



Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <http://rules.wyo.gov>

Revised May 2018

1. General Information

a. Agency/Board Name*		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison		f. Agency Liaison Telephone Number
g. Agency Liaison Email Address		
h. Date of Public Notice		i. Comment Period End Date
j. Public Comment URL or Email Address:		
k. Program		

* By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No. Yes. Please provide the Chapter Numbers and Years Enacted
(eg: 2015 Session Laws Chapter 154):

3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.
Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification.

Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
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Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed

4. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. No. Yes. Please complete the boxes below.

Date:	Time:	City:	Location:
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b. What is the manner in which interested persons may present their views on the rulemaking action?

By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

To the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Agency Liaison listed in Section 1 above.

5. Federal Law Requirements

a. These rules are created/amended/revoked to comply with federal law or regulatory requirements. No. Yes. Please complete the boxes below.

Applicable Federal Law or Regulation Citation:
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Indicate one (1):

The proposed rules meet, but do not exceed, minimum federal requirements.

The proposed rules exceed minimum federal requirements.

Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:

To the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

6. State Statutory Requirements

a. Indicate one (1):

The proposed rule change *MEETS* minimum substantive statutory requirements.

The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. Indicate one (1):

The Agency has complied with the requirements of W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:

By contacting the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

Not Applicable.

7. Additional APA Provisions

a. Complete all that apply in regards to uniform rules:

These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):

_____ (Provide chapter numbers)

These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Principal Reasons).

_____ (Provide chapter numbers)

b. Checklist

The Statement of Principal Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

If applicable: In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

8. Authorization

a. I certify that the foregoing information is correct.

<i>Printed Name of Authorized Individual</i>	
<i>Title of Authorized Individual</i>	
<i>Date of Authorization</i>	

Chapter 29
Evaluation Systems for District and School Leaders and Other Certified Personnel

STATEMENT OF REASONS

Wyoming statute 21-2-304(b)(xvi) requires the State Board of Education (SBE) to promulgate rules for the implementation and administration of a comprehensive leader evaluation system, no later than July 1, 2018. Under this statute, “leaders” include superintendents, principals, and other district or school leaders. Chapter 29 rules encapsulate an evaluation system that is comprehensive, identifies professional standards, and allows districts to refine the system through an alternative option as approved by the SBE. Chapter 29 also provides districts the flexibility to develop an evaluation system for the superintendent that is distinct from the system used to evaluate other leaders in the district.

Because the statute resulted in significant changes to Chapter 29, a statewide stakeholder group of local school board trustees, district and school administrators, and representatives from the SBE, Wyoming Department of Education, and the Attorney General’s Office was convened to draft amended rules. Several iterations of the rules were presented to education organizations across the state, along with opportunities to comment and complete surveys about the proposed rule changes. The goal of the Chapter 29 committee was to create a fully comprehensive evaluation system with prescribed professional standards, while still allowing flexibility for local districts.

Districts have the option to use either a state-defined system or a locally-defined system. Both are based on professional standards, and while each option has different requirements, both options must be comprehensive and include the following components:

1. Multiple Sources of Evidence - Selected by the district to provide a more comprehensive and accurate assessment of performance.
2. Rating System - Performance level descriptors defined by the district and in compliance with W.S. 21-3-110(b).
3. Evaluation Cycle - Designed by the district for professional growth, to refine goals, and provide formative feedback.
4. Guidance Documents & Training - Determined by the district to better prepare evaluators and those being evaluated.
5. Policies & Procedures - Defined by the district to ensure system is implemented with fidelity.
6. Supports - Designed by the district to foster professional learning and growth in those being evaluated.

Option 1: State-Defined System

The state-defined system is based on the seven standards listed below. If a district opts to use the state-defined system, they must evaluate leaders based on their choice of six of the seven standards, one of which must be Standard 1, *Clear and consistent focus on maximizing the learning and growth of all students*. Each selected standard must be assessed at least once every five years. The standards for the state-defined system include:

Standard 1*- Clear and consistent focus on maximizing the learning and growth of all students

Standard 2- Instructional and assessment leadership

Standard 3 - Developing and supporting a learning organization

Standard 4 - Vision, mission, and culture

Standard 5 - Efficient and effective management

Standard 6 - Ethics and professionalism

Standard 7 - Communication and community engagement

**required*

Each standard is measured through associated benchmarks. For example, Standard 4, *Vision, mission and culture* contains benchmarks such as:

- A. Use relevant data and collaborate with members of the school, district, and community to create and endorse a vision for the achievement of every student.
- B. Create and maintain a positive climate with a trusting, safe environment that promotes effective student learning and adult practice.
- C. Articulate, advocate, and cultivate core values that define the school's and district's culture.
- D. Collaboratively evaluate the mission and vision, modifying them based on changing intentions, opportunities, demands, and positions of students, staff, and community.

Districts may choose which benchmarks to include, so long as the majority of the benchmarks are used. Districts using the state-defined model will be required to submit an annual assurance that they have implemented a leader evaluation system that meets these requirements.

Option 2: Locally-Designed System

The locally-designed option, while still based on professional standards, allows districts to use any number of the standards defined above, create their own standards, or a combination of state-defined standards and locally-defined standards. The only required state-defined standard is Standard 1, *Clear and consistent focus on maximizing the learning and growth of all students*. Locally-designed systems must be approved by the SBE and assessed at least once every five years. Districts using a locally-designed system will be required to submit an annual assurance that they have implemented a leader evaluation system model that meets these requirements.

Leader Evaluation System Implementation Timeline

On or before February 1, 2019, districts will notify the SBE whether a state-defined or locally-designed model will be used for their leader evaluation system. Locally-designed systems will receive conditional approval for the 2018-19 school year. For districts electing to use a locally-

designed system, the district must submit required materials to the SBE for review for full approval on or before June 1, 2019. Beginning with the 2019-20 school year, districts will provide annual assurances that they have adopted and implemented either the state-defined model or an approved locally-designed model on or before November 1.

