



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 Repealed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 Repealed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 Repealed
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 Repealed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 Repealed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 Repealed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 Repealed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/repealed 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 TEACHERS

Statement of Reasons

The State Board of Education (SBE) is required by W.S. 21-2-304(b)(xv) to promulgate teacher evaluation system rules and regulations. The SBE requests adoption of the regular rules for Chapter 29 to provide districts with information about submission and approval of comprehensive teacher evaluation systems.

During the 2019 legislative session, HB22/HEA61 passed making changes to W.S. 21-2-304(b)(xv), impacting teacher evaluation systems. The SBE has a requirement to promulgate rules and regulations for implementation and administration of a comprehensive performance evaluation system for teachers. The new statutes will go into effect July 1, 2019. In the rules, the SBE must establish general criteria for school district teacher performance evaluation systems that provide school districts flexibility in designing teacher evaluations to improve classroom instruction.

There are two parts of Chapter 29. One focuses on leader evaluation systems and the other addresses teacher evaluation systems. Most of the changes to Chapter 29 focus the teacher evaluation systems. The SBE will only need to approve teacher evaluation systems for teachers who provide direct instruction to students. The definition of teacher was limited to include only individuals who provide direct instruction, in order to align the definition with Wyoming Supreme Court precedent. See *Luhm v. Bd. of Trs.* 2009 WY 63, 206 P.3d 1290 (Wyo. 2009).

The portion of Chapter 29 Rules focusing on teacher evaluations has been split between sections. The first section, Section 6, describes what must be included in the evaluation system to be considered a comprehensive system. These system components align with the comprehensive evaluation system found in the leader evaluation system portion of Chapter 29. Section 6 also provides the general criteria for the school district teacher evaluation systems. These criteria were the same criteria currently defined in Chapter 29. The requirement to use student growth data measures has been removed. Also, any language requiring the teacher evaluation systems to be reliable have been removed.

Section 7 of Chapter 29 details the submission and approval requirements for districts to have their teacher evaluations systems approved by the SBE. A key part of this section provides a timeline for districts to submit their evaluation systems to the SBE. A phased-in timeline provides districts with time to assess whether their current teacher evaluation system meets the new statutory requirements and prepare for implementation of any new requirements. It also provides an additional year for districts wanting to move to a new system to choose and pilot that system before requesting SBE for approval.

Only minor changes have been made to the sections related to leader evaluation systems. Chapter 29 made references to W.S. § 21-3-110(b), which repealed in the 2019 legislative session. All references to this statute have been removed. Also, the references to a rating system have been replaced with the terminology "classification system."

Chapter 29

EVALUATION SYSTEMS FOR DISTRICT AND SCHOOL LEADERS AND TEACHERS

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) “Classification system” means a system of classification by which information is provided regarding the professional practice of persons being evaluated as measured against professional standards.
- (c) “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.
- (d) “Evaluation cycle” means the timelines under which the various components of an evaluation process occurs.
- (e) “Formative feedback” means information communicated to a person being evaluated that is intended to modify thinking or behavior.
- (f) “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.
- (g) “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.
- (h) “Performance level descriptor” means a description of the classification used to summarize the knowledge and skills associated with each performance level used in a classification system.
- (i) “Professional standards” means the standards that define the knowledge, skills, and professionalism expected of persons who will be evaluated.
- (j) “School leader” means a school principal or other school leader serving in a similar capacity, as determined by the local board of trustees.

(k) “Significantly amended” means a change to an evaluation system that replaces an existing system or materially changes any required component of an existing system.

(l) “Stakeholder” means an individual who is or will be directly impacted by the evaluation system.

(m) “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.

(n) “Teacher” means a person who is licensed by the Wyoming Professional Teaching Standards Board (PTSB) and is responsible for providing instruction to students.

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

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 professional 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 professional 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) **Classification System** - The leader evaluation system shall include a classification system designed so that there is a performance level descriptor for each professional standard that is the focus of the evaluation.

(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.

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 professional 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 individuals, 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 professional 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.

(c) 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.

(d) 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.

(e) 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.

(f) 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. Teacher Evaluation System Design and Documentation.

(a) Each board of trustees shall adopt, implement, and administer, subject to State Board approval as described in section 7, a comprehensive teacher evaluation system designed to measure the effectiveness with which teachers perform their roles. The comprehensive teacher evaluation system shall serve as a basis for:

- (i) Improvement of instruction;
- (ii) Enhancement of curriculum program implementation;
- (iii) Individual teacher performance and professional growth; and
- (iv) Determining the performance level of all teachers.

(v) Such measures shall be used to determine unsatisfactory teacher performance that may lead to dismissal, suspension, and termination proceedings.

