

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING EDUCATOR SUPPORT AND DEVELOPMENT

Effective Date: _____

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1.0 PURPOSE

- 1.01 The purpose of these rules is to establish the requirements concerning teacher and building- or district-level leader support, evaluation, and professional growth and development.

2.0 REGULATORY AUTHORITY

- 2.01 These rules shall be known as the Arkansas Department of Education Rules Governing Educator Support and Development.
- 2.02 These rules are adopted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-11-105, 6-13-1305, 6-15-1004, 6-15-1402, 6-17-704, 6-17-705, 6-17-1504, 6-17-2801 through 6-17-2809, 6-20-2305, 25-15-201 et seq. and Acts 295 and 930 of 2017.
- 2.03 These rules are further adopted pursuant to the requirements of the state's plan adopted under the Elementary and Secondary Education Act of 33 1965, Pub. L. No. 89-10, as reauthorized by the Every Student Succeeds Act, Pub. L. No. 114-95.
- 2.04 These rules do not preempt the application of the Teacher Fair Dismissal Act, Ark. Code Ann. § 6-17-1501 et seq., by an educational entity or an educator.

3.0 LEGISLATIVE INTENT AND PURPOSE

- 3.01 The State Board notes that it is the intent of the Arkansas General Assembly to:
 - 3.01.1 Provide a program affording public school districts and public charter schools transparent and consistent teacher and leader support and evaluations system that ensures effective teaching, effective educational leadership, and promotes professional learning for all educators;
 - 3.01.2 Provide systems of support that will encourage teachers to improve their knowledge and instructional skills and educational leaders to improve their knowledge and leadership skills in order to improve student learning;
 - 3.01.3 Inform an educational entity's educator employment decisions;
 - 3.01.4 Provide an integrated system that links evaluation procedures with curricular standards, leadership standards, and professional growth activities that are aligned with systems of support, targeted support, and human capital decisions;
 - 3.01.5 Encourage highly effective teachers and educational leaders to undertake challenging assignments;
 - 3.01.6 Support teachers' and educational leaders' roles in improving students' educational achievements;

3.01.7 Inform policymakers regarding the benefits of a consistent evaluation and support system in regard to improving student achievement across the state; and

3.01.8 Increase the awareness of parents and guardians of public school students concerning the effective professional practices of public school teachers and educational leaders.

3.02 The purposes of these rules are, without limitation, to:

3.02.1 Recognize that teacher and educational leader effectiveness is critical to student learning, growth, and development. These rules provide the framework for supporting and developing effective teachers and effective leaders as defined in Arkansas's Every Student Succeeds Act State Plan;

3.02.2 Recognize that many factors impact student learning, not all of which are under the control of the teacher or the school, and that evidence of student learning includes trend data and is not limited to a single assessment;

3.02.3 Reflect evidence-based or proven practices that improve student learning. Nothing in these rules should be construed to prohibit teachers or educational leaders from using innovative approaches to student learning;

3.02.4 Utilize clear, concise, evidentiary data for teacher and educational leader professional growth and development to improve student achievement;

3.02.5 Recognize that evidence of student growth is integrated throughout T.E.S.S. and L.E.A.D.S., and is represented by multiple measures through artifacts, direct and indirect observations, and data; and

3.02.6 Include the requirements for educational agencies to report data to inform public school accountability and support the state's goal of equitable access to effective teachers for all students.

Source: Ark. Code Ann. § 6-17-2802 and § 6-17-2804

4.0 DEFINITIONS

4.01 "Artifact" means materials that document the educator's professional practice.

4.02 "Beginning administrator" means a building- or district-level leader who has completed less than three (3) school years as a building- or district-level leader.

4.02.1 "Beginning administrator" includes an educator on an Administrator Licensure Completion Plan (ALCP).

4.03 **“Building- or district-level leader”** means an individual employed by an educational entity who performs the role of a building-level administrator or district-level administrator, or an equivalent role, including an administrator licensed by the State Board, an unlicensed administrator, or an individual on an Administrator Licensure Completion Plan.

4.03.1 **“Building- or district-level leader”** does not include a superintendent or assistant superintendent, or an individual in an equivalent role, unless the educational entity elects to include that role.

4.04 **“Contributing professional”** means an individual who has been assigned the responsibility to provide additional services that support and increase a student’s learning and/or access to learning.

4.04.1 **“Contributing professional”** includes a:

4.04.1.2 Classroom teacher, other than the teacher of record, who is engaged directly in instruction with students in a classroom setting;

4.04.1.2 Guidance counselor;

4.04.1.3 Library media specialist;

4.04.1.4 Instructional facilitator or instructional coach;

4.04.1.5 Teacher employed by an education service cooperative who instructs public school students;

4.04.1.6 Speech language pathologist;

4.04.1.7 Gifted and talented coordinator;

4.04.1.8 School psychologist;

4.04.1.9 English language learner instructor;

4.04.1.10 Lead Professional Educator; or

4.04.1.11 Person in another position identified by the Department.

4.05 **“Data”** means:

4.05.1 Teacher performance data, which may include without limitation progress on professional learning goals, professional practice ratings, and other indicators determined *at the local level by the educational entity*;

4.05.2 Student performance data, which may include without limitation state and local assessments, samples of student work, portfolios, projects, and other indicators determined at the local level; *and*

- 4.05.3 Overall school performance data.
- 4.05.04 “Data” may include multiple sources of information, such as measures of student growth, school quality, or student success.
- 4.06 **“Department”** means the Arkansas Department of Education.
- 4.07 **“Direct observation”** means the evaluator is physically present or using appropriate technology to observe the teacher or leader performing essential job functions.
- 4.08 **“Educational entity”** means an Arkansas public school district, a public charter school, distance learning school, a virtual charter school, the Arkansas School for the Blind, the Arkansas School for the Deaf, or the Arkansas Correctional School, or any other school that has a local educational agency (LEA) number assigned by the Department.
- 4.09 **“Educator”** means teacher, building-level leader, and district-level leader.
- 4.10 **“Evaluation”** means the process under these rules used to:
 - 4.10.1 Assess with evidence what a teacher or leader should know and be able to do as measured by performance ratings based on an evaluation framework; and
 - 4.10.2 Promote teacher growth through professional learning.
 - 4.10.3 “Evaluation” does not include a teacher’s performance relating to competitive athletics and competitive extracurricular activities.
- 4.11 **“Evaluation framework”** means a standardized set of teacher evaluation domains that provide the overall basis for an evaluation.
- 4.12 **“Evaluation rubric”** means a set of performance components for each teacher evaluation domain in the evaluation framework.
- 4.13 **“Evaluator”** means a person licensed by the State Board as an administrator who is designated as the person responsible for evaluating teachers or building- or district-level leaders, and who is an employee of the educational entity in which the evaluations are performed.
 - 4.13.1 “Evaluator” also includes public charter school administrators who are designated by their public charter schools as evaluators, even if the public charter school administrators do not hold an administrator’s license.

- 4.14 **“Evidence”** includes direct observation, indirect observation, artifacts, and data. Evidence facilitates a professional dialogue for the educator and evaluator, and provides essential evidence of the educator's professional practice.
- 4.15 **“Formative year”** means a year other than a summative evaluation year in which the educator and the educational entity collaboratively engage in supporting the educator's growth in effective professional practices, aligned with the educator's needs identified in the educator's professional growth plan.
- 4.16 **“Indirect observation”** means the evaluator observes systems that operate as a result of a teacher's research, planning, and implementation inside the classroom or in a work-related environment outside of the classroom.
- 4.17 **“Leader Excellence and Development System (L.E.A.D.S.)”** means a statewide administrator evaluation system that:
- 4.17.1 Is aligned to current educational leadership standards adopted by the State Board;
 - 4.17.2 Uses multi-tiered systems of professional support and learning for what a leader should know and be able to do; and
 - 4.17.3 Provides a research-based framework to conduct building- or district-level leader evaluations.
- 4.18 **“Novice teacher”** means a teacher who has completed less than three (3) school years of public school classroom teaching experience.
- 4.18.1 “Novice teacher” includes a teacher of record holding a provisional license.
- 4.19 **“Professional growth plan”** means an individual educator's plan that is designed to meet the specific growth needs of the educator as identified under these rules.
- 4.20 **“State Board”** means the Arkansas State Board of Education.
- 4.21 **“Student growth measure”** means a measure of a student's academic performance and other factors that lead to the improvement of learning behavior, cognitive skills, or social and emotional development, which in addition to statewide assessments, may include measures of improvement or progress on grades, graduation rates, health and wellness, attendance, discipline or behavioral issues, ability to concentrate and focus on task, and development of personal competencies.
- 4.22 **“Summative evaluation”** means an evaluation of an educator's performance that:

