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Title 28 EDUCATION

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Title 28 EDUCATION

Part CXLVII. Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel

Chapter 1. Overview

§101. Guidelines of the Program

A. Each LEA must develop a uniform system for the annual evaluation of certified and other professional personnel in accordance with the provisions of this Part.

B. The guidelines approved by BESE to form a basis for local teacher evaluation programs include regulations in this Part and the Performance Expectations and Indicators for Educational Leaders, 2015 edition.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:10.1, 17:391.10, 17:3881-3886, 17:3901-3904, and 17:3997.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2250 (October 2010), amended LR 38:1214 (May 2012), LR 45:233 (February 2019), LR 50:659 (May 2024), LR 50:949 (July 2024).

§103. Purposes of Personnel Evaluation [Formerly §105]

A. The purposes for which personnel evaluation will be used in Louisiana are as follows:

1. to support performance management systems that ensure qualified and effective personnel are employed in instructional and administrative positions;

2. to enhance the quality of instruction and administration in public schools;

3. to provide procedures that are necessary to retain effective teachers and administrators and to strengthen the formal learning environment; and

4. to foster continuous improvement of teaching and learning by providing opportunities for targeted professional growth and development.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2250 (October 2010), amended LR 38:1215 (May 2012).

§104. Third Party Entity Evaluation Programs

A. Third Party Entity is defined as an entity that employs a teacher who provides instruction in a public school but is not employed by the public school governing authority.

B. When the employer is a BESE-approved third party entity, the evaluation shall be completed by the employer or the designee.

C. The LDOE shall develop a process and criteria for review of third party entity applicants prior to making a

recommendation for BESE approval and shall notify BESE of any revisions.

1. A third party entity seeking BESE approval shall submit proposed evaluation tools to the LDOE for review according to the established process and timeline.

2. The evaluation process instrument shall include an observation tool, measure of student achievement or other evidence of student success, an evaluation rubric, an evaluation scale, and assignment of final score or rating.

3. The entity may use the LDOE adopted rubric and student growth measures.

D. BESE approval shall remain valid contingent upon continued compliance with the provisions of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:10.1, 17:391.10, 17:3881-3886, 17:3901-3904, and 17:3997.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 50:659 (May 2024).

§105. Framework for LEA Personnel Evaluation Programs [Formerly §109]

A. Each local school board has the responsibility of providing a program for the evaluation of certified and other professional personnel employed within the system. Programs should be appropriate and should meet the needs of the school district.

B. Local personnel evaluation plans defined by the board shall include, at a minimum, the following elements.

1. Job Descriptions. The LEA shall establish job descriptions for every category of teacher and administrator. All job descriptions shall contain performance expectations and the criteria for which the teacher or administrator shall be evaluated.

2. Professional Growth Planning Process. The LEA shall provide guidelines for teachers and administrators to develop a professional growth plan collaboratively with their evaluators. Such plans must be designed to assist each teacher or administrator in demonstrating effective performance, as defined by this bulletin. Each plan will serve as a differentiated coaching plan based on an area of refinement and will include professional learning objectives as well as the strategies that the teacher or administrator intends to use to attain each objective.

3. Observation, Data Collection, and Conferencing Process. The evaluator or evaluators of each teacher and administrator shall conduct observations of teacher and administrator practice sufficient to gain a complete picture of performance and impart individualized feedback each year.

Additional evidence, such as data from periodic informal visits to the school and/or classroom as well as written materials or artifacts, may be used to inform evaluation.

4. Professional Development and Support. LEAs shall provide multiple opportunities for teachers and administrators to receive feedback, reflect on individual practice, and consider opportunities for improvement throughout the academic year, and shall provide intensive assistance plans to teachers and administrators, according to the requirements set forth in this bulletin.

5. Student Learning Targets. Local evaluation plans shall include evidence of growth in student achievement, including value-added data where available. The LEA shall provide guidelines for evaluators and evaluatees to meet to discuss the student learning target of each student.

6. Grievance Process. LEAs shall include in their local personnel evaluation plans a description of the procedures for resolving conflict and/or grievances relating to evaluation results in a fair, efficient, effective, and professional manner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2251 (October 2010), amended LR 38:1215 (May 2012), LR 38:2359 (September 2012), LR 39:1273 (May 2013), LR 47:354 (March 2021), LR 48:413 (March 2022), LR 49:649 (April 2023), LR 50:949 (July 2024).

Chapter 3. Personnel Evaluation

§301. Overview of Personnel Evaluation

A. Evaluation Process. The evaluation cycle shall consist of communicating the job description; developing the professional growth plan; setting student learning targets; observation, conferencing, and data collection; and communicating the final effectiveness calculation.

1. A copy of the job description developed in accordance with §303 of this Chapter shall be distributed to each teacher and administrator prior to beginning employment in the position with the school system and prior to the beginning of the school year each time the job description is revised.

2. Each evaluator and evaluatee shall meet to discuss the student learning targets set in accordance with §305 of this Chapter. Student learning targets not discussed in a meeting between the evaluator and evaluatee shall not be used in the evaluation.