Chapter 29

EVALUATION SYSTEMS FOR DISTRICT AND SCHOOL LEADERS AND OTHER CERTIFIED PERSONNEL

Section 1. Authority. These rules and regulations are promulgated pursuant to Wyoming Statutes 21-2-304(b)(xv) and (xvi).

Section 2. Definitions.

(a) “Best practice” means practices that have produced positive, documented results in a similar situation and could be replicated.

(b) “Certified personnel” means all personnel, including classroom teachers and others who are required by the State of Wyoming to hold licensure through the Wyoming Professional Teaching Standards Board or a Wyoming professional licensing agency, exclusive of extra-duty positions.

(c) “Certified personnel evaluation system” means a standard structure and set of procedures by which a school district initiates, designs, implements, and uses evaluations of its certified personnel for the purposes of professional growth and continued employment.

(d) “District leader” means a person employed as superintendent of schools by any district board of trustees or other district leader serving in a similar capacity, as determined by the local board of trustees.

(e) “Equitable” means dealing fairly and equally with all concerned.

(f) “Evaluation cycle” means the timelines under which the various components of an evaluation process occurs.

(g) “Evaluation system standards” means the standards identified or approved, as part of a proposed locally designed district and school leader evaluation system, by the State Board of Education that define the knowledge and skills expected of persons who will be evaluated.

(h) “Evaluator” means the person primarily responsible for administering an evaluation.

(i) “Formative feedback” means information communicated to a person being evaluated that is intended to modify thinking or behavior.

(j) “Locally designed district and school leader evaluation system” means a locally designed district and school leader evaluation system comprising the standards and comprehensive system components described in sections 3 and 4 of this rule, which must be evaluated and approved by the State Board of Education, prior to adoption by a board of trustees.

- (k) “Multiple sources of evidence” means using more than one method or source of data to determine a person’s level of performance in an area of practice or outcomes.
- (l) “Performance criteria” means the areas on which a person is evaluated.
- (m) “Performance level descriptor” means a rating used to summarize the knowledge and skills associated with each performance level used in a ratings system.
- (n) “Professional practice” means the knowledge and skills expected of persons being evaluated, as defined in standards and associated benchmarks.
- (o) “Ratings system” means a system of classification by which information is provided regarding the professional practice of persons being evaluated as measured against evaluation system standards.
- (p) “Reliable” means dependable; obtaining the same results with repeated use or application.
- (q) “Research-based” means basic or applied research that:
- (i) Has been published in a peer-reviewed journal or approved by a panel of experts;
 - (ii) Has been replicated by other researchers; and
 - (iii) Has a consensus in the research community that the study’s findings are supported by a critical mass of additional studies.
- (r) “School leader” means a school principal or other school leader serving in a similar capacity, as determined by the local board of trustees.
- (s) “Significantly amended” means a change to an evaluation system that replaces an existing system or materially changes any required component of an existing system.
- (t) “Stakeholder” means an individual who is or will be directly impacted by the evaluation system.
- (u) “State-defined district and school leader evaluation system” means a district and school leader evaluation system comprising the standards and comprehensive system components described in sections 3 and 4 of this rule.
- (v) “Student performance growth data” means data that shows outcomes for students, including student achievement test scores and other non-academic measures of student outcomes.
- (w) “Summative evaluation” means a written summary of performance based on data collected during the evaluation cycle.

(x) “Summative rating” means the overall rating, as provided for in a ratings system, assigned to a person being evaluated at the conclusion of an evaluation cycle.

Section 3. District and School Leader Evaluation System Design.

(a) Every board of trustees shall adopt policies and procedures for the administration of a district and school leader evaluation system designed and implemented in accordance with this chapter. Such policies shall define the purpose and goals of the system.

(b) A district and school leader evaluation system, hereinafter referred to as a leader evaluation system, shall be one of the following:

(i) A system based on all seven (7) of the Wyoming standards for district and school leaders or standard 1 and any five (5) of the remaining six (6) standards so long as a majority of the benchmarks of each such standard are represented, which, for purposes of this chapter, is referred to as a state-defined district and school leader evaluation system or a state-defined system; or

(ii) A system based on standards prescribed by the board of trustees, so long as standard 1 of the Wyoming standards for district and school leaders (prescribed in section 4) is included in the board’s standard, which, for purposes of this chapter, is referred to as a locally designed district and school leader evaluation system, a locally designed system, or an alternative leader evaluation system in accordance with W.S. 21-2-304(b)(xvi).

(c) Any leader evaluation system adopted by a board of trustees, whether a state-defined system or locally designed system, shall be a comprehensive system in that, in addition to being based on standards, as prescribed in paragraph (b) of this section, the system’s design incorporates the following comprehensive system components:

(i) **Multiple Sources of Evidence** - The leader evaluation system shall utilize multiple sources of evidence.

(A) Leader performance on each standard shall be evaluated using more than one source of evidence in order to provide a more comprehensive and accurate assessment.

(ii) **Evaluation Cycle** - The leader evaluation system shall be administered in accordance with an evaluation cycle which provides for, at a minimum:

(A) Each leader shall be evaluated at least annually; however, not every standard is required to be used for any leader’s evaluation in a given year, except that standard 1 shall be used with every evaluation and all of the standards adopted by the board of trustees must be used for each leader’s evaluations at least once during every five (5) year period;

(B) Each evaluation shall be carried out on a timeline established by the board of trustees, in consultation with the district superintendent, to ensure that evaluators and any person being evaluated have sufficient time to consider and complete all aspects of the evaluation cycle;

(C) The board of trustees shall evaluate any person employed as superintendent of schools in accordance with the district's evaluation policies and procedures;

(D) The district superintendent shall ensure that the evaluation of all other district leaders, principals, and other school leaders is carried out in accordance with the district's evaluation policies and procedures;

(E) Each evaluation shall be carried out in accordance with a process clearly defined by the district and which includes collaborative goal-setting, self-analysis, and information and data analysis to identify areas for professional growth; formative feedback; and a planning process during which appropriate growth opportunities and supports are identified; and

(F) Each evaluation shall conclude with a written summary of annual evaluation findings and recommendations for improvement.