4.22.1 Evaluates all domains or standards of the evaluation framework;

4.22.2 Is supported by evidence of the educator's professional practice;

4.22.3 Supports improvement in the educator's teaching or educational leadership practices and student achievement; and

4.22.4 Informs a school district's employment decision concerning the educator;

4.23 "Teacher" means a person who is:

4.23.1 Required to hold and holds a teaching license from the State Board as a condition of employment; and

4.23.2 Employed as a:

4.23.2.1 Teacher of record in a public school;

4.23.2.2 Contributing professional;

4.23.2.3 One of the following teachers who instruct public school students:

4.23.2.3.1 Distance learning teacher;

4.23.2.3.2 Virtual charter school teacher;

4.23.2.3.3 Teacher at the Arkansas School for the Blind;

4.23.2.3.4 Teacher at the Arkansas School for the Deaf; or

4.23.2.3.5 Teacher at the Arkansas Correctional School.

4.23.3 "Teacher" also includes a nonlicensed classroom teacher or contributing professional employed at a:

4.23.3.1 Public charter school under a waiver of teacher licensure requirements granted *by the State Board* in the charter; or

4.23.3.1 School district under a waiver of teacher licensure requirements granted *by the state board* under § 6-15-103 or under the District of Innovation Program, § 6-15-2801, et seq.

4.23.4 "Teacher" does not include a person who is employed full time by a school district or public school solely as a superintendent or administrator.

4.24 "Teacher of record" is an individual or individuals in a teaching or co-teaching assignment who is/are assigned the lead responsibility for student learning in a subject or course with aligned curriculum standards. A teacher of record plans instruction, delivers instruction, assesses student learning, and assigns grades.

4.25 "Teacher Excellence and Support System (T.E.S.S.)" means a statewide teacher evaluation system that provides support, collaboration, feedback and

targeted professional development opportunities aimed at ensuring effective teaching and improving student learning.

Source: Ark. Code Ann. § 6-17-2803

5.0 GENERAL PROVISIONS

5.01 Under Ark. Code Ann. § 6-17-2801 et seq., each educational entity shall implement the educator support, evaluation, and development provided in these rules for all teachers and building- or district-level leaders (as applicable) employed at the educational entity.

5.02 The Department will provide the following support to educational entities for implementing these systems:

5.02.1 Ongoing training to assist leaders with coaching and observation skill-building, some of which may be done in a virtual environment. Districts should encourage their leadership to participate in this training so that observers and evaluators are able to effectively provide feedback and support. Training schedules will be updated periodically and published on the Department's website and through Commissioner's Memos.

5.02.2 An electronic system for accessing the state-approved rubrics, and for providing observation feedback, coaching, and ratings.

5.02.2.1 An educational entity using T.E.S.S. or L.E.A.D.S. shall use the electronic system provided by the Department for conducting a summative evaluation and assigning a *professional practice an overall performance* rating following the summative evaluation.

5.02.2.2 Districts should use the system for transparency, communicating with the educator being observed, two-way conversations, documentation, and scoring and rating accuracy.

5.03 An educational entity's obligations under these rules are not waived when a public school, charter school, or school district obtains a waiver granted by the state board from the laws and rules governing educator licensure:

5.03.1 In the charter of a public charter school:

5.03.2 Under § 6-15-103; or

5.03.3 Under the District of Innovation Program, § 6-15-2801, et seq.

- 5.04 An educational entity that previously was approved to use a nationally recognized system of teacher evaluation and support that is substantially similar to the Teacher Excellence and Support System may continue to use that system by notifying the Department annually that the educational entity intends to continue to use that system.
- 5.05 An educational entity may opt out of using T.E.S.S. or L.E.A.D.S. and use a locally adopted system for support, development, and appraisal of teacher and leader performance as part of a system of educator effectiveness that meets federal and state requirements by obtaining State Board approval.
- 5.07 An educational entity shall provide the data required under Section 8 of these rules.
- 5.08 An educator's failure to comply with these rules may be reflected in the educator's evaluation.
- 5.09 Pursuant to Ark. Code Ann. § 6-13-1305, the policy adopted by local school district boards of directors to implement site-based decision making shall address teacher evaluations, professional growth plans, and teacher support under the Teacher Excellence and Support System. Ark. Code Ann. § 6-17-2801 et seq.
- 5.10 Every teacher contract renewed or entered into is subject to and shall reference Title 6, Chapter 17, Subchapter 28 of the Arkansas Code.

6.0 TEACHER EXCELLENCE AND SUPPORT SYSTEM

T.E.S.S. Summative Evaluations

- 6.01 Each educational entity shall conduct a summative evaluation of each teacher employed by the educational entity under these rules at least one (1) time every four (4) years, except as follows:
 - 6.01.1 An educational entity is not required to conduct a summative evaluation while a teacher is in the novice teacher category. It is intended that these years be focused on professional growth and development. However, an educational entity may choose to conduct a summative evaluation for any teacher at any time.
 - 6.01.2 The educational entity is responsible for determining when a teacher is required to have a summative evaluation. The summative evaluation schedule for a teacher transferring from another educational entity may be based on the date of the transferring teacher's last summative evaluation.

which may be provided by the previous educational entity under Ark. Code § 11-3-204.

6.02 An educator and evaluator shall participate in T.E.S.S. and collaborate in good faith to develop the educator's professional growth plan based on the identified needs of the educator.

6.03 A summative evaluation shall be based on the evaluation framework and rubric established by the Department and:

6.03.1 Result in a written evaluation determination for the teacher's performance on all evaluation domains as a whole;

6.03.2 Use the appropriate evaluation framework and evaluation rubric appropriate to the teacher's role;

6.03.3 Use multiple sources of evidence of the teacher's professional practice including direct observation, indirect observation, artifacts, and data.

6.03.3.1 This section does not require that every component of the domains be evidenced by artifacts when observation or data is used.

6.03.3.2 A school district or public school may adopt policies to incorporate one (1) or more of the following:

6.03.3.2.1 Peer observations and student feedback that contribute to the summative rating;

6.03.3.2.2 A teacher's work completed since the last summative evaluation for all or part of the required components for the certification or renewal of a certification from the National Board for Professional Teaching Standards may be substituted for the whole or any part of the evaluation framework for the teacher;

6.03.4 Include presentations of evidence from both the teacher and the evaluator;

6.03.5 Provide an opportunity for the evaluator and teacher to discuss the review of evidence used in the evaluation; and

6.03.6 Provide feedback based on the evaluation rubric that the teacher can use to improve teaching skills and student learning.

6.04 For a summative evaluation, an evaluator shall use an evaluation rubric and evidence that are appropriate for a teacher who is not a classroom teacher, including without limitation appropriately takes into account the teacher's role, job duties, and circumstances when conducting a summative evaluation of a teacher who is not a classroom teacher or any of the following:

6.04.1 A guidance counselor;

6.04.2 A library media specialist;

6.04.3 A special education teacher; or

6.04.4 The following teachers:

6.04.4.1 Distance learning teachers;

6.04.4.2 Virtual charter school teachers;

6.04.4.3 Teachers at the Arkansas School for the Blind;

6.04.4.4 Teachers at the Arkansas School for the Deaf;

6.04.4.5 Teachers at the Arkansas Correctional School;

6.04.4.6 Instructional facilitators and instructional coaches; and

6.04.4.7 Teachers who are employed by education service cooperatives to instruct public school students.

6.05 At the conclusion of a summative evaluation required under these rules, an educational entity shall assign the teacher being evaluated an overall performance rating determined by the evidence presented under Section 6.03.

6.05.1 If the overall rating is based on evidence other than evidence presented by the teacher, the evaluator shall document the evidence that supports the overall rating.