3. Observation and conferencing shall be conducted in accordance with §309 of this Chapter, with opportunities for reflection, professional learning, and informal data collection available throughout the evaluation cycle.

4. Each teacher and administrator shall develop a professional growth plan collaboratively with the evaluator(s) based on an area of refinement identified through the first observation of the evaluation cycle. Each plan will serve as a differentiated coaching plan based on the

area of refinement to assist the educator in demonstrating effectiveness and will include professional learning objectives as well as the strategies and means of support that the teacher or administrator intends to use to attain each objective.

5. At the end of the evaluation cycle, the final evaluation score will be calculated by the evaluator(s), with effectiveness determined according to Subsection B of this Section. A copy of the evaluation results must be provided to the evaluatee within 15 days of the final effectiveness determination.

B. Calculating Evaluation Scores. Fifty percent of the evaluation shall be composed of applicable measure(s) of growth in student learning. The remaining 50 percent shall be based upon a qualitative assessment of teacher or administrator skills, knowledge, and professionalism. The combination of the applicable measure of growth in student learning and the qualitative assessment of performance shall result in a composite score used to distinguish levels of overall effectiveness for teachers and administrators.

1. Student Growth Score. Value-added data, if available, shall comprise 35 percent of the evaluation score, with 15 percent of the score based on student learning target attainment. If value-added data are not available, attainment of student learning targets will comprise 50 percent of the evaluation score.

2. Qualitative Assessment Score for Teachers. Data collected by evaluators during the evaluation cycle will be averaged by domain and weighted along with the teacher self-assessment rating to calculate the 50 percent of the evaluation based upon qualitative assessment.

a. The teacher observation rating will be calculated by averaging the domain score from each observation, with the Planning domain weighted at 15 percent, Environment domain weighted at 5 percent, Instruction domain weighted at 75 percent, and Professionalism domain weighted at 5 percent.

b. The teacher self-assessment rating from each observation will be averaged.

c. The teacher observation rating will constitute 90 percent of the qualitative assessment score; the remaining 10 percent will be the teacher self-assessment rating.

3. Qualitative Assessment Score for Principals. Artifacts and data collected by evaluators during the evaluation cycle will be weighted to comprise the qualitative assessment score, with administrator middle-of-year conference weighted at 25 percent, end-of-year summative conference weighted at 50 percent, administrator self-assessment rating weighted at 10 percent, and principal survey rating weighted at 15 percent. A principal with more than three years of experience in the role and a rating above 3.50 in the previous school year may be exempted from the middle-of the year conference, weighting the end-of-year summative conference at 75 percent.

4. Qualitative Assessment score for Counselors and Non-Principal School Leaders. Artifacts and data collected by evaluators during the evaluation cycle will be weighted to comprise the qualitative assessment score, with middle-of-year conference weighted at 30 percent, end-of-year summative conference weighted at 60 percent, and self-assessment rating weighted at 10 percent.

5. The composite score shall be the average of the student growth score and the qualitative assessment score. Each score shall be represented as a decimal rounded to the hundredths place.

C. Determining the Effectiveness Rating. The effectiveness rating shall be determined according to the composite score ranges as follows.

1. A composite score from 1.00 to 1.49 will constitute a rating of Ineffective.

2. A composite score from 1.50 to 2.49 will constitute a rating of Emerging.

3. A composite score from 2.50 to 3.49 will constitute a rating of Proficient.

4. A composite score from 3.50 to 4.49 will constitute a rating of Highly Effective.

5. A composite score from 4.50 to 5.00 will constitute a rating of Exemplary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1215 (May 2012), amended LR 38:2359 (September 2012), LR 39:1273 (May 2013), LR 41:1266 (July 2015), LR 43:2480 (December 2017), LR 47:354 (March 2021), LR 48:413 (March 2022), LR 48:1006 (April 2022), LR 49:650 (April 2023), LR 50:949 (July 2024).

§303. Job Descriptions [Formerly §323]

A. The local personnel evaluation plan shall contain a copy of the job descriptions currently in use in the LEA. The LEA shall establish a competency-based job description for every category of teacher and administrator pursuant to its evaluation plan. At a minimum, job descriptions must be developed for the following positions.

1. Administration:

- a. superintendent;
- b. assistant superintendent;
- c. director;
- d. supervisor;
- e. coordinator;
- f. principal; and
- g. assistant principal.

2. Instructional Personnel:

a. teachers of regular education and special education students;

- b. special projects teachers;
- c. instructional coaches;
- d. librarians; and
- e. master teachers.

3. Support Services:

- a. school counselors; and
- b. therapists.

4. Any employee whose position does not require certification but does require a minimal education attainment of a bachelor's degree from an accredited institution of higher learning.

5. Any employee whose position requires certification but whose title is not listed in this Subsection.

6. Any employee who holds a major management position but who is not required to have a college degree or certification.

B. The competency-based job description shall:

- 1. be grounded in the state standards of performance;
- 2. include job tasks that represent the essential knowledge, skills, and responsibilities of an effective teacher or administrator that lead to growth in student achievement;
- 3. be reviewed annually to ensure that the description represents the full scope of the teacher or administrator responsibilities; and
- 4. be distributed to all certified and professional personnel prior to employment. If said job description is modified based on the district's annual review, the revised job description must be distributed to all certified and professional teachers and leaders prior to the beginning of the next school year.

