitted to the department for approval pursuant to

Section 3 of this administrative regulation.

(2) The district shall ensure an evaluator meets the requirements in the district's evaluation plan prior to conducting a formative or summative evaluation.

(3) An evaluator shall be trained, tested, and approved according to this administrative regulation and the district's certified evaluation plan.

(4) Evaluator training shall include:

(a) Initial certified evaluation training and testing provided by the Kentucky Department of Education or a provider approved by the department;

(b) Training on KRS 156.557 and the requirements of this administrative regulation;

(c) Training in effective observation and conferencing techniques, in providing clear and timely feedback, in establishing and assisting with a professional growth plan, and in summative decision techniques; and

(d) A minimum of six (6) hours annually of personnel evaluation system training approved by the Effective Instructional Leadership Act established in 704 KAR 3:325.

Section 7. Training of Peer Observers.

(1) The district shall require peer observations be performed by individuals who are trained in peer observation techniques and responsibilities prior to the first peer observation.

(2) Peer observation training shall include training in effective observation and conferencing techniques and the roles and responsibilities of peer observers, evaluatees, and certified school personnel.

Section 8. Performance Measure.

(1) The district's certified evaluation plan shall utilize the Kentucky Framework for Personnel Evaluation pursuant to KRS 156.557 and the requirements of this administrative regulation and shall include the following performance measures:

(a) Planning;

(b) Environment;

(c) Instruction; and

(d) Professionalism.

(2) The district's certified evaluation plan shall define criteria for each performance measure from the Kentucky Framework for Teaching, the Kentucky Framework for Teaching with Specialist Frameworks for Other Professionals, and the Professional Standards for Educational Leaders that characterize effective practice and apply to the evaluatee.

(3)

(a) The evaluator shall use sources of evidence, in combination with professional judgment, to inform the teacher's or other professional's rating on each of the four (4) performance measures listed in subsection (1) of this section.

(b) The evaluator shall use the following ratings:

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

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

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

4. "Ineffective" shall be the rating for performance that consistently fails to meet expectations for effective performance. Because individual education program (IEP) goals are student-specific, IEP goals may inform, but shall not be used as a single source of evidence for any performance measure.

Section 9. Summative Rating of Teachers, Other Professionals, Principals, and Assistant Principals. (1) The overall performance category for teachers or other professionals, principals, and assistant principals shall be a district-determined rating by combining the four (4) performance measures provided in Section 8 of this administrative regulation.

Section 10. Evaluation of Certified School Personnel Assigned to the District Level for Purposes of Evaluation.

(1) The district's certified evaluation plan for certified school personnel assigned to the district level for purposes of evaluation shall:

(a) Utilize the performance criteria established in KRS 156.557(4), comply with KRS 156.557 and the requirements of this administrative regulation; and

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

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

Section 11. District Evaluation Appeals Panel. The district shall provide the following in its system plan for an appeal to the district evaluation appeals panel:

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

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

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

Section 12. State Evaluation Appeals Panel.

(1) A certified school personnel who believes that the local district is not properly implementing the district certified evaluation plan as approved by the department shall have the opportunity to appeal to the Kentucky Board of Education.

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

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

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

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

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

(e) A determination of district noncompliance with the district evaluation plan or absence of a district local evaluation plan shall render the evaluation void.

Section 13. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Kentucky Framework for Teaching", February 2014;

(b) "Kentucky Framework for Teaching with Specialist Frameworks for Other Professionals", June 2015; and

(c) "Professional Standards for Educational Leaders", 2015.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Education, 300 Sower Blvd, 5th Floor, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

(704 KAR 003:370. 40 Ky.R. 2651; 41 Ky.R. 61; 264; eff. 8-11-2014; 41 Ky.R. 2342; 42 Ky.R. 38; 287; 672; eff. 8-10-2015; 44 Ky.R. 1139, 1575, 1847; eff. 3-9-2018; 46 Ky.R. 2149, 2636; eff. 6-30-2020; 52 Ky.R. 1215; eff. 6-2-2026.)

This is to certify that the chief state school officer has reviewed and recommended this administrative regulation prior to its adoption by the Kentucky Board of Education, as required by KRS 156.070(5).
DR. ROBBIE FLETCHER, Commissioner
SHARON PORTER ROBINSON, Chair

APPROVED BY AGENCY: December 10, 2025

FILED WITH LRC: December 10, 2025 at 12:00 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on February 24, 2026, at 10am, in the State Board Room, Fifth Floor, 300 Sower Boulevard, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through February 28, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person:

CONTACT PERSON: Todd G. Allen, General Counsel, Kentucky Department of Education, 300 Sower Boulevard, 5th Floor, Frankfort, KY 40601, phone 502-564-4474, fax 502-564-9321, email regcomments@education.ky.gov