T.E.S.S. Professional Growth and Support

6.06 A teacher and the evaluator, working together, shall develop a professional growth plan for the teacher that:

6.06.1 Identifies professional growth outcomes to advance the teacher's professional skills; and

6.06.2 Clearly links personalized, competency-based professional learning opportunities to the professional growth outcomes.

6.07 The professional growth plan may include, without limitation, the following professional development activities:

6.07.1 Collaborating with a team of teachers on a shared plan that benefits the whole school, a content area, or a grade level;

6.07.2 Conducting self-directed research related to the teacher's professional growth plan; or

6.07.3 Completing micro-credentials approved by the Department.

6.08 If a teacher and evaluator cannot agree on a professional growth plan, the evaluator's decision shall be final.

6.08.1 For a teacher in intensive support status, the evaluator or an administrator designated by the evaluator shall have final approval of the teacher's professional growth plan.

T.E.S.S. Formative years

6.09 In formative years, T.E.S.S. aligns professional support and learning opportunities to link a teacher's professional practice with support for targeted, personalized learning.

6.10 In a formative year:

6.10.1 The teacher shall focus on elements of the teacher's professional growth plan that are designed to help the teacher improve his or her teaching practices; and

6.10.2 With the evaluator's approval, the teacher may:

6.10.2.1 Collaborate with a team of teachers on a shared plan that benefits the whole school, a content area, or a grade level; or

6.10.2.2 Conduct self-directed research related to the teacher's professional growth plan.

6.10.2.3 The teacher shall continue to demonstrate a commitment to student learning by furthering the teacher's professional growth and development as guided by the teacher's professional growth plan; and

6.10.3 The school district shall support teachers on an ongoing basis throughout a formative year by:

6.10.3.1 Providing teachers with timely feedback about the teacher's teaching practices;

6.10.3.2 Engaging teachers in a collaborative, supportive learning process; and

6.10.3.3 Helping teachers use assessment methods supported by evidence-based research that inform the teacher of student progress and provide a basis for adapting teaching practices.

6.11 The formative year support may be guided in whole or in part by an evaluator or by one (1) or more of the following persons designated by the evaluator:

6.11.1 A lead teacher designated by an administrator;

6.11.2 An instructional facilitator;

6.11.3 A curriculum specialist; or

6.11.4 An academic coach.

6.11.5 While these rules allow for other school personnel to guide support in formative years, the designated evaluator remains responsible for conducting summative evaluations of teachers and assigning the overall ratings.

6.12 These rules do not require an overall rating during a formative year.

T.E.S.S. Intensive Support

6.13 An evaluator may place a teacher in intensive support status if, as evidenced by low performance ratings on a summative evaluation, **the teacher:**

6.13.1 Is not continuously improving professional practice;

6.13.2 Has not demonstrated commitment to students, the school, and the profession;

6.13.3 Fails to demonstrate growth or progress in professional practice after receiving targeted feedback and support; and

6.13.4 Does not advance student growth or progress as demonstrated on local and state measures.

6.14 If a teacher is placed in intensive support status, the evaluator shall:

6.14.1 Establish the time period for the intensive support status; and

6.14.2 Provide a written notice to the teacher and the superintendent that the teacher is placed in intensive support status. The notice shall state that if the teacher's contract is renewed while the teacher is in intensive support status, the fulfillment of the contract term is subject

to the teacher's accomplishment of the goals established and completion of the tasks assigned in the intensive support status.

- 6.15 The period of time specified by the evaluator for intensive support status shall afford the teacher an opportunity to accomplish the goals of and complete the tasks assigned in the intensive support status.
- 6.16 Intensive support status shall not last for more than two (2) consecutive semesters unless the teacher has substantially progressed and the teacher and evaluator agree in writing to extend the intensive support status.
- 6.17 The evaluator shall work with the teacher to:
- 6.17.1 Develop a clear set of goals and tasks that are designed to support the teacher's progress based on the professional growth plan and the evaluation framework; and
 - 6.17.2 Ensure the teacher is offered the support that the evaluator deems necessary for the teacher to accomplish the goals developed and complete the tasks assigned while the teacher is in intensive support status.
- 6.18 If the intensive support status is related to student performance, the school district shall support the teacher's practice in using student formative assessments to gauge student progress throughout the period of intensive support status.
- 6.19 At the end of the specified period of time for intensive support status, the evaluator shall:
- 6.19.1 Document whether the teacher has met the goals developed in the intensive support status;
 - 6.19.2 Document the educational entity's support of the teacher while in intensive support status; and
 - 6.19.3 Provide written notice to the teacher that the teacher either:
 - 6.19.3.1 Is removed from intensive support status; or
 - 6.19.3.2 Has failed to progress in the intensive support status.
- 6.20 If a teacher does not accomplish the goals and complete the tasks established for the intensive support status during the period of intensive support status, the evaluator shall notify the superintendent of the school district where the teacher is

employed and provide the superintendent with documentation of the intensive support status.

6.21 Upon review and approval of the documentation, the superintendent may recommend termination or nonrenewal of the teacher's contract.

6.21.1 A recommendation for termination or nonrenewal of a teacher's contract under these rules shall be made pursuant to the authority granted to a superintendent for recommending termination or nonrenewal under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq.

6.21.2 When a superintendent makes a recommendation for termination or nonrenewal of a teacher's contract, the public school shall provide a notice that meets the requirements of the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq., but is exempt from the provisions of Ark. Code Ann. § 6-17-1504(b).

6.21.2.1 The documentation and evidence from the intensive support status may be used to document a recommendation for termination or nonrenewal under the Teacher Fair Dismissal Act.

6.21.2.2 A public school that has substantially complied with the requirements of these rules, is entitled to a rebuttable presumption that the public school has a substantive basis for the termination or nonrenewal of the teacher's contract under the applicable standard for termination or nonrenewal under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq.

6.21.2.3 The presumption may be rebutted by the teacher during an appeal under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq.

6.22 These rules do not preclude a public school superintendent from:

6.22.1 Making a recommendation for the termination or nonrenewal of a teacher's contract for any lawful reason under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq.; or

6.22.2 Including in a recommendation for termination or nonrenewal of a teacher's contract as a result of intensive support status under these rules any other lawful reason for termination or nonrenewal under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. Ark. Code Ann. § 6-17-1501 et seq.

T.E.S.S. Novice Teacher Mentoring

- 6.23 The Teacher Excellence and Support System also shall include novice teacher mentoring for each novice teacher employed at the public school that:
 - 6.23.1 Leads to improved student achievement by increasing effective teacher performance.
 - 6.23.2 Establishes norms of professionalism; and
 - 6.23.3 Provides training and support to novice teachers to increase teacher retention;
- 6.24 Novice teaching mentoring resources will be coordinated regionally through the Department using grants with educational partners.
- 6.25 Teachers who are presently in an alternative educator preparation program (formerly "non-traditional") may receive mentoring support until the completion of their program, or longer, at the discretion of their administrator.
- 6.26 An educational entity is responsible for ensuring that each novice teacher is provided mentoring support **opportunities** for his or her first three (3) years of employment as a novice teacher.
 - 6.26.1 An educational entity shall register with the Department each novice teacher that is in his or her first year of employment as a novice teacher.
- 6.27 An educational entity that does not utilize mentoring resources provided under these rules shall notify the Department, shall use the educational entity's own funding, and will be subject to Department monitoring.

Source: Ark. Code Ann. §§ 6-17-2805, 6-17-2807, 6-17-2808, as amended by Act 295 of 2017

7.0 LEADER EXCELLENCE AND DEVELOPMENT SYSTEM

L.E.A.D.S. Summative Evaluations

- 7.01 Each building-level administrator or district-level administrator, as defined for the purpose of these rules, shall be evaluated in writing under the Leader Excellence and Development System, except as follows:
 - 7.02.1 For the first three (3) years of a beginning administrator's employment as a building- or district-level leader, an educational entity is not required to conduct a summative evaluation. However, an educational entity may

choose to conduct a summative evaluation for any building- or district-level leader at any time.

7.02.2 Superintendents and assistant superintendents, or an individual in an equivalent role, are excluded from this requirement unless the educational entity elects to include that role.

7.03 A summative evaluation shall be based on the evaluation framework and rubric established by the Department, using multiple sources of evidence of the building-level or district-level leader's professional practice including direct observation, indirect observation, artifacts, and data.