C. The following components shall be included in each job description developed:

- 1. position title;
- 2. overview of position;
- 3. position qualifications shall be at least the minimum requirements as stated in LAC 28:CXXXI. *Bulletin 746*. The qualifications shall be established for the position, rather than for the employee;
- 4. title of the person to whom the employee reports;
- 5. performance standards, including statement on responsibility for growth in student learning;
- 6. criteria for evaluation;
- 7. salary or hourly pay range;
- 8. statement acknowledging receipt of job description; and
- 9. a space for the employee's signature and date.

D. Signed job descriptions must be maintained on file at the local level to document the annual review and, upon revision, receipt of job descriptions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1216 (May 2012), amended LR 38:3123 (December 2012), LR 39:1273 (May 2013), LR 40:761 (April 2014), LR 41:1267 (July 2015), LR 43:2480 (December 2017), LR 50:950 (July 2024).

§305. Measures of Growth in Student Learning

A. Student learning targets and, where available, a value-added model shall be used to measure student growth for the purposes of teacher and administrator evaluations according to guidelines provided by LDOE.

B. For teachers and administrators, progress towards pre-determined student learning targets, as measured by state-approved common assessments, where available, shall inform the student growth component of the evaluation. Student learning targets shall include goals which express an expectation of growth in student achievement over a given period of time, as well as common measures for assessing attainment of those goals, such as an identified assessment or a body of evidence.

1. Evaluators shall meet with each evaluatee for the purpose of discussing the student learning targets of each student. Student learning targets not discussed in a meeting between an evaluatee and the evaluator shall not be used in the evaluation of the person.

2. Teachers. A minimum of two student-learning targets shall be identified for each teacher. LDOE shall provide an evaluative tool for evaluators to use in assessing the quality and attainment of student learning targets.

a. State-approved assessments shall be used as part of the body of evidence measuring students' attainment of learning targets, where available.

b. Where no state-approved assessments are available, evaluatees and evaluators shall decide upon the appropriate assessment or assessments to measure students' attainment of learning targets.

c. LEAs may define consistent student learning targets across schools and classrooms for teachers with similar assignments, provided that the targets allow for ample flexibility to address the specific needs of students in each classroom.

3. Principals and Administrators. A minimum of two student learning targets shall be identified for each administrator.

a. For principals, the LDOE shall provide recommended targets to use in assessing the quality and attainment of both student learning targets, which will be based upon a review of similar schools. The LDOE will annually publish the methodology for defining similar schools.

b. At least one learning target shall be based on overall school performance improvement in the current school year, as measured by the school performance score.

c. At least one learning target shall be based on growth in a component (e.g., ELA or math improvement) of school performance score.

d. Principals at schools with special populations (e.g. alternative schools) or those that do not have grades with standardized testing and available value-added data (e.g., K-2 schools) may define learning targets based on LDOE guidance.

4. LDOE shall provide annual updates to LEAs related to:

a. the expansion of state-standardized testing and the availability of value-added data, as applicable;

b. the expansion of state-approved common assessments to be used to build bodies of evidence for student learning where the value-added model is not available; and

c. the revision of state-approved tools to be used in evaluating student learning targets.

C. The value-added model shall be a statistical model approved by BESE for linking academic gains of students to teachers in grades and subjects for which appropriate data are available. LDOE shall expand the value-added model, as new state assessments become available.

1. Value-added data shall be provided to teachers in grades and subjects that administer state-wide standardized tests and for which appropriate prior testing data is available. The value-added model shall not be applied for the purposes of evaluation in any case in which fewer than 10 students with value-added results are assigned to an educator.

2. The value-added model shall take into account the following student-level variables:

a. prior achievement data that are available, up to three years;

b. gifted status;

c. section 504 status;

d. attendance;

e. disability status;

f. economically disadvantaged status;

g. limited English proficiency; and

h. prior discipline history.

3. Classroom composition variables shall also be included in the model.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1216 (May 2012), amended LR 38:2359 (September 2012), LR 39:1273 (May 2013),

LR 41:1267 (July 2015), LR 47:354 (March 2021), LR 49:254 (February 2023), repromulgated LR 49:860 (May 2023), amended LR 50:951 (July 2024).

§307. Observation Tools

A. LEAs must utilize an observation tool to conduct a qualitative assessment of educator performance that will comprise 50 percent of the composite evaluation score for all evaluations.

B. LEA observation tools shall adhere to the following minimum requirements.

1. The tool for teacher evaluation shall align to the *Louisiana Components of Effective Teaching*. The tool for administrator evaluation shall align to the *Performance Expectations and Indicators for Educational Leaders*, contained within *Bulletin 125—Standards for Educational Leaders in Louisiana*.

a. The *Louisiana Components of Effective Teaching* and the *Performance Expectations and Indicators for Educational Leaders* may be reviewed as needed by the department in collaboration with educators administering the evaluation system and appropriate third parties to determine the need for modifications and their continuing utility.

b. The board shall approve any changes made to the *Louisiana Components of Effective Teaching* and the *Performance Expectations and Indicators for Educational Leaders*.

