

Register 216, January 2016 EDUCATION AND EARLY DEV.

The introductory language of 4 AAC 04.205(e) is amended to read:

(e) Not later than July 1, **2016** [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

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

(f) In addition to the requirements of (e) of this section, districts may use multiple and up to three previous years of student learning data from the statewide test selected by the commissioner under 4 AAC 06.737 and other student learning data as defined in 4 AAC 19.099 to measure educator performance. (Eff. 4/20/97, Register 142; am 2/16/2013, Register 205; am 10/9/2015, Register 216)

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

The introductory language of 4 AAC 06.815(a) is amended to read:

(a) Not later than **60 days after the board establishes new assessment proficiency scores in 4 AAC 06.739 for a new assessment given in** [SEPTEMBER 1 OF THE SCHOOL YEAR FOLLOWING] a base year, the department will determine and notify each district of the annual measurable objectives for

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4 AAC 06.815(d) is amended to read:

(d) The department will give each district or school a performance score for reading, writing, and mathematics for the all-students group and each subgroup with five or more students. The performance score will be calculated based on the percentage of students who score proficient or higher on the state reading, writing, and mathematics standard-based assessments described in 4 AAC 06.737, as compared to the total number of students tested who were enrolled for a full academic year. **Not later than September 1, the department will produce a report for the state and each district and school showing the performance scores as compared to the annual measurable objective targets and an indication of whether the targets have been met.**

4 AAC 06.815(e) is repealed:

(e) Repealed 10/9/2015.

(Eff. 11/23/2003, Register 168; am 7/9/2005, Register 175; am 9/4/2005, Register 175; am 9/7/2012, Register 203; am 10/19/2013, Register 208; am 11/13/2014, Register 212; am 10/9/2015, Register 216)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080
AS 14.07.020

4 AAC 06 is amended by adding a new section to read:

4 AAC 06.817. Change in assessments. (a) The year in which there is a new or significantly changed assessment under 4 AAC 06.737 that requires new proficiency scores

under 4 AAC 06.739 shall be considered a base year for the purposes of reporting and accountability based on those assessments.

(b) Notwithstanding any provision in this chapter, in a school year in which the results of a new or significantly changed state standards-based assessment selected under 4 AAC 06.737 are being used for the first time for school and district accountability, the commissioner may, by notice to the districts,

(1) limit new measures of school and district accountability imposed under 4 AAC 06.800 - 4 AAC 06.899;

(2) retain existing measures of school and district accountability imposed under 4 AAC 06.800 - 4 AAC 06.899 for the previous school year for one additional school year; and

(3) reset timelines for required reporting under 4 AAC 06.738(d) and 4 AAC 06.895. (Eff. 10/9/2015, Register 216)

Authority: AS 14.03.120 AS 14.07.020 AS 14.07.060

4 AAC 06.820(h) is repealed:

(h) Repealed 10/9/2015.

4 AAC 06.820 is amended by adding a new subsection to read:

(i) Except as provided in (f) and (g) of this section, a student who is counted as more than one-quarter full-time equivalent under 4 AAC 09.040 must be included in the standards-based test described in 4 AAC 06.737. A student who is counted as one-quarter full-time equivalent under 4 AAC 09.040 must only be included in the English/language arts,

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mathematics, or science content-area assessment of the standards-based test under 4 AAC 06.737 if the student receives instruction in a corresponding subject and grade level. (Eff. 11/23/2003, Register 168; am 10/24/2004, Register 172; am 10/16/2013, Register 208; am 10/9/2015, Register 216)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080
AS 14.07.020

4 AAC 06.895(b) is amended to read:

(b) A school shall disseminate its *School Report Card to the Public* as required under AS 14.03.120(d). A district shall disseminate its *School District Report Card to the Public* by providing it to the department, distributing it to schools in the district, posting the report on the Internet if the district maintains a web site, and any other means of distribution the district chooses. Each school shall disseminate its report to parents **not later than 30 days after the department has made all necessary data available to districts** [BEFORE THE SCHOOL OPENS FOR INSTRUCTION IN THE FALL]. The report required under this section shall be written in a uniform and understandable manner, and, to the extent practicable, be in a language that the parent can understand.

4 AAC 06.895(e) is repealed:

(e) Repealed 10/9/2015.