L.E.A.D.S. Professional Growth and Development

7.04 A building- or district-level leader shall develop a professional growth plan based on the standards and functions determined in collaboration with the superintendent or designee, and shall indicate:

7.04.1 The school's or educational entity's goal(s) for improvement;

7.04.2 The leadership strategies to address the goals;

7.04.3 Results indicators (staff and students); and

7.04.4 Sources of data to be monitored.

L.E.A.D.S. Formative Years

7.05 In formative years, L.E.A.D.S. aligns professional support and learning opportunities to link a building- or district-level leader's professional practice with support for targeted, personalized learning.

7.06 In a formative year, the building- or district-level leader shall focus on elements of the building- or district-level leader's professional growth plan that are designed to help the building- or district-level leader improve his or her leadership practices to meet school and district goals.

L.E.A.D.S. Intensive Support

7.07 An evaluator may place a building- or district-level leader in intensive support status if the building- or district-level leader has shown a pattern of ineffective leadership practices, as evidenced by low performance ratings on the evaluation

rubric. For example, the ineffective leader fails to promote the success and well-being of every student by:

7.07.1 Not effectively supporting the professional growth of educational staff;

7.07.2 Not engaging all stakeholders in shared leadership to accomplish the vision;

7.07.3 Not modeling ethical professional behavior;

7.07.4 Not maintaining an equitable and culturally responsible environment;

7.07.5 Not supporting a rigorous curricular system;

7.07.6 Not effectively communicating and collaborating with the community and external partners; and

7.07.7 Not seeking continual professional growth.

7.08 If a building- or district-level leader is placed in intensive support status, the evaluator shall:

7.08.1 Establish the time period for the intensive support status; and

7.08.2 Provide a written notice to the building- or district-level leader that the building- or district-level leader is placed in intensive support status. The notice shall state that if the building- or district-level leader's contract is renewed while the building- or district-level leader is in intensive support status, the fulfillment of the contract term is subject to the building- or district-level leader's accomplishment of the goals established and completion of the tasks assigned in the intensive support status.

7.09 The period of time specified by the evaluator for intensive support status shall afford the building- or district-level leader an opportunity to accomplish the goals of the intensive support status.

7.10 Intensive support status shall not last for more than two (2) consecutive semesters unless the building- or district-level leader has substantially progressed and the building- or district-level leader and evaluator agree in writing to extend the intensive support status.

7.11 The evaluator shall work with the building- or district-level leader to:

- 7.11.1 Develop a clear set of goals and tasks that are designed to support the building- or district-level leader's progress based on the professional growth plan and the evaluation framework; and
- 7.11.2 Ensure the building- or district-level leader is offered the support that the evaluator deems necessary for the building- or district-level leader to accomplish the goals of the intensive support status.
- 7.12 At the end of the specified period of time for intensive support status, the evaluator shall:
 - 7.12.1 Evaluate whether the building- or district-level leader has met the goals developed in the intensive support status; and
 - 7.12.2 Provide written notice to the building- or district-level leader that the building- or district-level leader either:
 - 7.12.2.1 Is removed from intensive support status; or
 - 7.12.2.2 Has failed to progress in the intensive support status.
- 7.13 If a building- or district-level leader does not accomplish the goals established for the intensive category during the period of the intensive category, the superintendent shall review the documentation of the intensive category.
- 7.14 Upon review and approval of the documentation, the superintendent may recommend termination or nonrenewal of the building- or district-level leader's contract.
 - 7.14.1 If the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq., is applicable to the building- or district-level leader's contract, a recommendation for termination or nonrenewal of a building- or district-level leader's contract under these rules shall be made under the authority granted to a superintendent for recommending termination or nonrenewal under the Teacher Fair Dismissal Act.
 - 7.14.2 These rules do not preclude a superintendent from recommending the termination or nonrenewal of a building- or district-level leader's contract that is based all or in part on any lawful reason under the Teacher Fair Dismissal Act.

L.E.A.D.S. Beginning Administrator Induction

- 7.15 An educational entity is responsible for ensuring that each beginning administrator is provided induction support opportunities for his or her first three (3) years of employment as a beginning administrator.
- 7.16 The induction program is supported by the Department through partnership grants with state or national school leadership organizations, or institutions of higher education with school leadership programs that:
 - 7.16.1 Include opportunities for a summer or fall conference and regionally organized professional learning communities, and
 - 7.16.2 Focus on topics designed to meet the specific needs of beginning administrators.
- 7.17 An educational entity shall register with the Department each building- or district level leader that is in his or her first year of employment as a building- or district level leader.

Source: Ark. Code Ann. § 6-17-2806

8.0 DATA REPORTING

- 8.01 Each educational entity shall report to the Department the data requested by the Department for the purpose of identifying and evaluating educator effectiveness and equity in accordance with state and federal reporting requirements.
- 8.02 Under the Every Student Succeeds Act, the state shall determine the rate at which low-income and minority students are disproportionately taught by educators who are ineffective, inexperienced, or teaching a subject for which they are not currently licensed. If there is disproportionality, the state will evaluate and publicly report the progress in addressing the disproportionality. To support these requirements, an educational entity shall report to the Department:
 - 8.02.1 Each teacher's professional practice rating from the teacher's summative evaluation conducted once every four (4) years.
 - 8.02.1.1 A teacher's professional practice rating will not be publicly reported, but is essential to the calculation of disproportionality;
 - 8.02.2 The number of educators who are:

8.02.2.1 Teaching or leading with less than three (3) years of experience;

8.02.2.2 Teaching or leading with emergency or provisional credentials; and

8.02.2.3 Teaching a subject for which they are not currently licensed; and

8.02.3 Other data regarding teacher and leader qualifications and effectiveness as identified by the Department.

Source: Ark. Code Ann. § 6-15-1402, and Acts 295 and 930 of 2017; Elementary and Secondary Education Act of 33 1965, Pub. L. No. 89-10, as reauthorized by the Every Student Succeeds Act, Pub. L. No. 114-95

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING EDUCATOR MENTORING PROGRAMS**

Effective: July 10, 2015

1.00 — REGULATORY AUTHORITY AND PURPOSE

- 1.01 — These rules shall be known as the Arkansas Department of Education Rules Governing Educator Mentoring Programs.
- 1.02 — The State Board of Education enacted these rules pursuant to its authority as set forth in Ark. Code Ann. §§ 6-11-105, 6-17-2804, and 25-15-201 et seq.

2.00 — DEFINITIONS

- 2.01 — “Beginning Administrator” means an individual who:
 - 2.01.1 — Has less than one (1) year of public school administrative experience, not including student internship, and either:
 - 2.01.1.1 — Holds an administrator license issued by the State Board;
 - 2.01.1.2 — Is employed as an administrator under an ALCP by a public school district, open-enrollment public charter school, or other organization that serves public schools; or
 - 2.01.1.3 — Is performing the role of an administrator in an open-enrollment public charter school, and is not licensed as an administrator by the State Board.
- 2.02 — “Certified mentor” means a person who:
 - 2.02.1 — Holds a current Arkansas teaching or administrator’s license, unless the person is employed where the law does not require a license or the legal requirement for a teaching license is waived in the charter of a public charter school; and
 - 2.02.2 — Is certified by the Department’s Office of Educator Effectiveness as trained in the state-adopted mentoring model.
- 2.03 — “Department” means the Arkansas Department of Education.
- 2.04 — “Mentoring” means the acts of a certified mentor providing support and focused feedback to a novice teacher (according to the state-adopted mentoring model) with the goal of enhancing instructional skills, classroom management, and professional behavior.

2.05 — “Novice Teacher” means a teacher who has less than one (1) year of classroom teaching experience, not including student internship or substitute teaching.

2.05.1 — “Novice Teacher” may include an individual with a provisional or standard license issued by the State Board who is employed as a teacher of record in a private school, if the private school participation is approved by the Department under these rules.

3.00 — MENTORING REQUIREMENTS FOR NOVICE TEACHERS AND BEGINNING ADMINISTRATORS

3.01 — Every novice teacher and beginning administrator employed in a public school, open enrollment public charter school, or other public educational setting shall participate in mentoring for no less than one (1) year.

3.01.1 — A participant in a nontraditional licensure program shall participate in mentoring for the period of time specified in the ADE rules governing the relevant nontraditional licensure program.