2. Observation tools shall provide an overall score between 1.00 and 5.00. Total scores on observation tools may include hundredths of points, indicated with a decimal point.

3. Observation tools for other instructional leaders shall align to the components of effective teaching in §901. of this Part and the *Performance Expectations and Indicators for Educational Leaders*, 2015 edition, as well as the competencies for content leaders or mentor teachers in LAC 28:CXXXI.350 and 351.

C. The department shall develop and/or identify model observation tools according to these minimum requirements, which may be adopted by LEAs.

D. LEAs which do not intend to use model observation tools developed or identified by the department shall annually submit proposed alternate tools to the department for evaluation and approval.

1. With the submission of proposed alternate observation tools, LEAs may request a waiver to use competencies and performance standards other than those provided in the *Louisiana Components of Effective Teaching* and the *Performance Expectations and Indicators for Educational Leaders*. Such requests shall include:

a. a justification for how the modified competencies and performance standards will support specific performance goals related to educator and student outcomes; and

b. an explanation of how the LEA will ensure the reliability and validity of the alternate observation tool intended to measure the modified competencies and performance standards.

2. The department may request revisions to proposed alternate observation tools to ensure their compliance with the minimum requirements set forth in this bulletin.

3. If requested, revisions to proposed alternate observation tools shall be submitted to the department by the LEA.

4. LEA-proposed alternate observation tools shall be either approved or denied by the department no later than August 1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:10.1, 17:391.10, 17:3881-3886, 17:3901-3904, and 17:3997.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1216 (May 2012), amended LR 38:2360 (September 2012), LR 45:233 (February 2019), LR 50:951 (July 2024).

§309. Observation and Conferencing Process

A. Observation and Conferencing Components for Teachers. The annual teacher evaluation shall include an observation conducted according to each step of the process outlined in this Section and shall adhere to the following minimum requirements.

1. Each announced observation shall include a pre-observation conference at least one school day prior to the date of the observation.

2. Each announced observation shall occur at a time and place established in advance and shall be of sufficient duration to provide meaningful data. Observations of a teacher shall be not less than the duration of one complete lesson.

3. Following all observations, evaluators shall record feedback, including areas for reinforcement and areas for refinement. Additional evidence from periodic visits to the school or classroom as well as written materials or artifacts may be used to inform the evaluator analysis.

4. Following all observations, the evaluatee must complete a self-assessment regarding the lesson using the same observation tool used by the evaluator.

5. Each observation shall include a prescriptive post-observation conference not more than five school days following the date of the observation during which the evaluator will share the feedback, areas of reinforcement, and areas of refinement. These recommendations will be used to develop the professional growth plan.

6. An informal observation targeted to the specific area of refinement shall be conducted at least two, and not more than six, weeks following the post-observation conference. The evaluator will provide written feedback regarding progress toward the area of refinement within one school day of the informal observation.

B. Observation Frequency

1. During the first three years of teaching, three observations shall be conducted, one of which must be announced.

2. For teachers with three years of experience and beyond, one unannounced observation shall be conducted. If the observation score is below 3.50 or if the evaluatee requests it, a second observation shall be conducted and shall be announced. If the average score of the first two observations is less than 2.50, a third observation shall be conducted and shall be unannounced.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1217 (May 2012), amended LR 38:2360 (September 2012), LR 41:1267 (July 2015), LR 50:952 (July 2024).

§311. Evaluators

A. LEAs shall establish and maintain an accountability relationships register to clearly define who shall be the evaluator or evaluators within the ranks of teachers and administrators.

B. Evaluators of teachers shall be school principals, assistant principals, or the evaluatee's respective supervisory level designee.

1. Other designees, such as instructional coaches, content leaders, master teachers, and mentor teachers may conduct observations to help inform the evaluator assessment of teacher performance. These designees shall be recorded as additional observers within the accountability relationships register.

C. Evaluators of administrators shall be LEA supervisors, Chief Academic Officers, Superintendents, or the evaluatee's respective supervisory level designee.

D. All evaluators shall be certified to serve as evaluators, according to the minimum requirements provided by the department.

1. The department, its contractors, and LEAs with approved alternate observation tools shall serve as the sole certifiers of evaluators.

2. The evaluator certification process shall include achieving a passing score on an assessment to ensure inter-rater reliability and accuracy of ratings, based on the use of the teacher or leader observational rubric.

3. Evaluators on record must renew certification to evaluate annually by completing training according to guidelines released by LDOE, by achieving a passing score on a renewal assessment, and by completing inter-rater reliability activities as recommended by LDOE.

E. LEAs shall provide training on a continuing basis for all staff involved in the evaluation process. The recommendation is that all training concentrate on fostering the elements listed below:

1. a positive, constructive attitude toward the teacher and administrator evaluation process;

2. a knowledge of state laws and LEA policies governing the evaluation process for teachers and administrators, along with the associated procedures for intensive assistance and due process;

3. an understanding of the Louisiana Components of Effective Teaching or an approved modified set of teacher competencies and performance standards;

4. an understanding of the Performance Expectations and Indicators for Educational Leaders or an approved modified set of leader competencies and performance standards;

5. an understanding of the measures of growth in student learning, as adopted by the board; and

6. an understanding of the process for calculating a composite score to determine final effectiveness ratings for teachers and administrators.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1217 (May 2012), amended LR 38:2360 (September 2012), LR 45:233 (February 2019), LR 50:952 (July 2024).