(iii) **Ratings System** - The leader evaluation system shall include a ratings system designed so that there is a performance level descriptor for each evaluation system standard that is the focus of the evaluation and in a manner that enables compliance with W.S. 21-3-110(b).

(iv) **Training and Guidance Documents** - The leader evaluation system shall include training on the use of the system, as well as guidance documents and training materials to support implementation and administration.

(A) Every employee of the district who is an evaluator or a person being evaluated shall be trained on using the system and any related tools and receive all guidance documents; and

(B) Training and guidance documents shall be made available to all members of the board of trustees and other employees.

(v) **Quality Controls** - The leader evaluation system shall include quality controls to ensure that the system is implemented and administered with fidelity.

(A) Each district shall establish procedures for the collection and appropriate use of all data; and

(B) Each district shall establish a timeline and procedures for evaluating the district's implementation of the leader evaluation system which includes a review of training, guidance documents, and other tools.

(vi) **Supports** - The leader evaluation system shall include supports for persons being evaluated to foster professional learning and growth, and to aid in building capacity.

(A) Every district shall establish a timeline and procedures for supporting professional learning, growth, and improvement in response to the performance of each leader and in a manner that enables compliance with W.S. 21-3-110(b).

Section 4. Wyoming Standards for District and School Leaders.

(a) Subject to the exceptions provided for in this chapter, every board of trustees shall adopt the following standards and associated benchmarks for the annual evaluation of district and school leaders pursuant to W.S. 21-3-110(a)(xxx).

(i) **Standard 1** – Clear and consistent focus on maximizing the learning and growth of all students:

(A) In collaboration with others and in alignment with district strategic priorities, use appropriate data to establish rigorous, concrete goals in the context of student achievement and instructional programming.

(B) Ensure the alignment of the assessments to district identified prioritized standards used to track student growth and achievement over time.

(C) Use multiple data measures appropriately within the technical limitations to monitor students' progress toward learning objectives to improve instruction.

(D) Ensure a system of accountability for students' academic success and career readiness.

(E) Develop and maintain longitudinal data and communication systems to deliver actionable information for district, school, and classroom improvement.

(F) Lead the implementation of a high-quality student support and assessment system.

(G) Ensure high expectations for achievement, growth, and equity in opportunities for all students.

(H) Work with staff to evaluate and use data to improve student achievement.

(ii) **Standard 2** – Instructional and assessment leadership:

(A) Focus on student learning by leading the implementation of a rigorous, relevant, and prioritized curriculum and assessment system.

(B) Work collaboratively to implement a common instructional framework that aligns curriculum with teaching, assessment, and learning and guides teacher conversation, practice, observation, evaluation, and feedback.

(C) Recognize a full range of pedagogy and monitor the impact of instruction.

(D) Ensure that there is differentiation, personalization, intellectual stimulation, collaboration, authenticity, and recognition of student strengths in instructional practice.

(E) Promote the effective uses of technology to support teaching and learning.

(F) Ensure the use of formative assessment data to inform instruction.

(iii) **Standard 3** – Developing and supporting a learning organization:

(A) Effectively lead the implementation of a high-quality educator support and evaluation system that advances the professional growth of their staff.

(B) Have a solid understanding of adult learning and ensure that all adults have the knowledge, skills, and dispositions necessary to promote student success.

(C) Create and/or support collaborative learning organizations to foster improvements in teacher practices and student learning.

(D) Guide implementation of improvement initiatives and provide the time and support for these initiatives to achieve desired outcomes.

(E) Lead the evaluation of new and existing programs as part of a continuous improvement process.

(F) Cultivate the ability of teachers and other members of the community to become leaders by providing assistance and leadership opportunities.

(G) Facilitate high functioning groups of faculty and staff.

(iv) **Standard 4** – Vision, mission, and culture:

(A) Use relevant data and collaborate with members of the school, district, and community to create and endorse a vision for the achievement of every student.

(B) Articulate, advocate, and cultivate core values that define the school's and district's culture.

(C) Create and maintain a positive climate with a trusting, safe environment that promotes effective student learning and adult practice.

(D) Collaboratively evaluate the mission and vision, modifying them based on changing intentions, opportunities, demands, and positions of students, staff, and community.

(v) **Standard 5** – Efficient and effective management:

(A) Recruit, hire, support, develop, and retain effective teachers and other professional staff and form them into an effective team.

(B) Facilitate the adaptation and monitoring of operational systems and processes to ensure a high-performing organization that includes clear expectations, structures, rules, and procedures for effective and efficient operations focused on high-quality teaching and learning.

(C) Limit the number of initiatives and ensure that whatever programs and strategies are implemented in their school and district are supported by the best research available and are aligned to school and district plans.

(D) Use appropriate strategies to guide their organizations through change (e.g., first- and second-order change strategies).

(E) Support the learning of all students by appropriating and regulating monetary, human and material supplies, time, equipment, technology, and alliances with school and district goals.

(F) Ensure the expectation that students, staff, and the school and district operate within the guidelines of federal, state, and local laws, policies, regulations, and statutory requirements.

(vi) **Standard 6** – Ethics and professionalism:

(A) Lead with integrity.

(B) Establish a culture in which ethical behavior is expected and practiced by all faculty, staff, students, and volunteers.

(C) Contribute to district and state initiatives.

(D) Evaluate the potential ethical, legal, and precedent-setting consequences of decision-making.