3.01.2 — Mentoring for a novice teacher shall consist of a certified mentor providing support and focused feedback with regard to instructional skills, classroom management, and professional behaviors.

3.01.3 — Mentoring for a beginning administrator shall consist of a certified mentor providing support and focused feedback with regard to skills, management, and professional behaviors.

3.01.3.1 — Except as provided under 3.01.3.2, a beginning administrator working under an ALCP shall participate in mentoring for the duration of the ALCP.

3.01.3.2 — If a beginning administrator has completed mentoring as a building-level administrator or a curriculum/program administrator and is applying for the other of these two licenses, he or she is not required to complete a second mentoring program.

3.01.4 — The requirement for mentoring of a novice teacher or beginning administrator under these rules will not apply to:

3.01.4.1 — A public school or school district that:

3.01.4.1.1 — Obtained permission from the Department to use a nationally recognized system of teacher evaluation that is substantially similar to the Teacher Excellence and Support System under the ADE Rules Governing the Teacher Excellence and

~~Support System, or an administrator evaluation system that is substantially similar to the Leader Excellence and Development System under the ADE Rules Governing the Leader Excellence and Development System, as applicable, and~~

~~3.01.4.1.2 — Provides evidence to the Department that its mentoring program is aligned to the school's approved teacher or administrator evaluation system; or~~

~~3.01.4.2 — An open-enrollment public charter school that:~~

~~3.01.4.2.1 — Receives a waiver of the Teacher Excellence and Support System or the Leader Excellence and Development System, as applicable, through the charter approval or renewal process; and~~

~~3.01.4.2.2 — Provides evidence to the Charter Authorizing Panel that its mentoring program is aligned to the school's approved teacher or administrator evaluation system, as applicable.~~

~~3.01.5 — Mentors, novice teachers, and beginning administrators shall attend all Department-mandated training, orientation, or informational meetings.~~

~~3.01.6 — A novice teacher in a pre-kindergarten setting licensed by the Arkansas Department of Human Services may in the alternative participate in mentoring offered pursuant to Arkansas Department of Human Services rules.~~

~~3.01.7 — The Department may approve unfunded participation in a mentoring program by a novice teacher who is employed at a private school setting.~~

~~3.01.7.1 — The private school shall be responsible for providing a certified mentor with at least one (1) year of teaching experience and a project director as stated in these rules.~~

~~3.01.7.2 — The private school shall assume all costs of the mentoring program, including without limitation, costs of training for mentors, participants, and technology.~~

- 3.01.8 — A novice teacher who is employed in a private school that did not participate in a mentoring program under Section 3.01.7 during his or her employment shall participate in the Department's mentoring program in the first year of employment at a public school, open-enrollment public charter school, or other public educational setting.
- 3.02 — Every Arkansas public school district, open-enrollment public charter school, or other public educational setting that employs a novice teacher or beginning administrator shall:

 - 3.02.1 — Notify the Office of Educator Effectiveness (OEE), no later than September 1 of each year, of the appointment of an induction project director who will act as the liaison for the program to the Department;

 - 3.02.1.1 — Induction project directors are responsible for coordination of mentor assignments, oversight of mentor funding appropriations, adherence to state rules and guidelines related to mentoring, and all written and fiscal reporting and communications to the Department;
 - 3.02.1.2 — Induction project directors must complete the annual Project Director Update sponsored by the OEE, in order to have access to the Department's online data system and to be qualified to pair a novice teacher or beginning administrator with a certified mentor;
 - 3.02.1.3 — As funds are available, induction project directors shall be compensated with a stipend via a sliding scale (not to exceed \$1,000) based on the number of novice teachers and beginning administrators in the school or district;
 - 3.02.2 — Submit to the OEE via the OEE's online data system:

 - 3.02.2.1 — No later than September 30 of each year, a register of all novice teacher/mentor pairs and beginning administrator/mentor pairs employed by the school or district; and
 - 3.02.2.2 — No later than September 30 of each year, an assurances statement, signed by the induction project director, district superintendent, or charter school director, that the school or district is in compliance with these rules regarding mentoring.
 - 3.02.3 — Assign to each novice teacher, within three (3) weeks of the novice teacher's first contract day of the school year, a certified mentor teacher who:

 - 3.02.3.1 — Has a compatible background in licensure content area and level of licensure;

- 3.02.3.2 — Is trained and certified in the state-adopted mentoring model; and
- 3.02.3.3 — Has at least three (3) years of successful teaching experience.
 - 3.02.3.3.1 — A teacher employed by a public charter school with only one (1) year of teaching experience may mentor in a public charter school if the public charter school obtains approval from the Department;
- 3.02.4 — Assign to each beginning administrator, within three (3) weeks of the beginning administrator's first contract day of the school year, a certified administrator mentor or an administrator who meets the requirements of 3.02.4.1 and is in the process of being certified in the state-adopted mentoring model.
 - 3.02.4.1 — The certified mentor for a beginning administrator shall have a minimum of one (1) year of experience in the area in the beginning administrator's licensure area.
 - 3.02.4.2 — If a certified mentor is not available in the beginning administrator's school district, a certified mentor may be obtained from outside the school district.
- 3.02.5 — Release the following persons for training, orientation, or informational meetings:
 - 3.02.5.1 — Mentors to attend the initial mentor training and any statewide informational meetings held by the Department;
 - 3.02.5.2 — Induction project directors to attend annual update meetings; and
 - 3.02.5.3 — Beginning administrators to attend induction training and any statewide informational meetings held by the Department;
- 3.02.6 — Provide released time during the contract day for a novice teacher and mentor to work together on the mentoring modules;
- 3.02.7 — Support the novice teacher's or beginning administrator's and mentor's full participation in the mentoring program developed by the Department, including without limitation focused observations and professional development activities, and online and face-to-face activities for mentors, novice teachers, and beginning administrators that engage them in collaborative dialogue, problem solving, and professional development;

- 3.02.8 — Notify OEE, via the OEE's online data system, within fifteen (15) days of any personnel changes that might affect annual mentoring budget allocations (such as hiring of a novice teacher or beginning administrator midyear, or a novice teacher or beginning administrator resigning midyear and being replaced by an experienced teacher or administrator for whom mentoring is not appropriate); and
- 3.02.9 — Submit, via the OEE's online data system, the end-of-year budget report reflecting mentor stipend expenditures, no later than July 15 of each year.
 - 3.02.9.1 — Mentor stipends shall be distributed and disbursed within the parameters established by the Department.
- 3.03 — Only one (1) novice teacher or beginning administrator may be assigned to each mentor.
 - 3.03.1 — A public school or school district may submit a request to the OEE Program Advisor for approval for assigning more than one (1) novice teacher or beginning administrator to a mentor.
- 3.04 — A novice teacher or beginning administrator shall complete all modules, observations, and professional growth targets required by the Department in the state-adopted mentoring system.
- 3.05 — The OEE will monitor the quality of each public school or school district's mentoring program.
 - 3.05.1 — All required mentoring and observation documentation shall be uploaded to the OEE's online data system and verified by the induction project director.
 - 3.05.2 — Mentoring and observational information shall not be utilized in any way for employment or evaluation decisions unless students are at risk, either physically or emotionally.
- 3.06 — School districts or open enrollment public charter schools that do not comply with these rules shall be placed in accredited-cited status. Noncompliance includes without limitation:
 - 3.06.1 — Failure to register all mentors, novice teachers, and beginning administrators with the OEE;
 - 3.06.2 — Failure to comply with established guidelines for assignment, support, and monitoring of mentors and novice teachers or beginning administrators; and
 - 3.06.3 — Failure to submit all appropriate documentation.

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE TEACHER EXCELLENCE AND SUPPORT SYSTEM
December 2015**

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1.0 — PURPOSE

1.01 — Under Ark. Code Ann. § 6-17-2801 et seq., each public school shall implement the Teacher Excellence and Support System for all teachers employed at the public school under rules established by the State Board of Education. The purpose of these rules is to establish the requirements and procedures concerning the Teacher Excellence and Support System.

1.02 — Building or district-level leaders are referred to the current ADE Rules Governing the Leader Excellence and Development System for the Arkansas Department of Education's building- and district-level leader evaluation system.

2.0 — REGULATORY AUTHORITY

2.01 — These rules shall be known as the Arkansas Department of Education Rules Governing the Teacher Excellence and Support System.