(b) Each district teacher evaluation system shall meet the following requirements:

(i) District adopted professional standards are considered best practice.

(ii) Teacher performance is evaluated using more than one source of evidence relevant to the nature of each teacher's position.

(iii) The district's professional standards and multiple sources of evidence as described in subsections (b)(i) and (b)(ii) above, as well as any other instruments and processes the district has developed, are used to determine the evaluation classification.

(iv) The classification system must include criteria by which a teacher is classified as effective.

(v) Teacher evaluations are carried out in accordance with the district's evaluation cycle for both initial and continuing contract teachers and in accordance with W.S. 21-3-110(a)(xvii) and 21-3-110(a)(xviii).

(vi) Stakeholders are involved in the development of the teacher evaluation system and any subsequent revision.

(vii) The district takes steps to ensure the system is equitable and is implemented with fidelity, including:

(A) There are procedures for the collection of data providing for, at a minimum, data security, privacy, and the appropriate use of all data;

(B) Data and other evidence are collect and analyzed; and

(C) Evaluators and those being evaluated are trained on the use of the teacher evaluation system and provided with guidance documents and training materials to support implementation and administration.

(viii) There are procedures for supporting professional learning, growth, and improvement in response to the performance evaluation of each teacher.

Section 7. Teacher Evaluation System Submission, Review, and Approval.

(a) On or before July 1, 2020, each district shall either:

(i) Notify the Department of intent to implement or continue administration of a comprehensive teacher evaluation system that meets the requirements described in section 6, and submit documentation described in subsection (d) for review; or

(ii) Notify the Department of intent to redesign the district's teacher evaluation system to meet the comprehensive teacher evaluation system requirements described in section 6.

(b) On or before July 1, 2021, a district that elects to undertake a teacher evaluation system redesign pursuant to subsection (a)(ii), shall submit documentation described in subsection (d) for Department review and State Board approval.

(c) A district shall continue to administer its previously approved system until the school year immediately following receipt of approval by the State Board of the district's submission of documentation described in subsection (d). Unless otherwise indicated by the State Board, a system approved pursuant to subsection (e) is to be implemented in the school year immediately following approval.

(d) A district's teacher evaluation system submission must include the following, in addition to any information and data requested by the Department that is needed to clarify submission information:

(i) Professional standards on which the district evaluates teachers, presented in an understandable format and described with specificity regarding the district's expectations for teacher performance.

(ii) Evidence that each professional standard reflects best practice.

(iii) A list or examples of evidence to be used for each professional standard.

(iv) A description of how the evaluation process is designed to support individual professional growth and to identify areas for improvement.

(v) A description of the evaluation cycle, including information on the timing and frequency of observations, types of assistance or remediation provided.

(vi) A description of the classification system for identifying teachers whose performance meets the district's definition of effective teaching and those at other levels of performance.

(vii) A description of the training provided to evaluators and those being evaluated.

(viii) A list of the stakeholders involved in the development of the teacher evaluation system and any subsequent revisions, as well as a description of stakeholder involvement.

(ix) A description of the data and procedures the district uses to collect and analyze evidence to ensure that the system is equitable and is implemented and administered with fidelity.

(e) After the complete submission by any district of all of the documentation described in subsection (d), the Department shall conclude its review of the submission and the State Board shall make a determination regarding the extent to which the submission meets the comprehensive teacher evaluation system requirements established in section 6. The State Board will issue a decision that the teacher evaluation system has received:

(i) Full approval;

(ii) Conditional approval with conditions noted for remediation; or

(iii) Disapproval with deficiencies noted.

(f) With any decision of conditional approval or disapproval, the State Board will inform the district of the timeline and any other requirements for remediation or resubmission.

(g) If, at any point, a district subsequently significantly amends its teacher evaluation system, the district shall then resubmit all of the documentation described in subsection (d) for approval by the State Board.

Section 8. 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

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

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.~~

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

(c) ~~(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.~~

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

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

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

(f) ~~(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.

(g) ~~(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.~~

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

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

(i) ~~(g)~~ “Evaluation system—“Professional 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, and professionalism expected of persons who will be evaluated.~~

~~(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.~~

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

(k) ~~(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.

(l) ~~(t)~~ “Stakeholder” means an individual who is or will be directly impacted by the evaluation system.

(m) ~~(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.~~

(n) “Teacher” means a person who is licensed by the Wyoming Professional Teaching Standards Board (PTSB) and is responsible for providing instruction to students.

