

4 AAC 04.200(f) is repealed and readopted to read:

(f) The following cultural standards for educators apply to a teacher, including a teacher who is an administrator or a special service provider:

(1) a culturally-responsive educator incorporates local ways of knowing and teaching in the educator's work;

(2) a culturally-responsive educator uses the local environment and community resources on a regular basis to link what the educator is teaching to the everyday lives of the students;

(3) a culturally-responsive educator works closely with parents to achieve a high level of complementary educational expectations between home and school;

(4) a culturally-responsive educator recognizes the full educational potential of each student and provides the challenges necessary for the student to achieve that potential. (Eff. 12/17/94, Register 132; am 4/20/97, Register 142; am 3/15/2007, Register 181; am 9/12/2008, Register 187; am 2/4/2011, Register 197; am 2/16/2013, Register 205)

**Authority:** AS 14.03.015            AS 14.07.060            AS 14.20.020  
                 AS 14.07.020            AS 14.20.010

4 AAC 04.205(a) repealed:

(a) Repealed 2/16/2013.

4 AAC 04.205(c) is repealed:

(c) Repealed 2/16/2013.

4 AAC 04.205 is amended by adding a new subsection to read:

(e) Not later than July 1, 2015, a school district shall adopt, for teachers and administrators, standards for performance based on student learning data. In adopting standards for performance based on student learning data, a district shall

(1) confer with educators who are subject to the evaluation system;

(2) require the use of at least two but not more than four measurements of student growth;

(3) require the use of data from the statewide test selected by the commissioner under 4 AAC 06.737 as a measurement of student growth if

(A) the commissioner has notified districts that the commissioner has selected a test that

(i) employs measurements of achievement that are comparable across grade levels; and

(ii) permits a district to make valid measurements of student growth from year to year;

(B) data for student growth for a subject and grade level are available from the test; and

(C) the data are for a subject and grade level directly related to the job duties of the educator to whom the standard would apply;

(4) if the use of data from the statewide test is permitted under (3) of this subsection, use the data from the statewide test in at least as high a proportion as any other measurement of student growth used by the district; and

(5) develop procedures based on objective and measurable criteria to ensure that data used to measure performance under the standard accurately reflect student growth based on educator performance. (Eff. 4/20/97, Register 142; am 2/16/2013, Register 205)

**Authority:** AS 14.03.015                      AS 14.07.060                      AS 14.20.020  
AS 14.07.020                      AS 14.20.010

4 AAC 19.010 is repealed and readopted to read:

**4 AAC 19.010. Purpose and scope of evaluations.** (a) A district's evaluation of a teacher, administrator, or special service provider shall provide information and analysis that

- (1) help the teacher, administrator, or special service provider grow professionally;
- (2) are intended to improve the effectiveness of instruction at the school; and
- (3) relate to the future employment of the teacher, administrator, or special service provider.

(b) For each of the content standards set out in 4 AAC 04.200(b)(2) – (8), a district shall evaluate whether a teacher is exemplary, proficient, basic, or unsatisfactory on the standard. In evaluating the teacher, the district shall consider the cultural standards set out in 4 AAC 04.200(f). A district may evaluate a teacher on additional standards that have been adopted by the district.

(c) For each of the content standards set out in 4 AAC 04.200(c), a district shall evaluate whether an administrator is exemplary, proficient, basic, or unsatisfactory on the standard. In evaluating the administrator, the district shall consider the cultural standards set out in 4 AAC

04.200(f). A district may evaluate an administrator on additional standards that have been adopted by the district.

(d) A district shall evaluate whether the performance of a special service provider is exemplary, proficient, basic, or unsatisfactory on the performance standards for the special service applied by the district under 4 AAC 04.205(d). In evaluating the special service provider, the district shall consider the cultural standards set out in 4 AAC 04.200(f).