2.02 — These rules are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-11-105, 6-13-1305, 6-15-1004, 6-15-1402, 6-17-704, 6-17-705, 6-17-1504, 6-17-2801 through 6-17-2809, 6-20-2305, 25-15-201 et seq. and Act 1091 of 2015.

~~3.0 — LEGISLATIVE INTENT AND PURPOSE~~

~~3.01 — The State Board notes that, with regard to the Teacher Excellence and Support System, it is the intent of the Arkansas General Assembly to:~~

~~3.01.1 Provide a program affording public school districts and public charter schools a transparent and consistent teacher evaluation system that ensures effective teaching and promotes professional learning;~~

~~3.01.2 Provide an evaluation, feedback, and support system that will encourage teachers to improve their knowledge and instructional skills in order to improve student learning;~~

~~3.01.3 Provide a basis for making teacher employment decisions;~~

~~3.01.4 Provide an integrated system that links evaluation procedures with curricular standards, professional development activities, targeted support, and human capital decisions;~~

~~3.01.5 Encourage highly effective teachers to undertake challenging assignments;~~

~~3.01.6 Support teachers' roles in improving students' educational achievements;~~

~~3.01.7 Inform policymakers regarding the benefits of a consistent evaluation and support system in regard to improving student achievement across the state; and~~

~~3.01.8 Increase the awareness of parents and guardians of public school students concerning the effectiveness of public school teachers.~~

~~———— 3.02 — The purposes of these rules are, without limitation, to:~~

~~3.02.1 Recognize that student learning is the foundation of teacher effectiveness and many factors impact student learning, not all of which are under the control of the teacher or the school, and that evidence of student learning includes trend data and is not limited to a single assessment;~~

~~3.02.2 Provide that the goals of the Teacher Excellence and Support System are quality assurance and teacher growth;~~

~~3.02.3 Reflect evidence-based or proven practices that improve student learning. Nothing in these rules should be construed to prohibit teachers from using innovative approaches in the classroom;~~

- 3.02.4 Utilize clear, concise, evidentiary data for teacher professional growth and development to improve student achievement;
- 3.02.5 Recognize that evidence of student growth is a significant part of the Teacher Excellence and Support System;
- 3.02.6 Ensure that student growth is analyzed at every phase of the evaluation system to illustrate teacher effectiveness. The purpose of requirement is to ensure that student growth is taken into account during all phases of the teacher evaluation system;
- 3.02.7 Require annual evidence of student growth from artifacts and external assessment measures;
- 3.02.8 Include clearly defined teacher evaluation domains, performance ratings, and evaluation rubric components for the evaluation framework;
- 3.02.9 Include procedures for implementing each component of the Teacher Excellence and Support System; and
- 3.02.10 Include the professional development requirements for all superintendents, administrators, evaluators, and teachers to obtain the training necessary to be able to understand and successfully implement the Teacher Excellence and Support System.

Source: Ark. Code Ann. § 6-17-2802 and § 6-17-2804

4.0 — DEFINITIONS

- 4.01 — “**Annual overall rating**” means the annual rating based on professional practice (performance rating) and student growth.
- 4.02 — “**Artifact**” means a documented piece of evidence chosen by the teacher being evaluated, the evaluator, or both, that:
 - 4.02.1 — Relates to the evaluation rubric; and
 - 4.02.2 — Represents output from one (1) or more of the following, without limitation:
 - 4.02.2.1 — Lesson plans or pacing guides aligned with the state standards;
 - 4.02.2.2 — Self directed or collaborative research approved by an evaluator;
 - 4.02.2.3 — Participation in professional development;
 - 4.02.2.4 — Contributions to parent, community, or professional meetings;

- 4.02.2.5—Classroom assessments including:
 - 4.02.2.5.1—Unit tests;
 - 4.02.2.5.2—Samples of student work, portfolios, writing, and projects;
 - 4.02.2.5.3—Pre-assessments and post-assessments; and
 - 4.02.2.5.4—Classroom-based formative assessments;
- 4.02.2.6—District-level assessments including:
 - 4.02.2.6.1—Formative assessments;
 - 4.02.2.6.2—Grade or subject level assessments;
 - 4.02.2.6.3—Department-level assessments; and
 - 4.02.2.6.4—Common assessments;
- 4.02.2.7—State-level assessments including:
 - 4.02.2.7.1—End-of-course assessments;
 - 4.02.2.7.2—Statewide assessments of student achievement; and
 - 4.02.2.7.3—Career and technical assessments;
- 4.02.2.8—National assessments including:
 - 4.02.2.8.1—Advanced placement assessments;
 - 4.02.2.8.2—Norm-referenced assessments; and
 - 4.02.2.8.3—Career and technical assessments; and
- 4.02.2.9—Evidence of student growth attributed to a teacher under Section 6.03 of these rules.

4.03—“**Contributing professional**” means an individual who has been assigned the responsibility to provide additional services that support and increase a student’s learning and/or access to learning.

4.03.1 “Contributing professional” includes a:

- 4.03.1.2—Classroom teacher, other than the teacher of record, who is engaged directly in instruction with students in a classroom setting;
- 4.03.1.2—Guidance counselor;
- 4.03.1.3—Library media specialist;
- 4.03.1.4—Instructional facilitator or instructional coach; and
- 4.03.1.5—Teacher employed by an education service cooperative who instructs public school students.

- 4.03.1.6 — Speech language pathologist;
- 4.03.1.7 — Gifted and talented coordinator;
- 4.03.1.8 — School psychologist;
- 4.03.1.9 — English language learner instructor; or
- 4.03.1.10 — Person in another position identified by the Department.

4.04 — **“Department”** means the Arkansas Department of Education.

4.05 — **“Evaluation”** means the process under these rules used to:

4.05.1 Assess with evidence what a teacher should know and be able to do as measured by the domains and performance ratings of an evaluation framework; and

4.05.2 Promote teacher growth through professional learning.

4.05.3 “Evaluation” does not include a teacher’s performance relating to competitive athletics and competitive extracurricular activities.

4.06 — **“Evaluation framework”** means a standardized set of teacher evaluation domains that provide the overall basis for an evaluation.

4.07 — **“Evaluation rubric”** means a set of performance components for each teacher evaluation domain in the evaluation framework.

4.08 — **“Evaluator”** means a person licensed by the State Board as an administrator who meets the requirements of Section 4.08.2, is designated as the person responsible for evaluating teachers, and who is an employee of the school district or open enrollment public charter school in which the evaluations are performed.

4.08.1 “Evaluator” also includes public charter school administrators who are designated by their public charter schools as evaluators, even if the public charter school administrators do not hold an administrator’s license. While these rules allow for other school personnel to guide the interim teacher appraisal process, the designated evaluator remains responsible for conducting summative evaluations of teachers and assigning the annual overall ratings.

4.08.2 Before conducting summative evaluations of teachers and before assigning annual overall ratings pursuant to these rules, a designated evaluator must successfully complete all training and certification requirements for evaluators as set forth by the Department. Prior to conducting summative evaluations of teachers pursuant to these rules, public charter school administrators who are designated evaluators must also successfully complete all training and certification requirements for evaluators as set

~~forth by the Department, even if the public charter school administrators do not hold an administrator's license. Public charter schools are nevertheless encouraged to employ or contract with licensed administrators who serve as evaluators under the Teacher Excellence and Support System.~~

- ~~4.09 — “**External assessment measure**” means a measure of student achievement or growth that is administered, developed, and scored by a person or entity other than the teacher being evaluated, except that the assessment may be administered by the teacher being evaluated if the assessment is monitored by a licensed individual designated by the evaluator. For public charter schools, the assessment may be administered by the teacher being evaluated if the assessment is monitored by a licensed individual designated by the evaluator or, if no licensed individuals are employed by the public charter school, a degreed teacher employed by the public charter school and designated by the evaluator.~~
- ~~4.10 — “**Formal classroom observation**” means an announced visit to a classroom by an evaluator that:~~
- ~~4.10.1 — Is preceded by a pre-observation conference to discuss the lesson plan and objectives;~~
 - ~~4.10.2 — Is conducted by an evaluator for at least seventy-five percent (75%) of the class period either by observing the teacher:~~
 - ~~4.10.2.1 — In the classroom;~~
 - ~~4.10.2.2 — Through the use of three hundred sixty-degree video technology; or~~
 - ~~4.10.2.3 — For a teacher in a digital learning environment, through the use of other appropriate technology.~~
 - ~~4.10.2.4 — The length of time for a formal classroom observation of a teacher teaching in a block schedule or in a class period lasting longer than sixty (60) minutes may be adjusted to allow for an observation for forty-five (45) minutes or more of the teacher's class period;~~
 - ~~4.10.3 — Facilitates a professional dialogue for the teacher and evaluator; and~~
 - ~~4.10.4 — Provides essential evidence of the teacher's classroom practices.~~
- ~~4.11 — “**Formative assessment**” means an evaluation of a student's learning that is given before the student completes a course of instruction to foster the student's~~

development and improvement on a specific strand within the course of instruction.