~~(o) (e) “Certified personnel-Teacher 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-teachers for the purposes of professional growth and continued employment.~~

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 professional 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 professional 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 Classification System** - The leader evaluation system shall include a ~~ratings classification system~~ designed so that there is a performance level descriptor for each ~~evaluation system professional~~ 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 professional 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~~ individuals, 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~~ professional 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 Teacher Evaluation System Design and Documentation. 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.~~

(a) Each board of trustees shall adopt, implement, and administer, subject to State Board approval as described in section 7, a comprehensive teacher evaluation system designed to measure the effectiveness with which teachers perform their roles. The comprehensive teacher evaluation system shall serve as a basis for:

- (i) Improvement of instruction;
- (ii) Enhancement of curriculum program implementation;

- (iii) Individual teacher performance and professional growth; and
- (iv) Determining the performance level of all teachers.

Such measures shall be used to determine unsatisfactory teacher performance that may lead to dismissal, suspension, and termination proceedings.

- (b) Each district teacher evaluation system shall meet the following requirements:
 - (i) District adopted professional standards are considered best practice.
 - (ii) Teacher performance is evaluated using more than one source of evidence relevant to the nature of each teacher's position.
 - (iii) The district's professional standards and multiple sources of evidence as described in subsections (b)(i) and (b)(ii) above, as well as any other instruments and processes the district has developed, are used to determine the evaluation classification.
 - (iv) The classification system must include criteria by which a teacher is classified as effective.
 - (v) Teacher evaluations are carried out in accordance with the district's evaluation cycle for both initial and continuing contract teachers and in accordance with W.S. 21-3-110(a)(xvii) and 21-3-110(a)(xviii).
 - (vi) Stakeholders are involved in the development of the teacher evaluation system and any subsequent revision.
 - (vii) The district takes steps to ensure the system is equitable and is implemented with fidelity, including:
 - (A) There are procedures for the collection of data providing for, at a minimum, data security, privacy, and the appropriate use of all data;
 - (B) Data and other evidence are collect and analyzed; and
 - (C) Evaluators and those being evaluated are trained on the use of the teacher evaluation system and provided with guidance documents and training materials to support implementation and administration.
 - (viii) There are procedures for supporting professional learning, growth, and improvement in response to the performance evaluation of each teacher.

Section 7. ~~Submission of Certified Personnel~~ Teacher Evaluation Systems Submission, Review, and Approval.

~~(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.~~

(a) On or before July 1, 2020, each district shall either:

(i) Notify the Department of intent to implement or continue administration of a comprehensive teacher evaluation system that meets the requirements described in section 6, and submit documentation described in subsection (d) for review; or

(ii) Notify the Department of intent to redesign the district's teacher evaluation system to meet the comprehensive teacher evaluation system requirements described in section 6.

(b) On or before July 1, 2021, a district that elects to undertake a teacher evaluation system redesign pursuant to subsection (a)(ii), shall submit documentation described in subsection (d) for Department review and State Board approval.

(c) A district shall continue to administer its previously approved system until the school year immediately following receipt of approval by the State Board of the district's submission of documentation described in subsection (d). Unless otherwise indicated by the State Board, a system approved pursuant to subsection (e) is to be implemented in the school year immediately following approval.

(d) A district's teacher evaluation system submission must include the following, in addition to any information and data requested by the Department that is needed to clarify submission information:

(i) Professional standards on which the district evaluates teachers, presented in an understandable format and described with specificity regarding the district's expectations for teacher performance.

(ii) Evidence that each professional standard reflects best practice.

(iii) A list or examples of evidence to be used for each professional standard.

(iv) A description of how the evaluation process is designed to support individual professional growth and to identify areas for improvement.

(v) A description of the evaluation cycle, including information on the timing and frequency of observations, types of assistance or remediation provided.

(vi) A description of the classification system for identifying teachers whose performance meets the district's definition of effective teaching and those at other levels of performance.

(vii) A description of the training provided to evaluators and those being evaluated.

(viii) A list of the stakeholders involved in the development of the teacher evaluation system and any subsequent revisions, as well as a description of stakeholder involvement.

(ix) A description of the data and procedures the district uses to collect and analyze evidence to ensure that the system is equitable and is implemented and administered with fidelity.

(e) After the complete submission by any district of all of the documentation described in subsection (d), the Department shall conclude its review of the submission and the State Board shall make a determination regarding the extent to which the submission meets the comprehensive teacher evaluation system requirements established in section 6. The State Board will issue a decision that the teacher evaluation system has received:

- (i) Full approval;
- (ii) Conditional approval with conditions noted for remediation; or
- (iii) Disapproval with deficiencies noted.

With any decision of conditional approval or disapproval, the State Board will inform the district of the timeline and any other requirements for remediation or resubmission.

(f) If, at any point, a district subsequently significantly amends its teacher evaluation system, the district shall then resubmit all of the documentation described in subsection (d) for approval by the State Board.

~~**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 98. 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.