(vii) **Standard 7** – Communication and community engagement:

(A) Advocate and effectively communicate with a range of stakeholders, from students and teachers to parents and members of the larger community, including media, to advance the organization’s vision and mission.

(B) Implement and maintain policies to establish working relationships with the community and media to garner support and build consensus for school and district goals.

(C) Use community engagement efforts to identify and share successes and to address challenges for the benefit of students.

(D) Are easily approached, available, and inviting to students, staff, and community.

(E) Are intentional about considering improvement ideas from outside the school system.

Section 5. District and School Leader Evaluation System Implementation and Administration.

(a) On or before February 1, 2019, the board of trustees shall notify the State Board of Education of its election to implement and administer either a state-defined district and school leader evaluation system or a locally designed district and school leader evaluation system for the evaluation of district and school leaders during the 2018-2019 school year as required by W.S. 21-3-110(a)(xxx).

(i) With such notice, a board of trustees that elects to adopt a state-defined system shall provide an assurance that district and school leader evaluations will be based on standards that meet the requirements of section 3(b)(i) of this chapter.

(ii) A board of trustees that elects to adopt a locally designed system shall receive conditional approval from the State Board prior to adoption by submitting to the Department, on behalf of the State Board, the following:

(A) The board’s leader evaluation system standards and associated benchmarks, developed in accordance with section 3(b)(ii) of this Chapter, which, upon approval shall be deemed performance standards identified or established by the State Board of Education pursuant to W.S. 21-2-304(b)(xvi);

(B) A description of the extent to which those standards are the same as or similar to the standards that are part of the state-defined system; and

(C) An assurance that the board will submit additional information on its leader evaluation system for full approval, as described in paragraph (b) of this section, by June 1, 2019.

(b) On or before June 1, 2019, a board that is implementing a locally designed system that has been conditionally approved by the State Board, shall submit the following for State Board review and full approval prior to administration during the 2019-2020 school year and subsequent school years:

(i) The purpose and goals of the evaluation system;

(ii) Evidence that the district's standards reflect best practice; and

(iii) Evidence of system quality as demonstrated by adherence with the comprehensive system component requirements of section 3(c) of this chapter, which may include leader evaluation system policies adopted by the board and procedures developed for administration of the system.

The State Board of Education will approve any locally designed system that it determines to be of sufficient quality on the basis of the strength of the evidence submitted. If the State Board finds the evidence submitted to be insufficient for approval, additional information may be requested for consideration.

(c) On or before November 1, 2019, and by the same date each year thereafter, the board of trustees shall provide the Department, on behalf of the State Board, with an assurance that the board has adopted and implemented, and is continuing to administer during the current school year, a leader evaluation system that is a state-defined system or an approved locally designed system and that meets all of the requirements for such a system as prescribed by section 3 of this chapter.

(d) Following any revision of the Wyoming district and school leader standards prescribed by section 4 of this chapter, the assurance required by paragraph (c) shall include an assurance that the district has modified its system as necessary to ensure continued alignment with any of the Wyoming district and school leader standards that are included in the board's leader evaluation system.

(e) Any board of trustees that elects to adopt a locally designed system after June 1, 2019, shall submit its system for State Board review and approval prior to adoption in accordance with the requirements established by paragraphs (a)(2)(A) and (B) and paragraph (b) of this section.

Section 6. Certified Personnel Evaluation System Design and Approval Criteria.

The evaluation systems for each of the major certified job categories shall be designed to measure the effectiveness with which certified personnel in those categories perform their roles. Criteria on which these positions are evaluated shall reflect the nature of these positions. The

Department, on behalf of the State Board, shall review each evaluation system on the criteria identified below:

- (a) Appropriate stakeholder involvement in the development of the certified personnel evaluation system;
- (b) Clear performance criteria that are considered best practice and on which certified personnel are evaluated;
- (c) Strength as a tool for facilitating professional growth and continuous improvement;
- (d) Evidence the system is reliable and equitable;
- (e) Whether the district includes evaluation instruments and processes that support the ability to generate the required documentation to make employment decisions;
- (f) Effectiveness of evaluation procedures including how data will be collected to complete the summative evaluation. This may include, but is not limited to, analysis of observations of job performance, use of various types of data, and employee-produced artifacts;
- (g) Including student performance growth data relevant to the nature of each certified personnel's position and indicating how it is used by the certified personnel to improve teaching and learning; and
- (h) A description of the district's complete evaluation cycle that shall include frequency of evaluations for initial and continuing contract teachers and other certified personnel and may include cycles of clinical supervision, action research, intensive assistance, and any other cycles used by the district.

Section 7. Submission of Certified Personnel Evaluation Systems.

- (a) Each board of trustees shall submit a copy of its evaluation systems for certified personnel to the Department. Once filed with the Department, the evaluation system will stand unless it is changed or significantly amended, at which time the board of trustees shall resubmit the new or significantly amended system.
- (b) Each board of trustees shall include in its submission the following documentation:
 - (i) A list of members of the committee that was used to develop and adopt the certified personnel evaluation system. The list contains appropriate stakeholder representation;
 - (ii) A list of performance criteria on which the district evaluates certified personnel. The district shall define the criteria sufficiently so that an outside reader will clearly

understand each criterion. The district shall provide evidence that each criterion is research-based or reflects best practice;

(iii) A description of how the evaluation process is linked to individual and collective professional growth. The description must also include how and when the system provides feedback to each certified personnel member and provide opportunities to identify areas for improvement and suggestions for how improvement can occur;

(iv) Evidence that evaluators are trained on the evaluation process and trained to view criteria similarly so that certified personnel across the district are evaluated with consistency;

(v) A description of how the evaluation system collects data used in making employment decisions. The evaluation instruments and types and amount of data to be collected must be sufficient to provide the required documentation;

(vi) A list that details the types of data collected and how it will be collected in order to make decisions about the summative evaluations;

(vii) Identification of the types of student performance growth data, specific to each certified personnel's position used in the evaluation process. The summative evaluations will identify the purpose of reviewing student performance growth data, such as identification of a professional development goal, modifying instructional practice, or identifying groups of students that need remediation or enrichment; and

(viii) Differentiation in evaluations between initial-contract and continuing-contract teachers; the frequency of observations during evaluation cycles; any type of assistance or remediation that is provided; and any other requirements of the evaluation cycles used by the district, such as action research or portfolios.