4.12 — **“Informal classroom observation”** means an observation conducted by an evaluator for the same purpose as a formal classroom observation but may be:

4.12.1 Unannounced; or

4.12.2 For a shorter period of time than a formal classroom observation.

4.13 — **“Intensive support status”** means the employment status administered under this subchapter that is assigned to a teacher under Ark. Code Ann. § 6-17-2807 and Section 11.0 of these rules.

4.14 — **“Interim appraisal”** means a form of evaluation, other than a summative evaluation, that:

4.14.1 Provides support for teaching practices; and

4.14.2 Uses standards for teacher growth and performance that are consistent with the evaluation rubrics for the teacher evaluation domains of a summative evaluation that are identified in the teacher’s professional growth plan.

4.15 — **“Novice teacher”** means a teacher having less than one (1) school year of public school classroom teaching experience.

4.16 — **“Post observation conference”** means a conference between the teacher and evaluator following a formal classroom observation to discuss:

4.16.1 The evaluator’s observations; and

4.16.2 Artifacts presented by the teacher after the formal classroom observation.

4.17 — **“Pre observation conference”** means a conference between the teacher and evaluator to discuss goals and planned outcomes for a classroom lesson before a formal classroom observation.

4.18 — **“Probationary teacher”** means the same as probationary teacher under Ark. Code Ann. § 6-17-1502.

4.19 — **“Professional development plan”** means the professional development plan under § 6-17-704 that encompasses all professional development required by rule, under law, and by a school district, public school, or education service cooperative for a teacher.

- 4.20 ~~“Professional growth plan” means the component of a professional development plan that is designed to meet the specific growth needs of a teacher identified under the Teacher Excellence and Support System, § 6-17-2801 et seq.~~
- 4.21 ~~“State Board” means the Arkansas State Board of Education.~~
- 4.22 ~~“Statewide assessment of student achievement” means an external assessment approved by the State Board as a statewide assessment of student achievement.~~
- 4.23 ~~“Student growth measure” means one (1) or more student growth measures based on external assessments adopted by rules promulgated by the State Board.~~
- 4.24 ~~“Summative assessment” means an evaluation of student achievement given at the completion of a course of instruction that cumulatively measures whether the student met long-term learning goals for the course.~~
- 4.25 ~~“Summative evaluation” means an evaluation of a teacher’s performance that evaluates all domains and components of the evaluation framework that supports:~~
- 4.25.1 ~~Improvement in the teacher’s teaching practices and student achievement; and~~
- 4.25.2 ~~A school district’s employment decision concerning the teacher.~~
- 4.26 ~~“Teacher” means a person who is:~~
- 4.26.1 ~~Required to hold and holds a teaching license from the State Board as a condition of employment; and~~
- 4.26.2 ~~Employed as a:~~
- 4.26.2.1 ~~Teacher of record in a public school;~~
- 4.26.2.2 ~~Contributing professional;~~
- 4.26.2.3 ~~One of the following teachers who instruct public school students:~~
- 4.26.2.3.1 ~~Distance learning teacher;~~
- 4.26.2.3.2 ~~Virtual charter school teacher;~~
- 4.26.2.3.3 ~~Teacher at the Arkansas School for the Blind;~~
- 4.26.2.3.4 ~~Teacher at the Arkansas School for the Deaf; or~~
- 4.26.2.3.5 ~~Teacher at the Arkansas Correctional School.~~
- 4.26.3 ~~“Teacher” also includes a nonlicensed classroom teacher or contributing professional employed at a public charter school under a waiver of teacher~~

~~licensure requirements granted by the State Board of Education in the charter.~~

~~4.26.4 “Teacher” does not include a person who is employed full time by a school district or public school solely as a superintendent or administrator.~~

~~4.27 “Teacher of record” is an individual or individuals in a teaching or co-teaching assignment who is/are assigned the lead responsibility for student learning in a subject or course with aligned curriculum standards. A teacher of record plans instruction, delivers instruction, assesses student learning, and assigns grades.~~

~~4.28 “Teacher Excellence and Support System” means a statewide teacher evaluation system that provides support, collaboration, feedback and targeted professional development opportunities aimed at ensuring effective teaching and improving student learning.~~

~~4.29 “Tested content area” means a teaching content area that is tested under a statewide assessment of student achievement.~~

Source: Ark. Code Ann. § 6-17-2803 as modified

~~5.0 — GENERAL REQUIREMENTS AND IMPLEMENTATION~~

~~5.01 Each teacher employed by the board of directors of a school district shall be evaluated in writing under the Teacher Excellence and Support System.~~

~~5.02 A teacher shall:~~

~~5.02.1 Participate in the Teacher Excellence and Support System, including without limitation in:~~

~~5.02.1.1 Classroom observations; and~~

~~5.02.1.2 Pre-observation and post-observation conferences; and~~

~~5.02.2 Collaborate in good faith with the evaluator to develop the teacher’s professional growth plan under Ark. Code Ann. § 6-17-2806(a) and Section 10.0 of these rules. If a teacher and evaluator cannot agree on the professional growth plan, the evaluator’s decision shall be final.~~

~~5.03 A failure to comply with Section 5.02 of these rules may be reflected in the teacher’s evaluation.~~

~~5.04 At a time other than an evaluation conducted under the Teacher Excellence and Support System, if a superintendent or other school administrator charged with~~

~~the supervision of a teacher believes or has reason to believe that the teacher is having difficulties or problems meeting the expectations of the school district or its administration and the administrator believes or has reason to believe that the problems could lead to termination or nonrenewal of contract, the superintendent or other school administrator shall:~~

~~5.04.1 Bring in writing the problems or difficulties to the attention of the teacher involved; and~~

~~5.04.2 Document the efforts that have been undertaken to assist the teacher to correct whatever appears to be the cause for potential termination or nonrenewal.~~

~~5.05 — A public school is deemed to have met the requirements of Section 1.01 of these rules if the school obtained permission from the Department to continue to use a nationally recognized system of teacher evaluation and support that is substantially similar to the Teacher Excellence and Support System and that the school district used in the 2012-2013 and 2013-2014 school years. The Department granted permission to certain school districts that qualified by providing evidence to the Department by December 31, 2012, of:~~

~~5.05.1 The name of the alternate, nationally recognized system of teacher evaluation and support; and~~

~~5.05.2 A brief description of the alternate, nationally recognized system of teacher evaluation and support, including an explanation of how it is substantially similar to the Teacher Excellence and Support System.~~

~~5.06 — If the Department denied the application of a school district for the continued use of the alternate, nationally recognized system of teacher evaluation and support beyond the 2013-2014 school year, the school district shall use the Teacher Excellence and Support System as prescribed by these rules.~~

~~5.07 — Schools shall use the electronic platform provided by the Department for conducting evaluations and assigning ratings as required under these rules.~~

Source: Ark. Code Ann. § 6-17-1504 and § 6-17-2808

6.0 — ANNUAL OVERALL RATING

~~6.01 — Annually in a summative evaluation year or an interim appraisal year, a public school shall assign each teacher employed by the school an annual overall rating that is based on:~~

~~6.01.1 The teacher's professional practice, as evidenced by the performance rating for a summative evaluation or for an interim appraisal; and~~

~~6.01.2 Student growth, as determined by rules promulgated by the State Board.~~

~~6.02—Performance rating—~~

~~6.02.1 In a summative evaluation year, a Domain Average is derived from the average of all component scores in each domain of the evaluation framework. Each Domain Average is 25% of the Overall Weighted Score. Based on the Overall Weighted Score, the teacher is assigned a performance rating.~~

