

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

(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 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 or up to three previous years of student learning data from the statewide test selected by the commissioner under 4 AAC 06.737 to measure educator performance. (Eff. 4/20/97, Register 142; am 2/16/2013, Register 205; am __/__/____, Register____)

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

4 AAC 06.815 (a) is amended to read:

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

(1) the all-students group, for

(A) each school in the district;

(B) the district as a whole; and

(C) the state as a whole; and

(2) for each subgroup with five or more students in the school, district, or state.

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. The department will produce a report by September 1 for the state and each district and school showing the performance scores as compared to the AMO targets and an indication of whether the targets have been met. (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 __/__/____, Register ____)

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 ACC 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. __/__/____, Register ____)

Authority: AS 14.03.120 AS 14.07.020 AS 14.07.060

4 AAC 06.820(h) is repealed:

(h) repealed. __/__/____. (Eff. 11/23/2003, Register 168; am 10/24/2004, Register 172; am 10/16/2013, Register 208; am __/__/____, Register ____)

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

(i) Except as provided in (f) and (g) of this section, a student who is counted as more than 0.25 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 0.25 full-time equivalent under 4 AAC 09.040 must only be included in the English/language arts, 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.

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 **no 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 __/__/____. (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 12/26/2014, Register 212; am __/__/____, Register ____)

Authority: AS 14.03.120 AS 14.07.020 AS 14.07.060

4 AAC 19.010 (e), (f), (g), and (h) is amended to read:

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

(1) **no 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

(2) 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
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 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].

(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).

(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 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

(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.

4 AAC 19.010 is amended by adding a new section:

(k) Not later than July 1, 2015, 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 districts' evaluation system. Under this pilot program, districts must

(1) 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 standard 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 __/__/____, Register____)

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 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 __/__/____, Register____)

Authority: AS 14.07.020 AS 14.07.060 AS 14.20.149

4 AAC 19.055 is amended to read:

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; and

(F) resigned as a result of the identification of unsatisfactory or basic performance by the school district. (Eff. 2/16/2013, Register 205; am ___/___/___, Register ___)

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" 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. **In the case of administrators and teachers on special assignment, student learning data may include data showing changes to student attendance, participation, and graduation rates that are related to the educator's job duties or responsibilities;**

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

(9) "teacher on special assignment" 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. Teachers assigned to a correspondence study program approved by the department under 4 AAC 33.420 are not on special assignment. (Eff. 2/16/2013, Register 205; am __/__/____, Register____)

Authority: AS 14.07.020 AS 14.07.060 AS 14.20.149