Section 8. Certified Personnel Evaluation System Approval. The State Board of Education shall approve or deny each district's certified personnel evaluation system based upon the previous stated criteria. Approval shall be at one of the following levels and any determination other than full approval shall be accompanied with feedback describing the conditions or deficiencies that the district shall address before reconsideration by the State Board of Education:

- (a) Full approval;
- (b) Conditional approval with conditions noted for remediation;
- (c) Disapproval with deficiencies noted; and
- (d) Non Compliance.

Section 9. Technical Assistance. Technical assistance will be made available to school districts by the Department and other partners to help them develop and implement evaluation systems that comply with the requirements of this chapter and to support districts with the ongoing evaluation system improvement.

Chapter 29

CERTIFIED PERSONNEL EVALUATION SYSTEMS FOR DISTRICT AND SCHOOL LEADERS AND OTHER CERTIFIED PERSONNEL

Section 1. Authority. These rules and regulations are promulgated pursuant to the Wyoming Education Code of 1969 as amended, W.S. Wyoming Statutes 21-2-304(b)(xv) and (xvi).

Section 2. Applicability. These rules and regulations pertain to the development, assessment and approval of Certified Personnel Evaluation Systems.

Section 3. Promulgation, Amendment, or Repeal of Rules. Any amendments to these rules shall become effective as provided by the Wyoming Administrative Procedure Act (W.S. 16-3-101 through W.S. 16-3-115) and when signed by the Governor and filed with the Secretary of State's Office.

Section 4-2. Definitions.

(a) “Best Practice practice” —means practices that have produced ~~outstanding~~ positive, documented results in a similar situation and could be replicated.

(b) “Certified Personnel personnel” —means all personnel, including classroom teachers and others who are required by the State of Wyoming to hold licensure through the Wyoming Professional Teaching Standards Board or a Wyoming professional licensing agency, (counselors, media specialists, principals, etc., exclusive of extra-duty positions).

(c) ~~— Department —~~ means the Wyoming Department of Education (WDE).

(c) ~~(f)~~ “Certified personnel Evaluation System evaluation system” —means a standard structure and set of procedures by which a school district initiates, designs, implements, and uses evaluations of its ~~Certified Personnel~~ certified personnel for the purposes of professional growth and continued employment.

(d) “District leader” means a person employed as superintendent of schools by any district board of trustees or other district leader serving in a similar capacity, as determined by the local board of trustees.

(e) ~~(d)~~ “Equitable” —means dealing fairly and equally with all concerned.

(f) ~~(e)~~ “Evaluation Cycle cycle” —means the timelines and timeframes under which the various components of the an evaluation process occurs. ~~Also included in the cycle will be the different activities and responsibilities that may occur in various stages of the Certified Personnel's career (such as action research one year, intensive assistance, clinical supervision cycles, etc.).~~

(g) “Evaluation system standards” means the standards identified or approved, as part of a proposed locally designed district and school leader evaluation system, by the State Board of Education that define the knowledge and skills expected of persons who will be evaluated.

(h) “Evaluator” means the person primarily responsible for administering an evaluation.

(i) “Formative feedback” means information communicated to a person being evaluated that is intended to modify thinking or behavior.

(j) “Locally designed district and school leader evaluation system” means a locally designed district and school leader evaluation system comprising the standards and comprehensive system components described in sections 3 and 4 of this rule, which must be evaluated and approved by the State Board of Education, prior to adoption by a board of trustees.

(k) “Multiple sources of evidence” means using more than one method or source of data to determine a person’s level of performance in an area of practice or outcomes.

(l) ~~(g) “Performance Criteria-criteria” means the areas on which Certified Personnel are to be a person is evaluated.~~

(m) “Performance level descriptor” means a rating used to summarize the knowledge and skills associated with each performance level used in a ratings system.

(n) “Professional practice” means the knowledge and skills expected of persons being evaluated, as defined in standards and associated benchmarks.

(o) “Ratings system” means a system of classification by which information is provided regarding the professional practice of persons being evaluated as measured against evaluation system standards.

(p) ~~(h) “Reliable” —means dependable; obtaining the same results in successive trials with repeated use or application.~~

(q) ~~(i) “Research-Bbased” —means basic or applied research that:~~

(i) Has been published in a peer-reviewed journal or approved by a panel of experts;

(ii) Has been replicated by other researchers; and

(iii) Has a consensus in the research community that the study’s findings are supported by a critical mass of additional studies.

(r) “School leader” means a school principal or other school leader serving in a similar capacity, as determined by the local board of trustees.

(s) ~~(j)~~ “~~Significantly Amended-amended~~” —means a change to an Evaluation System-evaluation system that replaces in whole or in part an existing system or plan or materially changes any required component of an existing system.

(t) ~~(k)~~ “~~Stakeholder~~” —means an individual who is or will be directly impacted by the Evaluation System-evaluation system.

(u) “State-defined district and school leader evaluation system” means a district and school leader evaluation system comprising the standards and comprehensive system components described in sections 3 and 4 of this rule.

(v) ~~(l)~~ “~~Student Performance Growth Data-performance growth data~~” means data which-that shows outcomes for students. This data may be, including student achievement test scores and other non-academic measures of student outcomes.

(w) ~~(m)~~ “~~Summative Evaluation-evaluation~~” —means the-a written summary of performance based on data collected during the Evaluation Cycle-evaluation cycle.