(e) In addition to the evaluation on the individual standards described in (b), (c), or (d) of this section, a district shall evaluate

(1) whether a teacher's, administrator's, or special service provider's overall performance is exemplary, proficient, basic, or unsatisfactory; and

(2) no later than school year 2015 - 2016, whether a teacher's or administrator's performance on the district's standards for student learning data is exemplary, proficient, basic, or unsatisfactory; a district shall include student learning data in teacher and administrator evaluations according to the following schedule:

(A) school years 2015 - 2016 and 2016 - 2017 at least 20 percent of a teacher's or administrator's overall performance rating;

(B) school year 2017 - 2018, at least 35 percent of a teacher's or administrator's overall performance rating;

(C) school year 2018 - 2019 and after, at least 50 percent of a teacher's or administrator's overall performance rating.

(f) A district may not give a teacher, administrator, or special service provider an overall performance rating of proficient or higher if the teacher, administrator, or special service

provider has been evaluated to be performing at a level of basic or lower on one or more of the content standards or other criteria for which evaluation is required under this section.

(g) A teacher, administrator, or special service provider who receives a performance evaluation rating of unsatisfactory on one or more of the content standards or other criteria for which evaluation is required under this section has not met the district performance standards for purposes of AS 14.20.149(b)(6)(e), or (f).

(h) Unless the district is nonretaining the teacher, administrator, or special service provider, if a district gives a special service provider, administrator, or teacher a performance evaluation rating of basic on two or more of the content standards or other criteria for which evaluation is required under this section, the district

(1) shall provide support and assistance, as determined by the district, for improvement on those standards or criteria;

(2) may place the teacher, administrator, or special service provider on a plan of professional growth.

(i) If, at the conclusion of a plan of professional growth, a teacher's, administrator's, or special service provider's performance on the standards or criteria in question is not proficient or exemplary, the district may place the teacher, administrator or special service provider on a plan of improvement under AS 14.20.149(b)(6).

(j) For purposes of this section, a plan of professional growth is a plan developed by the evaluating administrator, in consultation with the teacher, administrator, or special service provider to whom the plan applies, to provide the structure, assistance, and guidance for the teacher, administrator, or special service provider to improve in all criteria in which the teacher, administrator, or special service provider is performing at a basic level. The plan must include

(1) clear and specific performance expectations;

(2) a description of ways that the teacher's, administrator's or special service provider's performance can be improved; and

(3) a duration determined by the district. (Eff. 8/30/75, Register 55; am 2/16/2013, Register 205)

**Authority:** AS 14.07.020

AS 14.07.060

AS 14.20.149

4 AAC 19.020 is repealed:

**4 AAC 19.020. Scope of evaluation.** Repealed. (Eff. 8/30/75, Register 55; repealed 2/16/2013, Register 205)

4 AAC 19.030 is repealed and readopted to read:

**4 AAC 19.030. Evaluation procedures.** (a) In evaluating a teacher, administrator, or special service provider, a district

(1) shall base the evaluation of a teacher, administrator, or special service provider on observation of the teacher, administrator, or special service provider in the workplace by the evaluator;

(2) shall consider information on the performance of the teacher, administrator, or special service provider provided by students, parents, community members, teachers, and administrators under AS 14.20.149(b)(7);

(3) shall indicate what information the district used to evaluate the teacher, administrator, or special service provider and the source of the information;

(4) shall notify students, parents, community members, teachers, and administrators that students, parents, community members, teachers, and administrators have the opportunity to provide information on the performance of the teacher, administrator, or special service provider being evaluated; the district shall provide a form or electronic means for providing the information;

(5) shall provide the teacher, administrator, or special service provider being evaluated with a copy of the draft evaluation at least 24 hours before the evaluation becomes final;

(6) shall inform the teacher, administrator, or special service provider being evaluated that

(A) the teacher, administrator, or special service provider has the right to review a draft evaluation and comment in writing before the evaluation becomes final; and

(B) a failure to submit comments before the deadline waives the right to comment on the evaluation;

(7) may not retaliate against a teacher, administrator, or special service provider for commenting on the evaluation; and

(8) shall ensure that the evaluator and the teacher, administrator, or special service provider being evaluated signs the evaluation.