§313. Professional Development

A. LEAs shall provide professional learning to all teachers and administrators, based upon their individual areas of refinement, as measured by the evaluation process. Professional learning opportunities provided by LEAs shall meet the following criteria.

1. Professional learning shall be job-embedded, where appropriate.

2. Professional learning shall target identified individualized areas of growth for teachers and administrators, based on the results of the evaluation process, as well as data gathered through informal observations or site visits, and LEAs shall utilize differentiated resources and levels of support accordingly.

3. Professional learning shall include follow-up engagement with participants, such as feedback on performance, additional supports, and/or progress-monitoring.

4. Professional learning shall include measureable objectives to evaluate its effectiveness, based on improved teacher or administrator practice and growth in student learning.

5. Educators rated Proficient or higher on the previous year evaluation should be afforded greater autonomy in the selection of professional learning.

B. Failure by the LEA to provide regular professional learning opportunities to teachers and administrators shall not invalidate any results of the evaluation process.

C. Each LEA must conduct an annual needs assessment to determine the effectiveness of its professional learning requirements and program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1218 (May 2012), amended LR 50:952 (July 2024), LR 51:44 (January 2025).

§315. Intensive Assistance
[Formerly §329]

A. An intensive assistance plan shall be developed by evaluators and evaluatees when an evaluatee has received an overall rating of *Ineffective* or has consistently demonstrated *Ineffective* performance, as determined by the evaluator, prior to receiving such a rating.

B. An intensive assistance plan designed to address the complexity of the educator deficiencies shall be developed with the evaluatee within 30 school days of an evaluation resulting in the initiation of the intensive assistance plan.

C. The evaluatee shall be informed in writing of placement in an intensive assistance plan, as well as the reasons for such placement, and be formally re-evaluated within one calendar year of the initiation of the intensive assistance plan.

D. Upon completion of a formal evaluation, if the evaluatee receives an ineffective rating immediately upon completion of the intensive assistance plan or if the intensive assistance plan is not completed in conformity with its provisions, the LEA shall timely initiate termination proceedings.

E. The intensive assistance plan shall be developed collaboratively by the evaluator and the evaluatee and must contain the following information:

1. what the evaluatee needs to do to strengthen his/her performance including a statement of the objective(s) to be accomplished and the expected level(s) of performance according to student growth and/or qualitative measures;
2. an explanation of the assistance/support/resource to be provided or secured by the school district and/or the school administrator;
3. the date that the assistance program shall begin;
4. the date when the assistance program shall be completed;
5. the evaluator's and evaluatee's signatures and date lines (Signatures and dates shall be affixed at the time the assistance is prescribed and again after follow-up comments are completed.);
6. the timeline for achieving the objective and procedures for monitoring the evaluatee's progress (not to exceed one calendar year);
7. an explanation of the provisions for multiple opportunities for the evaluatee to obtain support and

feedback on performance (The intensive assistance plans shall be designed in such a manner as to provide the evaluatee with more than one resource to improve.); and

8. the action that will be taken if improvement is not demonstrated.

F. Completed intensive assistance plans and appropriate supporting documents, such as observations, correspondence, and any other information pertinent to the intensive assistance process, shall be filed in the evaluatee's single official file at the central office. The evaluatee shall receive a copy of the signed intensive assistance plan and any supporting documents.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:391.10, 17:3871-3873, 17:3881-3884, and 17:1309-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2251 (October 2010), amended LR 38:1218 (May 2012), LR 45:1054 (August 2019).

§317. Due Process and Grievance Procedures
[Formerly §333]

A. The LEA shall establish grievance procedures to address the following components of due process.

1. The evaluatee shall be provided with a copy of his/her evaluation results no later than 15 days after the final evaluation rating is determined and shall be entitled to any documentation related to the evaluation.

2. The evaluatee shall be entitled to provide a written response to the evaluation, to become a permanent attachment to the evaluatee's single official personnel file.

3. Upon the request of the evaluatee, a meeting between the evaluatee and the evaluator shall be held after the evaluation and prior to the end of the academic year.

4. The evaluatee shall be entitled to grieve to the superintendent or his/her designee, if the conflict in question is not resolved between evaluatee and evaluator. The evaluatee shall be entitled to representation during the grievance procedure.

5. Copies of the evaluation results and any documentation related thereto of any school employee may be retained by the LEA, the board, or the department and, if retained, are confidential, do not constitute a public record, and shall not be released or shown to any person except as provided by law.

B. Failure by the LEA to adhere to the requirements of this Section shall be a grievable matter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2252 (October 2010), amended LR 38:1218 (May 2012).

§319. Transitional Use of Legacy Evaluation System

A. For the 2024-2025 school year, LEAs may choose to implement the evaluation process outlined in this Part or the same evaluation process implemented by the LEA during the

2023-2024 school year to allow adequate planning for a successful transition to a new evaluation process. For purposes of this Section, the term *legacy evaluation process* refers to the evaluation process implemented by the LEA during the 2023-2024 school year.