(x) “Summative rating” means the overall rating, as provided for in a ratings system, assigned to a person being evaluated at the conclusion of an evaluation cycle.

Section 3. District and School Leader Evaluation System Design.

(a) Every board of trustees shall adopt policies and procedures for the administration of a district and school leader evaluation system designed and implemented in accordance with this chapter. Such policies shall define the purpose and goals of the system.

(b) A district and school leader evaluation system, hereinafter referred to as a leader evaluation system, shall be one of the following:

(i) A system based on all seven (7) of the Wyoming standards for district and school leaders or standard 1 and any five (5) of the remaining six (6) standards so long as a majority of the benchmarks of each such standard are represented, which, for purposes of this chapter, is referred to as a state-defined district and school leader evaluation system or a state-defined system; or

(ii) A system based on standards prescribed by the board of trustees, so long as standard 1 of the Wyoming standards for district and school leaders (prescribed in section 4) is included in the board’s standard, which, for purposes of this chapter, is referred to as a locally designed district and school leader evaluation system, a locally designed system, or an alternative leader evaluation system in accordance with W.S. 21-2-304(b)(xvi).

(c) Any leader evaluation system adopted by a board of trustees, whether a state-defined system or locally designed system, shall be a comprehensive system in that, in addition

to being based on standards, as prescribed in paragraph (b) of this section, the system's design incorporates the following comprehensive system components:

(i) **Multiple Sources of Evidence** - The leader evaluation system shall utilize multiple sources of evidence.

(A) Leader performance on each standard shall be evaluated using more than one source of evidence in order to provide a more comprehensive and accurate assessment.

(ii) **Evaluation Cycle** - The leader evaluation system shall be administered in accordance with an evaluation cycle which provides for, at a minimum:

(A) Each leader shall be evaluated at least annually; however, not every standard is required to be used for any leader's evaluation in a given year, except that standard 1 shall be used with every evaluation and all of the standards adopted by the board of trustees must be used for each leader's evaluations at least once during every five (5) year period;

(B) Each evaluation shall be carried out on a timeline established by the board of trustees, in consultation with the district superintendent, to ensure that evaluators and any person being evaluated have sufficient time to consider and complete all aspects of the evaluation cycle;

(C) The board of trustees shall evaluate any person employed as superintendent of schools in accordance with the district's evaluation policies and procedures;

(D) The district superintendent shall ensure that the evaluation of all other district leaders, principals, and other school leaders is carried out in accordance with the district's evaluation policies and procedures;

(E) Each evaluation shall be carried out in accordance with a process clearly defined by the district and which includes collaborative goal-setting, self-analysis, and information and data analysis to identify areas for professional growth; formative feedback; and a planning process during which appropriate growth opportunities and supports are identified; and

(F) Each evaluation shall conclude with a written summary of annual evaluation findings and recommendations for improvement.

(iii) **Ratings System** - The leader evaluation system shall include a ratings system designed so that there is a performance level descriptor for each evaluation system standard that is the focus of the evaluation and in a manner that enables compliance with W.S. 21-3-110(b).

(iv) **Training and Guidance Documents** - The leader evaluation system shall include training on the use of the system, as well as guidance documents and training materials to support implementation and administration.

(A) Every employee of the district who is an evaluator or a person being evaluated shall be trained on using the system and any related tools and receive all guidance documents; and

(B) Training and guidance documents shall be made available to all members of the board of trustees and other employees.

(v) **Quality Controls** - The leader evaluation system shall include quality controls to ensure that the system is implemented and administered with fidelity.

(A) Each district shall establish procedures for the collection and appropriate use of all data; and

(B) Each district shall establish a timeline and procedures for evaluating the district's implementation of the leader evaluation system which includes a review of training, guidance documents, and other tools.

(vi) **Supports** - The leader evaluation system shall include supports for persons being evaluated to foster professional learning and growth, and to aid in building capacity.

(A) Every district shall establish a timeline and procedures for supporting professional learning, growth, and improvement in response to the performance of each leader and in a manner that enables compliance with W.S. 21-3-110(b).

Section 4. Wyoming Standards for District and School Leaders.

(a) Subject to the exceptions provided for in this chapter, every board of trustees shall adopt the following standards and associated benchmarks for the annual evaluation of district and school leaders pursuant to W.S. 21-3-110(a)(xxx).

(i) **Standard 1** – Clear and consistent focus on maximizing the learning and growth of all students:

(A) In collaboration with others and in alignment with district strategic priorities, use appropriate data to establish rigorous, concrete goals in the context of student achievement and instructional programming.

(B) Ensure the alignment of the assessments to district identified prioritized standards used to track student growth and achievement over time.

(C) Use multiple data measures appropriately within the technical limitations to monitor students' progress toward learning objectives to improve instruction.

(D) Ensure a system of accountability for students' academic success and career readiness.

(E) Develop and maintain longitudinal data and communication systems to deliver actionable information for district, school, and classroom improvement.

(F) Lead the implementation of a high-quality student support and assessment system.

(G) Ensure high expectations for achievement, growth, and equity in opportunities for all students.

(H) Work with staff to evaluate and use data to improve student achievement.

(ii) **Standard 2 – Instructional and assessment leadership:**

(A) Focus on student learning by leading the implementation of a rigorous, relevant, and prioritized curriculum and assessment system.

(B) Work collaboratively to implement a common instructional framework that aligns curriculum with teaching, assessment, and learning and guides teacher conversation, practice, observation, evaluation, and feedback.

(C) Recognize a full range of pedagogy and monitor the impact of instruction.

(D) Ensure that there is differentiation, personalization, intellectual stimulation, collaboration, authenticity, and recognition of student strengths in instructional practice.

(E) Promote the effective uses of technology to support teaching and learning.

(F) Ensure the use of formative assessment data to inform instruction.

