

4 AAC 12.320 is amended to read:

**4 AAC 12.320. Alaska teacher performance review standards; reconsideration.** (a)

Beginning September 1, 2006, a teacher subject to a performance review under 4 AAC 12.305 shall, on two occasions, within two years after the date of an initial teacher certificate under 4 AAC 12.305(a), or in connection with obtaining a master teacher certificate under 4 AAC 12.305(c)(2)(C) or maintaining a master teacher certificate under 4 AAC 12.405(d), arrange to have the teacher's classroom performance to be videotaped **or recorded on a DVD** for a period of 45 minutes, and submit the tape **or DVD** to the department along with supporting documentation including a description of the teacher's classroom, [INCLUDING] the class demographics, a map of the teacher's classroom, an explanation of where the lesson on the video **or DVD** falls within the curriculum or instructional unit, and any other information required by the department for review of the teacher's performance.

(b) A neutral panel of reviewers, selected and trained by the department, shall review the teacher's **recorded** [VIDEOTAPED] performance.

(c) The teacher's **recorded** [VIDEOTAPED] performance will be evaluated on the following criteria:

(1) under 4 AAC 04.200(b)(4), demonstrated ability to plan and prepare, as demonstrated by how the teacher organizes and designs instruction to effectively deliver the content so that the students can learn, including how the teacher

(A) draws on a wide repertoire of strategies as described in 4 AAC 04.200(b)(4)(C), including, where [when] appropriate, the use of technology; and

(B) organizes instruction as described in 4 AAC 04.200(b)(5)(A) [4 AAC 04.200(b)(5)(A)], based on the characteristics of students and the goals of the curriculum [lesson];

(2) under 4 AAC 04.200(b)(6), demonstrated ability to create and maintain the environment necessary for student learning to occur, including the teacher's ability to

(A) under 4 AAC 04.200(b)(6)(B), communicate high standards and clear expectations for students; and

(B) under 4 AAC 04.200(b)(6)(C), manage the classroom to maintain an engaging, inclusive, and safe learning community in which all students are able to [can learn];

(3) under 4 AAC 04.200(b)(3) and 4 AAC 04.200(b)(4), demonstrated ability to engage students in the content area of the class in order to have an impact on student learning; a demonstration under this paragraph includes

(A) under 4 AAC 04.200(b)(3)(B), using instructional strategies and resources appropriate to the individual and special needs of students;

(B) under 4 AAC 04.200(b)(4)(A), using the teacher's knowledge of the content area including its tools of inquiry, [and] central concepts, and connections to other domains of knowledge;

(C) under 4 AAC 04.200(b)(4)(B), applying a variety of strategies to assess a student's stage of [review students'] learning; and

(D) under 4 AAC 04.200(b)(4)(D), connecting instruction to other content areas and to practical situations.

(d) A teacher seeking a professional teacher certificate under 4 AAC 12.305(b)

(1) who has an initial teacher certificate dated September 1, 2006 or later must attain on each review a score of at least 16 with no score on an individual performance below a 2, in accordance with the department's *Alaska Teacher Performance Review Handbook and Scoring Guide*, March 2006 edition, adopted by reference; and

(2) may, if the teacher does not successfully attain the required score, submit additional videotapes **or DVDs** for review within the initial certification period in 4 AAC 12.305(d); after the teacher has submitted three videotapes **or DVDs** for review, the teacher must pay a fee of \$25 for each additional review.

(e) A teacher holding a professional teacher certificate under 4 AAC 12.305(b) may voluntarily comply with this section. The teacher must pay a fee of \$25 for each videotape **or DVD** reviewed. This subsection does not apply if the videotape **or DVD** is being submitted in support of an application for a professional or master teacher certificate under 4 AAC 12.305.

(f) A teacher holding a professional teacher certificate under 4 AAC 12.305(b) who voluntarily complies with this section may

(1) receive public acknowledgement of successful completion of the performance review in a manner determined by the commissioner;

(2) receive 100 points toward the high objective uniform standards as permitted by 4 AAC 04.212(f), if the teacher receives on each review a score of at least 16 with no score on an individual performance below a 2 in the area for which the teacher seeks to be designated highly qualified under 4 AAC 04.210; and

(3) receive a master teacher certificate under 4 AAC 12.305(c)(2)(C), if the teacher receives on each review a score of at least 27 with no score on an individual performance

below a 3, and is not eligible under 4 AAC 12.305(c)(2)(A) or (B) for a master teacher certificate.

(g) If a teacher's failure to successfully complete a performance review will result in the denial of a professional teacher certificate under 4 AAC 12.305(b), or the denial of a master certificate under 4 AAC 12.305(c)(2)(C), the teacher may seek reconsideration from the department by filing a written request for reconsideration within 15 days after receiving notice that the teacher has not successfully completed the review, setting out in detail the reasons why the teacher believes the review was in error. If the department sends the notice of failure to successfully complete the performance review to the teacher by regular mail, it will be presumed to have reached the teacher 10 calendar days after the postmark date.

(h) Within 30 days after receipt of a request for reconsideration under (g) of this section, the department will submit the videotapes **or DVDs** to a neutral reviewer, selected and trained by the department, who was not involved in the initial review. The reviewer on reconsideration will apply the criteria set out in (c) of this section, and make a recommendation to the department as to whether the initial panel was correct in determining whether the teacher did not attain the score required by (d) of this section. On receiving the recommendation, the department may accept or reject the recommendation.

(i) Filing a request for reconsideration under (g) of this section does not affect a teacher's right to appeal a denial of certification under AS 14.20.460(4) if the denial has the effect of denying a professional teacher certificate under 4 AAC 12.305(b). However, nothing in this section precludes the Professional Teaching Practices Commission from adopting procedures that would require the teacher to request reconsideration before an appeal under AS 14.20.460(4).

(j) Ninety days after the completion of a performance review, or the termination of administrative or court proceedings related to a review under this section, whichever is later, the department will return to a teacher a videotape **or DVD** submitted under this section.

(k) In this section, “DVD” means a digital video disc that is in optical format for viewing and storing data.

(Eff. 9/29/2005, Register 175; am 9/20/2006, Register 179; am 9/21/2006, Register 179; am \_\_/\_\_/\_\_, Register \_\_\_\_\_)

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