(Eff. 11/23/2003, Register 168; am 8/19/2009, Register 191; am 2/4/2011, Register 197; am 6/30/2013, Register 206; am 10/16/2013, Register 208; am 11/13/2014, Register 212; am

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12/26/2014, Register 212; am 3/6/2015, Register 213; am 10/16/2015, Register 216)

Authority: AS 14.03.120 AS 14.07.020 AS 14.50.080
AS 14.03.123 AS 14.07.060

4 AAC 19.010(e)(1) is amended to read:

(1) **not later than school year 2015 - 2016** whether a teacher's, administrator's, or special service provider's overall performance is exemplary, proficient, basic, or unsatisfactory; and

4 AAC 19.010(e)(2) is amended to read:

(2) **not** [NO] later than school year **2016 - 2017** [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 **and include this information in the teacher or administrator's overall rating** [; 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

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PERCENT OF A TEACHER'S OR ADMINISTRATOR'S OVERALL
PERFORMANCE RATING].

4 AAC 19.010(f) is amended to read:

(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 **unsatisfactory** [BASIC OR LOWER] on one or more of the content standards or **in the case of teachers and administrators, the district's standard for student learning data** [OTHER CRITERIA FOR WHICH EVALUATION IS REQUIRED UNDER THIS SECTION].

4 AAC 19.010(g) is amended to read:

(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 **in the case of teachers and administrators, the district's standard for student learning data** [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).

The introductory language of 4 AAC 19.010(h) is amended to read:

(h) Unless the district is **non-retaining** [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 **in the case**

of teachers and administrators, the district's standard for student learning data [OTHER CRITERIA FOR WHICH EVALUATION IS REQUIRED UNDER THIS SECTION], the district

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4 AAC 19.010 is amended by adding a new section to read:

(k) A school district shall implement a pilot program for the incorporation of student learning data. During the 2015 - 2016 school year, student learning data will not be incorporated into the district's evaluation system. Under the pilot program, the district shall

(1) develop pilot standards for performance based on student learning data;

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

(3) develop procedures based on objective and measurable criteria to ensure that data used to measure performance under the standards accurately reflect student growth based on educator performance; and

(4) evaluate whether a teacher's or administrator's performance on the district's standards for student learning data is exemplary, proficient, basic, or unsatisfactory and share this evaluation with the educator. (Eff. 8/30/75, Register 55; am 2/16/2013, Register 205; am 10/9/2015, Register 216)

Authority: AS 14.07.020 AS 14.07.060 AS 14.20.149

4 AAC 19.030(d) is amended to read:

(d) Not later than July 1, **2016** [2015], a school district shall adopt evaluation procedures

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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; am 10/9/2015, Register 216)

Authority: AS 14.07.020 AS 14.07.060 AS 14.20.149

4 AAC 19.055 is amended to read:

4 AAC 19.055. Reporting of evaluation results. Beginning July 1, 2016, a district shall report to the department not later than **September 15** [JULY 10] of each calendar year **on a form prescribed by the department**

(1) the number and percentage of **tenured and non-tenured** teachers, administrators, and special service providers 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; **and**

(2) **the number and percentage of tenured and non-tenured teachers, administrators, and special service providers in the district during the preceding school year who**

(A) **exceeded the district's performance standards under AS 14.20.149(b)(4);**

(B) **were on a plan of improvement under AS 14.20.149(b)(6);**

(C) **were receiving district support on a plan of professional growth**

under 4 AAC 19.010(h);

(D) were non-retained under AS 14.20.175;

(E) were dismissed under AS 14.20.170; or

(F) were identified as having unsatisfactory or basic performance on their evaluation by the school district and subsequently resigned. (Eff. 2/16/2013,

Register 205; am 10/9/2015, Register 216)

Authority: AS 14.07.020 AS 14.07.060 AS 14.20.149

4 AAC 19.099(7) is amended to read:

(7) "student learning data"

(A) 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;

(B) for an administrator or for a teacher on special assignment, includes data showing one or more of the following changes, if related to the educator's job duties or responsibilities:

(i) changes in participation rates under 4 AAC 06.820;

(ii) changes in graduation rates under 4 AAC 06.825;

(iii) changes in student attendance under 4 AAC 06.895(i);

4 AAC 19.099 is amended by adding a new paragraph to read:

(9) "teacher on special assignment"

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(A) means a teacher who does not provide instruction or academic support to students and does not serve as the teacher of record for any student;

(B) does not include a teacher assigned to a correspondence study program that the department has approved under 4 AAC 33.420. (Eff. 2/16/2013, Register 205; am 10/9/2015, Register 216)

Authority: AS 14.07.020 AS 14.07.060 AS 14.20.149