(iii) **Standard 3 – Developing and supporting a learning organization:**

(A) Effectively lead the implementation of a high-quality educator support and evaluation system that advances the professional growth of their staff.

(B) Have a solid understanding of adult learning and ensure that all adults have the knowledge, skills, and dispositions necessary to promote student success.

(C) Create and/or support collaborative learning organizations to foster improvements in teacher practices and student learning.

(D) Guide implementation of improvement initiatives and provide the time and support for these initiatives to achieve desired outcomes.

(E) Lead the evaluation of new and existing programs as part of a continuous improvement process.

(F) Cultivate the ability of teachers and other members of the community to become leaders by providing assistance and leadership opportunities.

(G) Facilitate high functioning groups of faculty and staff.

(iv) **Standard 4** – Vision, mission, and culture:

(A) Use relevant data and collaborate with members of the school, district, and community to create and endorse a vision for the achievement of every student.

(B) Articulate, advocate, and cultivate core values that define the school's and district's culture.

(C) Create and maintain a positive climate with a trusting, safe environment that promotes effective student learning and adult practice.

(D) Collaboratively evaluate the mission and vision, modifying them based on changing intentions, opportunities, demands, and positions of students, staff, and community.

(v) **Standard 5** – Efficient and effective management:

(A) Recruit, hire, support, develop, and retain effective teachers and other professional staff and form them into an effective team.

(B) Facilitate the adaptation and monitoring of operational systems and processes to ensure a high-performing organization that includes clear expectations, structures, rules, and procedures for effective and efficient operations focused on high-quality teaching and learning.

(C) Limit the number of initiatives and ensure that whatever programs and strategies are implemented in their school and district are supported by the best research available and are aligned to school and district plans.

(D) Use appropriate strategies to guide their organizations through change (e.g., first- and second-order change strategies).

(E) Support the learning of all students by appropriating and regulating monetary, human and material supplies, time, equipment, technology, and alliances with school and district goals.

(F) Ensure the expectation that students, staff, and the school and district operate within the guidelines of federal, state, and local laws, policies, regulations, and statutory requirements.

(vi) **Standard 6 – Ethics and professionalism:**

(A) Lead with integrity.

(B) Establish a culture in which ethical behavior is expected and practiced by all faculty, staff, students, and volunteers.

(C) Contribute to district and state initiatives.

(D) Evaluate the potential ethical, legal, and precedent-setting consequences of decision-making.

(vii) **Standard 7 – Communication and community engagement:**

(A) Advocate and effectively communicate with a range of stakeholders, from students and teachers to parents and members of the larger community, including media, to advance the organization’s vision and mission.

(B) Implement and maintain policies to establish working relationships with the community and media to garner support and build consensus for school and district goals.

(C) Use community engagement efforts to identify and share successes and to address challenges for the benefit of students.

(D) Are easily approached, available, and inviting to students, staff, and community.

(E) Are intentional about considering improvement ideas from outside the school system.

Section 5. District and School Leader Evaluation System Implementation and Administration.

(a) On or before February 1, 2019, the board of trustees shall notify the State Board of Education of its election to implement and administer either a state-defined district and school leader evaluation system or a locally designed district and school leader evaluation system for

the evaluation of district and school leaders during the 2018-2019 school year as required by W.S. 21-3-110(a)(xxx).

(i) With such notice, a board of trustees that elects to adopt a state-defined system shall provide an assurance that district and school leader evaluations will be based on standards that meet the requirements of section 3(b)(i) of this chapter.

(ii) A board of trustees that elects to adopt a locally designed system shall receive conditional approval from the State Board prior to adoption by submitting to the Department, on behalf of the State Board, the following:

(A) The board's leader evaluation system standards and associated benchmarks, developed in accordance with section 3(b)(ii) of this Chapter, which, upon approval shall be deemed performance standards identified or established by the State Board of Education pursuant to W.S. 21-2-304(b)(xvi);

(B) A description of the extent to which those standards are the same as or similar to the standards that are part of the state-defined system; and

(C) An assurance that the board will submit additional information on its leader evaluation system for full approval, as described in paragraph (b) of this section, by June 1, 2019.

(b) On or before June 1, 2019, a board that is implementing a locally designed system that has been conditionally approved by the State Board, shall submit the following for State Board review and full approval prior to administration during the 2019-2020 school year and subsequent school years:

(i) The purpose and goals of the evaluation system;

(ii) Evidence that the district's standards reflect best practice; and

(iii) Evidence of system quality as demonstrated by adherence with the comprehensive system component requirements of section 3(c) of this chapter, which may include leader evaluation system policies adopted by the board and procedures developed for administration of the system.

The State Board of Education will approve any locally designed system that it determines to be of sufficient quality on the basis of the strength of the evidence submitted. If the State Board finds the evidence submitted to be insufficient for approval, additional information may be requested for consideration.

(c) On or before November 1, 2019, and by the same date each year thereafter, the board of trustees shall provide the Department, on behalf of the State Board, with an assurance that the board has adopted and implemented, and is continuing to administer during the current school year, a leader evaluation system that is a state-defined system or an approved locally

designed system and that meets all of the requirements for such a system as prescribed by section 3 of this chapter.

(d) Following any revision of the Wyoming district and school leader standards prescribed by section 4 of this chapter, the assurance required by paragraph (c) shall include an assurance that the district has modified its system as necessary to ensure continued alignment with any of the Wyoming district and school leader standards that are included in the board's leader evaluation system.

(e) Any board of trustees that elects to adopt a locally designed system after June 1, 2019, shall submit its system for State Board review and approval prior to adoption in accordance with the requirements established by paragraphs (a)(2)(A) and (B) and paragraph (b) of this section.

Section 5-6. Certified Personnel Evaluation System Design and Approval Criteria.

