

1 AN ACT relating to evaluations of certified educators.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔Section 1. KRS 156.557 is amended to read as follows:

4 (1) As used in this section:

5 (a) "Formative evaluation" means a continuous cycle of collecting evaluation
6 information and providing feedback with suggestions regarding the certified
7 employee's professional growth and performance; and

8 (b) "Summative evaluation" means the summary of, and conclusions from, the
9 evaluation data, including formative evaluation data that:

10 1. Occur at the end of an evaluation cycle; and

11 2. Include a conference between the evaluator and the evaluated certified
12 employee and a written evaluation report.

13 (2) The Kentucky Department of Education, in consultation with the Kentucky teacher
14 and principal steering committees and other groups deemed appropriate by the
15 commissioner of education, shall develop a statewide framework for teaching that
16 shall promote the continuous professional growth and development of skills needed
17 to be a highly effective teacher or a highly effective administrator in a school or
18 district.

19 (3) Each district shall develop and implement a personnel evaluation system aligned
20 with the statewide framework for teaching established in subsection (2) of this
21 section that shall:

22 (a) Use multiple measures of effectiveness;

23 (b) Include both formative and summative evaluation components;

24 (c) Measure professional effectiveness;

25 (d) Support professional growth;

26 (e) Have at least four (4) performance levels;

27 (f) Be used to inform personnel decisions;

1 (g) Be considerate of the time requirements of evaluators at the local level and
2 shall not require that all certified school personnel have a formal summative
3 evaluation each year; and

4 (h) Rate teachers or administrators by multiple measures instead of a single
5 measure.

6 (4) The performance criteria by which teachers and administrators shall be evaluated
7 shall include but not be limited to:

8 (a) Performance of professional responsibilities related to his or her assignment,
9 including attendance and punctuality and evaluating results;

10 (b) Demonstration of effective planning of curricula, classroom instruction, and
11 classroom management, based on research-based instructional practices, or
12 school management skills based on validated managerial practices;

13 (c) Demonstration of knowledge and understanding of subject matter content or
14 administrative functions and effective leadership techniques;

15 (d) Promotion and incorporation of instructional strategies or management
16 techniques that are fair and respect diversity and individual differences;

17 (e) Demonstration of effective interpersonal, communication, and collaboration
18 skills among peers, students, parents, and others;

19 (f) Performance of duties consistent with the goals for Kentucky students and
20 mission of the school, the local community, laws, and administrative
21 regulations;

22 (g) Demonstration of the effective use of resources, including technology;

23 (h) Demonstration of professional growth;

24 (i) Adherence to the professional code of ethics; and

25 (j) Attainment of the teacher standards or the administrator standards as
26 established by the Education Professional Standards Board that are not
27 referenced in paragraphs (a) to (i) of this subsection.

1 (5) The following provisions shall apply to each school district's personnel evaluation
2 system:

3 (a) Certified school personnel, below the level of superintendent, shall be
4 evaluated;

5 (b) The evaluation system shall include formative evaluation and summative
6 evaluation components; and

7 (c) The Kentucky Board of Education shall adopt administrative regulations
8 incorporating written guidelines for a local school district to follow in
9 implementing the personnel evaluation system and shall require the following:

10 1. All evaluations of certified school personnel below the level of the
11 district superintendent shall be in writing on evaluation forms and under
12 evaluation procedures developed by a committee composed of an equal
13 number of teachers and administrators;

14 2. The immediate supervisor of the certified school personnel member
15 shall be designated as the primary evaluator. At the request of a teacher,
16 observations by other teachers trained in the teacher's content area or
17 curriculum content specialists may be incorporated into the formative
18 process for evaluating teachers;

19 3. All monitoring or observation of performance of a certified school
20 personnel member shall be conducted openly and with full knowledge of
21 the personnel member;

22 4. Evaluators shall be trained, tested, and approved in accordance with
23 administrative regulations adopted by the Kentucky Board of Education
24 in the proper techniques for effectively evaluating certified school
25 personnel. Evaluators shall receive support and resources necessary to
26 ensure consistent and reliable ratings;

27 5. The personnel evaluation system shall include a plan whereby the

1 person evaluated is given assistance for professional growth as a teacher
2 or administrator. The system shall also specify the processes to be used
3 when corrective actions are necessary in relation to the performance of
4 one's assignment;

5 6. The system shall require annual summative evaluations for each teacher
6 or other professional who has not attained continuing service status
7 under KRS 161.740 or continuing status under KRS 156.800(7). The
8 system shall require summative evaluations once every five (5) years for
9 a teacher or other professional who has attained continuing service
10 status under KRS 161.740 or continuing status under KRS 156.800(7),
11 principals, assistant principals, and other certified administrators.
12 Additional summative evaluations may be performed at the discretion of
13 **the superintendent or** the immediate supervisor of a teacher or other
14 professional based upon a case-by-case analysis of the performance
15 criteria set forth in subsection (4) of this section but shall not be
16 imposed as a uniform requirement across the system. **Each summative**
17 **evaluation shall be presented to the local board of education;** and
18 7. The training requirement for evaluators contained in subparagraph 4. of
19 this paragraph shall not apply to district board of education members.

20 (6) (a) Each superintendent shall be evaluated according to a policy and procedures
21 developed by the local board of education and approved by the department.
22 (b) The summative evaluation of the superintendent shall be in writing, discussed
23 and adopted in an open meeting of the board and reflected in the minutes, and
24 made available to the public upon request.
25 (c) Any preliminary discussions relating to the evaluation of the superintendent
26 by the board or between the board and the superintendent prior to the
27 summative evaluation shall be conducted in closed session.

- 1 (7) The Kentucky Board of Education shall establish an appeals procedure for certified
- 2 school personnel who believe that the local school district failed to properly
- 3 implement the evaluation system. The appeals procedure shall not involve requests
- 4 from individual certified school personnel members for review of the judgmental
- 5 conclusions of their personnel evaluations.
- 6 (8) The local board of education shall establish an evaluation appeals panel for certified
- 7 school personnel that shall consist of two (2) members elected by the certified
- 8 employees of the local district and one (1) member appointed by the board of
- 9 education who is a certified employee of the local board of education. Certified
- 10 school personnel who think they were not fairly evaluated may submit an appeal to
- 11 the panel for a timely review of their evaluation.
- 12 (9) The Kentucky Department of Education may annually provide for on-site visits by
- 13 trained personnel to review and ensure appropriate implementation of the
- 14 evaluation system by the local school district. The department shall provide
- 15 technical assistance to local districts to eliminate deficiencies and to improve the
- 16 effectiveness of the evaluation system.
- 17 (10) The disclosure, pursuant to KRS Chapter 61, of any data or information, including
- 18 student growth data, that local school districts or the Kentucky Department of
- 19 Education collect on individual classroom teachers under this section is prohibited.
- 20 (11) The results of evaluations conducted under this section shall not be included in the
- 21 accountability system described in KRS 158.6455 and no reporting requirements
- 22 related to these results shall be imposed upon the local school districts by the
- 23 Kentucky Department of Education.