1. - 6. Repealed.

B. Evaluatees in an LEA implementing a legacy evaluation process shall receive at least one announced observation and one unannounced observation during the evaluation cycle.

C. The composite score to determine effectiveness in a legacy evaluation process will be calculated as follows:

1. The 50 percent of evaluations based on student growth will be represented by a sub-score between 1.0 and 4.0.

2. The 50 percent of evaluations based on a qualitative assessment of performance will be represented by a sub-score between 1.0 and 4.0.

3. The final composite score for teachers and administrators is the average of the two sub-scores and will be represented as a score between 1.0 and 4.0.

4. The effectiveness rating will be determined by the composite score ranges as follows:

a. A composite score of less than 1.5 will constitute a rating of Ineffective.

b. A composite score of 1.5 to 2.49 will constitute a rating of Effective: Emerging.

c. A composite score of 2.50 to 3.49 will constitute a rating of Effective: Proficient.

d. A composite score of 3.5 or higher will constitute a rating of Highly Effective.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10, R.S. 17:3871-3873, R.S. 17:3881-3884, and R.S. 1309-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2252 (October 2010), amended LR 38:1219 (May 2012), LR 38:2360 (September 2012), LR 50:953 (July 2024).

§321. Evaluation Records Guidelines

A. Copies of evaluation results and any related documentation shall be retained by the LEA.

B. All such files shall be confidential and shall not constitute a public record.

C. Such files shall not be released or shown to any person except:

1. the evaluated employee or his/her designee;

2. authorized school system officers and employees for all personnel matters, including employment application, and for any hearing, which relates to personnel matters, which includes the authorized representative of any school

or school system, public or private, to which the employee has made application for employment; and

3. for introduction in evidence or discovery in any court action between the local board and a teacher when:

a. the performance of the teacher is at issue; or

b. the evaluation was an exhibit at a hearing, the result of which is being challenged.

D. Any local board considering an employment application for a person evaluated pursuant to this bulletin shall request such person's evaluation results as part of the application process, regardless of whether that person is already employed by that school system or not, and shall notify the applicant that evaluation results shall be requested as part of this mandated process. The applicant shall be given the opportunity to apply, review the information received, and provide any response or information the applicant deems applicable.

E. The state superintendent of education shall make available to the public the data specified in R.S. 17:3902(B)(5) as may be useful for conducting statistical analyses and evaluations of educational personnel. However, the superintendent shall not reveal information pertaining to the evaluation report of a particular employee.

F. Public information may include school-level student growth data, as specified in R.S. 17:3902(B)(5).

G. Nothing in this Section shall be interpreted to prevent de-identified student growth data from public view.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1219 (May 2012), amended LR 38:2361 (September 2012).

§325. Extenuating Circumstances

A. For any year in which a school temporarily closes due to natural disasters or any other unexpected events, districts may request invalidation of student achievement growth data with relation to the value-added assessment model by submitting a request to the state superintendent of education. The state superintendent of education shall publish annually the process and timeline for making such requests.

B. Evaluation results shall be invalidated for any teacher or administrator with 60 or more excused absences in a given academic year, due to approved leave, such as maternity leave, military leave, sick leave, or sabbatical leave.

C. For approved leave of fewer days and for any other extenuating circumstances that significantly compromise an educator's opportunity to impact student learning, educators, on their own behalf, district superintendents, or CEOs may request invalidation of student achievement growth data with relation to the value-added assessment model by submitting such requests to the state superintendent of education. The

state superintendent of education shall publish annually the process and timeline for making such requests.

D. In the event that a yearlong resident has substantially negatively impacted student learning in the mentor teacher classroom, the district superintendent or CEO may submit a written request to the state superintendent for invalidation of student achievement growth data with relation to the value-added assessment model, in accordance with processes and timelines set forth by the LDE.

E. In cases where value-added data is invalidated, the principal or designee will have the discretion to determine the evaluation rating, based on the evidence available from students learning targets and observations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:391.10, 17:3881-3886, 17:3901-3904, 17:3997, and 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1220 (May 2012), amended LR 38:2361 (September 2012), LR 39:1274 (May 2013), LR 40:761 (April 2014), LR 45:233 (February 2019).

§329. Charter School Exceptions

A. Charter governing authorities are subject only to §301, §305, §307, §309, §325, §329, and §701 of this bulletin.

B. Each charter governing authority shall terminate employment of any teacher or administrator determined not to meet standards of effectiveness for three consecutive years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1220 (May 2012), amended LR 50:953 (July 2024).

§331. Superintendent Performance Evaluation

A. The superintendent of a city, parish, or other local public school system shall be evaluated based on performance as established in a written contract.

B. At least fifteen percent of the evaluation shall be based on evidence of growth in student achievement by the end of third grade in literacy, and at least fifteen percent of the evaluation shall be based on evidence of growth in student achievement by the end of third grade in mathematics.