(b) In evaluating a teacher, administrator, or special service provider, a district may

(1) consider information in addition to the information described in (a) of this section, if the additional information is relevant to the performance of the teacher, administrator, or special service provider on the performance standard or other criterion under evaluation;

(2) survey students, parents, community members, teachers, or administrators regarding the performance of a teacher, administrator, or special service provider;

(3) use a nationally recognized teacher, administrator, or special service provider evaluation framework approved by the department that aligns with the standards set out in 4 AAC 04.200;

(4) require a more experienced teacher to perform at a higher level than a teacher with less experience.

(c) An evaluation of a teacher, administrator, or special service provider under this section must be approved by a person who possesses an administrative certificate issued under 4 AAC 12.345.

(d) Not later than July 1, 2015, a school district shall adopt evaluation procedures that incorporate student learning data into the evaluation process. In adopting a process to incorporate student learning data, a district shall confer with educators who teach a subject matter and grade level, or with groups of educators whose subject matters and grade levels are related, to identify appropriate student learning data for evaluating teachers in the subject matter and grade level. (Eff. 8/30/75, Register 55; am 1/12/83, Register 85; am 9/29/2005, Register 175; am 2/16/2013, Register 205)

**Authority:** AS 14.07.020 AS 14.07.060 AS 14.20.149

4 AAC 19.040 is repealed and readopted to read:

**4 AAC 19.040. Confidentiality of the evaluation.** A school district shall adopt procedures that

(1) protect the confidentiality of the evaluation documents; and



(2) allow supervisory personnel appropriate access to the evaluation documents.

(Eff. 8/30/75, Register 55; am 2/16/2013, Register 205)

**Authority:** AS 14.07.020 AS 14.07.060 AS 14.20.149

4 AAC 19.050 is repealed

**4 AAC 19.050. Development of local evaluation procedures.** Repealed. (Eff. 8/30/75, Register 55; repealed 2/16/2013, Register 205)

4 AAC 19 is amended by adding a new subsection to read:

**4 AAC 19.055. Reporting of evaluation results.** Beginning July 1, 2016, a district shall report to the department not later than July 10 of each calendar year the number and percentage of teacher's, administrator's, and special service provider's in the district at each of the performance levels described in 4 AAC 19.010(e)(1) at the end of the preceding school year. (Eff. 2/16/2013, Register 205)

**Authority:** AS 14.07.020 AS 14.07.060 AS 14.20.149

4 AAC 19.060 is repealed and readopted to read:

**4 AAC 19.060. Evaluation training.** A district's evaluation training must include training that provides for an assurance of inter-rater reliability. (Eff. 8/30/75, Register 55; am 2/16/2013, Register 205)

**Authority:** AS 14.07.020 AS 14.07.060 AS 14.20.149

4 AAC 19 is amended by adding a new section to read:

**4 AAC 19.099. Definitions.** In this chapter, unless the context requires otherwise,

(1) “administrator” has the meaning given in 4 AAC 12.900(c)(2)(A);

(2) “measurement”

(A) means an assessment of student knowledge, understanding, or skill;

(B) includes an assessment that is not a standardized test;

(3) “measurement of student growth” means a comparison of a measurement of a student’s knowledge, understanding, or skill in a subject before being taught by the teacher with a comparable measurement made after the student has been taught the subject by the teacher;

(4) “objective, empirical, and valid measurement” means an assessment of the extent of a student’s knowledge, understanding, or skill that

(A) is based on verifiable data or information that has been recorded or preserved;

(B) can be repeated with the same expected result; and

(C) is not dependent on the point of view or interpretation of the person giving the assessment;

(5) “special service provider” means a certificated person employed by a school district in a special services area; in this paragraph, “special service area” has the meaning given in 4 AAC 12.900(a);

(6) “student growth” means measurable gains made by a student in the student’s knowledge, understanding, or skill in a subject;

(7) “student learning data” means objective, empirical, and valid measurements of a student’s growth in knowledge, understanding, or skill in a subject that occurred during the time the student was taught that subject by a teacher;

(8) “teacher”

(A) has the meaning given in 4 AAC 12.900(c);

(B) includes a provider of special education who holds a certificate issued under 4 AAC 12.305. (Eff. 2/16/2013, Register 205)

**Authority:** AS 14.07.020

AS 14.07.060

AS 14.20.149