The ~~Evaluation Systems~~ evaluation systems for each of the major certified job categories shall be designed to measure the effectiveness with which ~~Certified Personnel~~ certified personnel in those categories perform their roles. Criteria on which these positions are evaluated shall ~~be reflective of the nature of these positions.~~ The Department, on behalf of the State Board, shall review each ~~Evaluation System~~ evaluation system on the criteria identified below:

(a) Appropriate stakeholder involvement in the development of the certified personnel evaluation system ~~Was developed and/or adopted with the involvement of stakeholders;~~

(b) Clear performance criteria that are considered best practice and Defines the Performance Criteria on which Certified Personnel certified personnel are evaluated and that the criteria are Research Based and/or considered Best Practice;

(c) Strength as a tool for facilitating Facilitates professional growth and continuous improvement;

(d) Is Reliable and Equitable Evidence the system is reliable and equitable;

(e) Includes Whether the district includes evaluation instruments and processes that support the ability to generate the required documentation to make employment decisions;

(f) Provides a description Effectiveness of evaluation procedures including how data will be collected to complete the Summative Evaluation summative evaluation. This may include, but is not limited to, analysis of observations of job performance, use of various types of data, and employee-produced artifacts, etc.;

(g) Includes Student Performance Growth Data Including student performance growth data, relevant to the nature of each Certified Personnel's certified personnel's position which is a measure of a significant function of the

~~position, and indicates~~ indicating how it is used by the ~~Certified Personnel~~ certified personnel to improve teaching and/or learning; and

(h) ~~Provides a~~ A description of the district's complete ~~Evaluation Cycle,~~ which evaluation cycle that shall includes frequency of evaluations for initial and continuing contract teachers and other ~~Certified Personnel~~ certified personnel and may include cycles of clinical supervision, action research, intensive assistance, ~~etc~~ and any other cycles used by the district.

Section 6-7. Submission of Certified Personnel Evaluation Systems.

(a) ~~Each school district within the state board of trustees shall~~ submit a copy of its ~~Evaluation Systems~~ evaluation systems for all ~~Certified Personnel~~ certified personnel to the Department. Once ~~established and~~ filed with the Department, the ~~Evaluation System~~ evaluation system will stand unless it is changed or ~~Significantly Amended~~ significantly amended, by the district at which time the board of trustees shall resubmit the new system or ~~Significantly Amended~~ significantly amended system ~~must be resubmitted.~~

(b) ~~Each district board of trustees shall~~ include in its submission the following documentation, ~~corresponding to each criteria described in Section 5:~~

(i) ~~(a)~~ (a) A list of members of the committee that was used to develop and/or adopt the certified personnel evaluation system ~~Evaluation System~~. The list contains appropriate stakeholder ~~representation of Stakeholders~~;

(ii) ~~(b)~~ (b) A list of ~~Performance Criteria~~ performance criteria on which the district evaluates certified personnel ~~Certified Personnel are evaluated~~. The district shall define the criteria ~~are defined~~ sufficiently so that an outside reader will clearly understand each criterion. The district shall provide Evidence ~~evidence is provided~~ that each criterion is Research-Based ~~research-based~~ or reflects ~~reflective of Best Practice~~ best practice;

(iii) ~~(c)~~ (c) A description of how the evaluation process is linked to individual and collective professional growth. The description must also include how and when the system provides feedback to each ~~Certified Personnel~~ certified personnel member and provides opportunities to identify area(s) for improvement and suggestions for how improvement can occur;

(iv) ~~(d)~~ (d) Evidence that evaluators are trained on the evaluation process and trained to view criteria similarly so that ~~Certified Personnel~~ certified personnel across the district are evaluated with consistency;

(v) ~~(e)~~ (e) A description of how the evaluation system ~~Evaluation System~~ provides for collection of collects data critical for used in making employment decisions, ~~such as retention or termination~~. The evaluation instruments and types and amount of data to be collected must be sufficient to provide the required documentation;

(vi) ~~(f)~~ A list that details the types of data collected and how it will be collected in order to make decisions about the ~~Summative Evaluations~~ summative evaluations;

(vii) ~~(g)~~ Identification of the types of ~~Student Performance Growth Data~~ student performance growth data, specific to each ~~Certified Personnel's~~ certified personnel's position, ~~that is used in the evaluation process.~~ The ~~Summative Evaluations~~ summative evaluations will identify the ~~outcome purpose~~ purpose of reviewing ~~Student Performance Growth Data~~ student performance growth data, such as identification of a professional development goal, ~~modification of~~ modifying instructional practice, or ~~identification of~~ identifying groups of students that need remediation or enrichment; and

(viii) ~~(h)~~ The details of the ~~Evaluation System~~ differentiation in evaluations between initial-contract and continuing-contract teachers; the frequency of observations during ~~Evaluation Cycles~~ evaluation cycles; any type of assistance or remediation that is provided; and any other requirements of the ~~Evaluation Cycles~~ evaluation cycles used by the district, such as action research or portfolios.

Section 7-8. Certified Personnel Evaluation System Approval Criteria.

The ~~department~~ State Board of Education shall approve or deny ~~determine the approval of~~ the each district's certified personnel Evaluation System evaluation system based upon the previous stated criteria. Approval shall be at one of the following levels and any determination other than full approval shall be accompanied with feedback describing the conditions or deficiencies that the district shall address before reconsideration by the State Board of Education:

- (a) Full approval;
- (b) Conditional approval with conditions noted for remediation;
- (c) Disapproval with deficiencies noted; and
- (d) Non Compliance.

Section 8-9. Technical Assistance. ~~It is recognized that some districts may already have systems which are fully compliant. These may be submitted to the Department for assessment and consideration.~~ Technical assistance will be made available to school districts by the Department and other partners to help them develop and implement ~~Evaluation Systems~~ evaluation systems that comply with the requirements of this chapter and to support districts with the ongoing evaluation system improvement.