1. For the purposes of this Section, student achievement by the end of third grade in literacy shall be the percentage of students determined to be proficient by scoring at or above grade level on the end-of-year literacy screener administered in accordance with LAC 28: CXV.2307 (*Bulletin 741-Louisiana Handbook for School Administrators*).

2. For the purposes of this Section, student achievement by the end of third grade in mathematics shall be follows:

a. Through the 2025-2026 school year, student achievement by the end of third grade in mathematics shall be the percentage of students determined to be proficient by scoring at or above grade level on a system-selected objective measure of mathematics administered to all students in the school system.

b. Beginning with the 2026-2027 school year, student achievement by the end of third grade in mathematics shall be the percentage of students determined to be proficient by scoring at or above grade level on the end-of-year numeracy screener administered in accordance with LAC 28: CXV.2307 (*Bulletin 741-Louisiana Handbook for School Administrators*).

3. Growth in student achievement shall be measured as the change in the percentage of proficient students from the end of second grade to the end of third grade.

4. The remaining percentage of the evaluation shall be determined as established in the contract.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:54.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:44 (January 2025).

Chapter 7. Reporting and Monitoring

§701. Annual Summary Reporting Format

A. Each LEA will submit an annual personnel evaluation report of the most recent academic year to the department by July 15. Information included in the reporting format reflects data deemed necessary in presenting annual reports to the department, as well as to the LEAs. The reporting of such information includes a variety of responses directed toward the collection of data useful to an analysis of the evaluation process from a statewide perspective. Items that are reported by the LEAs on forms provided by the department include, but are not limited to, the following items:

1. individual-level teacher evaluation results, by teacher;

2. the number of certified and other professional personnel, by categories, who were evaluated as performing ineffectively;

3. the number of certified and other professional personnel, by categories, who were terminated because of not having improved performance within the specified time allotment (Include the reasons for termination.);

4. the number of certified personnel, by categories, who improved (from ineffective to effective) as a result of the evaluation process;

5. the number of formal grievances filed as a result of ineffective performance ratings or disagreement with evaluation results; and

6. the number of evaluatees who received intensive assistance.

B. The department shall annually report on the performance of administrators and teachers. Such reporting

and monitoring shall include, but not be limited to, the following:

1. the percentage and number, where available, of administrators and teachers rated as exemplary, highly effective, proficient, emerging, and ineffective;

2. the percentage and number, where available, of teachers whose student growth ratings are increased or decreased, per §305. of this Part, relative to the value-added model rating; and

3. information on principal learning targets relative to those recommended by the LDE (e.g., percentage and number of principal learning targets that are above, at, or below the LDE recommended targets).

C. LDOE shall annually analyze the relationship between student results and educator observation scores for use in risk-based auditing. Risk-based auditing may include inter-rater reliability checks, and plans to address audit findings will be required for LEAs, schools, or observers noted as high risk based on this analysis.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2253 (October 2010), amended LR 38:1220 (May 2012), LR 38:2361 (September 2012), LR 39:1274 (May 2013), LR 41:1268 (July 2015), LR 50:953 (July 2024).

Chapter 9. General Provisions

§901. Louisiana Components of Effective Teaching

A. The domains and indicators comprising the Louisiana Components of Effective Teaching are as follows:

1. The instruction domain is composed of the following indicators:

- a. standards and objectives;
- b. motivating students;
- c. presenting instructional content;
- d. lesson structure and pacing;
- e. activities and materials;
- f. questioning;
- g. academic feedback;
- h. grouping students;
- i. teacher content knowledge;
- j. teacher knowledge of students;
- k. thinking; and
- l. problem solving.

2. The designing and planning instruction domain is composed of the following indicators:

- a. instructional plans;

b. student work; and

c. assessment.

3. The learning environment domain is composed of the following indicators:

a. expectations;

b. engaging students and managing behavior;

c. environment; and

d. respectful conditions.

4. The professionalism domain is composed of the following indicators:

a. growing and developing professionally;

b. reflecting on teaching;

c. community involvement; and

d. school responsibilities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2254 (October 2010), amended LR 38:1221 (May 2012), LR 38:2361 (September 2012), LR 50:953 (July 2024).

§905. Definitions

A. In order that consistency in terminology be maintained on a statewide basis, the department has established a list of terms and definitions. Careful consideration of each should be given during the training and implementation of personnel evaluation programs. The definitions below must be adopted by all LEAs. If additional terms are necessary in establishing a clear and concise understanding of evaluation procedures, they must be included in the LEA local personnel evaluation plan.

Accountability—shared responsibility for actions relating to the education of children.

Administrator—any person who serves in an academic leadership role at the school-level and is employed in a professional capacity other than a teacher. Principals, assistant principals, and academic deans shall be considered *administrators* according to this definition.

Beginning Teacher—any teacher in their first three years of the profession.

Board—state Board of Elementary and Secondary Education.

Certified School Personnel—those persons whose positions require certification.

Charter School—an independent public school that provides a program of elementary and/or secondary education established pursuant to and in accordance with the provisions of the Louisiana Charter School Law to provide a learning environment that will improve student achievement.

Classroom Visitation—an informal visit to a classroom of sufficient duration to monitor progress toward achievement of professional growth plan objectives and to provide support or assistance.

Common Assessment—a state-approved assessment to be used for measuring student growth in grades and subjects where value-added data is not available.

Components of Effective Teaching—the elements of teaching performance defined by the board in formal, recognized collaboration with educators and other stakeholders involved in education, to be critical to providing effective classroom instruction.

Competencies—skills, knowledge, and abilities required to demonstrate a particular level of performance.

Criteria—demonstrable levels of performance upon which a judgment may be based.

Department—Louisiana Department of Education.

Due Process—fair and impartial treatment, including notice and an opportunity to be heard.

Duties—those actions normally required of a position as assigned and/or described in the position description that are necessary to enable the class, school, or school district to accomplish its objectives.

Educational Leader—a person who is certified to serve in any school or district leadership capacity with the exception of superintendent.

Evaluation—process by which a local board monitors continuing performance of its teachers and administrators annually, by considering judgments concerning the professional accomplishments and competencies of a certified employee, as well as other professional personnel, based on a broad knowledge of the area of performance involved, the characteristics of the situation of the individual being evaluated, and the specific standards of performance pre-established for the position.

Evaluatee—teacher or administrator undergoing evaluation.

Evaluator—one who evaluates; the school principal or assistant principal or respective supervisory level designees charged with evaluating teachers or the superintendent or other LEA-level supervisor charged with evaluating administrators.

Formal Site Visit—an announced site visit by an administrator's evaluator, that is preceded by a pre-visit conference and followed by a post-visit conference in which the administrator is provided feedback on his/her performance.

Grievance—a procedure that provides a fair and objective resolution of complaint by an evaluatee that the evaluation is inaccurate due to evaluator bias, omission, or error.

Intensive Assistance Plan—the plan that is implemented when it is determined, through the evaluation process, that

personnel have not meet the standards of effectiveness. This plan includes:

- a. the specific steps the teacher or administrator shall take to improve;
- b. the assistance, support, and resources to be provided by the LEA;
- c. an expected timeline for achieving the objectives and the procedure for monitoring progress, including observations and conferences; and
- d. the action to be taken if improvement is not demonstrated.

Job Description—a competency-based summary of the position title, qualification, supervisor, supervisory responsibilities, duties, job tasks, and standard performance criteria, including improving student achievement, that specify the level of job skill required. Space shall be provided for signature and date.

Local Board—governing authority of the local education agency, parish/city school or local school system.

Local Education Agency (LEA)—city, parish, or other local public school system, including charter schools.

Non-Tested Grades and Subjects (NTGS)—grades and subjects for which a value-added score is not available for teachers or other certified personnel.

Objective—a devised accomplishment that can be verified within a given time, under specifiable conditions, and by evidence of achievement.

Observation—the process of gathering facts, noting occurrences, and documenting evidence of performance and delivering aligned, individualized feedback to the evaluatee.

Observer—one who gathers evidence to be used in the evaluation process through the observation of educator performance.

Performance Expectations—the elements of effective leadership approved by the board that shall be included as evaluation criteria for all building-level administrators.

Performance Standards—the behaviors and actions upon which performance is evaluated.

Post-Observation Conference—a discussion between the evaluatee and evaluator for the purpose of reviewing an observation and sharing commendations, insights, and recommendations for improvement.

Pre-Observation Conference—a discussion between the evaluatee and the evaluator which may occur prior to an observation; the purposes are to share information about the lesson to be observed and to clarify questions that may occur after reviewing of the lesson plan.

Professional Growth Plan—a written plan developed to enhance the skills and performance of an evaluatee. The plan includes:

- a. specific goal(s);

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- b. objective(s);
- c. action plans;
- d. timelines;
- e. opportunities for reflection; and
- f. evaluation criteria.

Self-Evaluation/Self-Reflection—the process of making considered judgments of one’s own performance concerning professional accomplishments and competencies as a certified employee or other professional person based upon personal knowledge of the area of performance involved, the characteristics of the given situation, and the specific standards for performance pre-established for the position; to be submitted by the evaluatee to the appropriate evaluator for use in the compilation of the individual’s evaluation.

Standard Certificate—a credential issued by the state to an individual who has met all requirements for full certification as a teacher.

Standard of Effectiveness—adopted by the state Board of Elementary and Secondary Education as the final composite score required for teacher or administrator performance to be considered effective.

Student-Learning Target—a goal which expresses an expectation of growth in student achievement over a given

period of time, as measured by an identified assessment and/or body of evidence.

Teacher—any person who provides direct instruction or direct instructional support to students, to whom he/she has been formally assigned. Classroom *teachers*, special education *teachers*, librarians, and school counselors shall be considered *teachers* according to this definition.

Teachers of Record—educators who are responsible for a portion of a student’s learning outcomes within a subject/course.

Value-Added—the use of prior achievement history and appropriate demographic variables to estimate typical achievement outcomes through a statistical model for students in specific content domains based on a longitudinal data set derived from students who take state-mandated tests in Louisiana for the purpose of comparing typical and actual achievement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1222 (May 2012), amended LR 38:2362 (September 2012), LR 39:1275 (May 2013), amended LR 48:28 (January 2022).