~~6.02.2 In an interim appraisal year, the performance rating used in the annual overall rating is derived only from the average of all components that align to the educator's professional growth plan, regardless of the number in each domain. There is no Overall Weighted Score associated with an interim appraisal.~~

~~6.03—Student growth measure—Until the State Board adopts rules defining one (1) or more student growth measures, a student growth measure will not be required as part of the annual overall rating.~~

Source: Ark. Code Ann. § 6-17-2808, as amended by Act 1091 of 2015

7.0—SUMMATIVE EVALUATIONS

~~7.01—Annually during a school year, a public school shall conduct a summative evaluation for every teacher employed in the public school who is a:~~

~~7.01.1 Novice teacher;~~

~~7.01.2 Probationary teacher; or~~

~~7.01.3 Teacher who successfully completed intensive support status within the current or immediately preceding school year.~~

~~7.02—At least one (1) time every four (4) school years, a public school shall conduct a summative evaluation for a teacher who is not in a status under Section 7.01 of these rules.~~

~~7.03—Nothing in this rule shall be construed to prevent a public school from conducting a summative evaluation of a teacher more often than one (1) time every four (4) school years.~~

~~7.04—The evaluation framework for a summative evaluation for a classroom teacher shall include:~~

~~7.04.1 The following teacher evaluation domains:~~

~~7.04.1.1—Planning and preparation;~~

~~7.04.1.2—Classroom environment;~~

~~7.04.1.3—Instruction; and~~

~~7.04.1.4—Professional responsibilities; and~~

~~7.04.2 An evaluation rubric using nationally accepted components that consists of the following four (4) performance ratings:~~

~~7.04.2.1—Distinguished;~~

~~7.04.2.2—Proficient;~~

~~7.04.2.3—Basic; and~~

~~7.04.2.4—Unsatisfactory.~~

~~7.05—A summative evaluation shall result in a written:~~

~~7.05.1 Evaluation determination for the teacher's performance rating on each teacher evaluation domain; and~~

~~7.05.2 Summative evaluation determination of the teacher's performance rating on all teacher evaluation domains as a whole.~~

~~7.06—A summative evaluation shall use an evaluation framework, and an evaluation rubric, and external assessment measures that are appropriate for a teacher who is not a classroom teacher, including without limitation:~~

~~7.06.1 A guidance counselor;~~

~~7.06.2 A library media specialist;~~

~~7.06.3 A special education teacher; or~~

~~7.06.4 The following teachers:~~

~~7.06.4.1—Distance learning teachers;~~

~~7.06.4.2—Virtual charter school teachers;~~

~~7.06.4.3—Teachers at the Arkansas School for the Blind;~~

~~7.06.4.4—Teachers at the Arkansas School for the Deaf;~~

~~7.06.4.5—Teachers at the Arkansas Correctional School;~~

~~7.06.4.6—Instructional facilitators and instructional coaches; and~~

- ~~7.06.4.7 — Teachers employed by education service cooperatives who instruct public school students.~~
- ~~7.07 — A teacher shall submit artifacts agreed upon by the teacher and evaluator, or by the evaluator if the teacher and evaluator cannot agree, as evidence of professional practice in determining the performance rating for a summative evaluation.~~
- ~~7.08 — The artifacts considered by the teacher and evaluator in a summative evaluation for the performance rating shall consist of evidence related to each teacher evaluation domain and the respective components and may include:~~
 - ~~7.08.1 — External assessment measures;~~
 - ~~7.08.2 — Knowledge measures, including without limitation, pre tests, post tests, or other written tests;~~
 - ~~7.08.3 — Performance measures used to evaluate student improvement in a particular subject matter during a semester or school year;~~
 - ~~7.08.4 — Attitude/behavior measures used to evaluate student improvement during a semester or school year as reflected in parental and/or student surveys;~~
 - ~~7.08.5 — Student performance in group projects or project-based learning activities; and~~
 - ~~7.08.6 — Schoolwide measures, including without limitation:~~
 - ~~7.08.6.1 — Attendance rate;~~
 - ~~7.08.6.2 — Graduation rate; and~~
 - ~~7.08.6.3 — Literacy scores.~~
- ~~7.09 — A summative evaluation process shall include:~~
 - ~~7.09.1 — A pre-observation conference and post-observation conference;~~
 - ~~7.09.2 — A formal classroom observation, and may include an informal classroom observation;~~
 - ~~7.09.3 — Presentations of artifacts chosen by the teacher, the evaluator, or both;~~
 - ~~7.09.4 — An opportunity for the evaluator and teacher to discuss the review of external assessment measures used in the evaluation;~~

~~7.09.5 A written evaluation determination for each teacher evaluation domain and a written summative evaluation determination.~~

~~7.09.6 Feedback based on the evaluation rubric that the teacher can use to improve teaching skills and student learning; and~~

~~7.09.7 Feedback from the teacher concerning the evaluation process and evaluator.~~

~~7.10 In a school year in which a summative evaluation is not required under these rules, the teacher:~~

~~7.10.1 Shall focus on elements of the teacher's professional growth plan as approved by the evaluator that are designed to help the teacher improve his or her teaching practices; and~~

~~7.10.2 With the evaluator's approval may:~~

~~7.10.2.1 Collaborate with a team of teachers on a shared plan that benefits the whole school, a content area, or a grade level; or~~

~~7.10.2.2 Conduct self-directed research related to the teacher's professional growth plan under Ark. Code Ann. § 6-17-2806 and Section 10.0 of these rules.~~

~~Source: Ark. Code Ann. §§ 6-17-2805 and 6-17-2808, as amended by Act 1091 of 2015~~

~~8.0 INTERIM APPRAISALS~~

~~8.01 Interim appraisals shall be used to:~~

~~8.01.1 Support teachers on an ongoing basis throughout the school year;~~

~~8.01.2 Provide a teacher with immediate feedback about the teacher's teaching practices;~~

~~8.01.3 Engage the teacher in a collaborative, supportive learning process;~~

~~8.01.4 Help the teacher use formative assessments to inform the teacher of student progress and adapt teaching practices based on the formative assessments; and~~

~~8.01.5 Provide a performance rating that is included in the annual overall rating.~~

~~8.01.5.1—A teacher shall submit artifacts for the components agreed upon by the teacher and evaluator, or by the evaluator if the teacher and evaluator cannot agree, as evidence of professional practice in determining the performance rating for an interim appraisal.~~

~~8.02—The interim appraisal process may be guided in whole or in part by an evaluator or by one (1) or more of the following persons designated by the evaluator:~~

~~8.02.1—A teacher designated by an administrator as a leader for the teaching content area of a teacher who is being evaluated;~~

~~8.02.2—An instructional facilitator;~~

~~8.02.3—A curriculum specialist; or~~

~~8.02.4—An academic coach for the teacher's content area.~~

~~8.03—While other school personnel may guide the interim teacher appraisal process, the designated evaluator remains responsible for conducting summative evaluations and assigning annual overall ratings of teachers.~~

Source: Ark. Code Ann. §§ 6-17-2805 and 6-17-2808, as amended by Act 1091 of 2015

9.0 — MENTORING AND INDUCTION

~~9.01—The Teacher Excellence and Support System also shall include novice teacher mentoring and induction for each novice teacher employed at the public school that:~~

~~9.01.1—Provides training, support, and follow-up to novice teachers to increase teacher retention;~~

~~9.01.2—Establishes norms of professionalism; and~~

~~9.01.3—Leads to improved student achievement by increasing effective teacher performance.~~

~~9.02—Novice teachers shall undergo mentoring and induction as otherwise set forth by Arkansas law and the ADE Rules Governing Educator Mentoring Programs.~~

Source: Ark. Code Ann. § 6-17-2806

10.0 — PROFESSIONAL GROWTH PLAN

~~10.01 — Except as provided in Section 10.03 of these rules, a teacher being evaluated and the evaluator, working together, shall develop a professional growth plan for the teacher that:~~

~~10.01.1 — Identifies professional learning outcomes to advance the teacher's professional skills; and~~

~~10.01.2 — Clearly links professional development activities and the teacher's individual professional learning needs identified through the Teacher Excellence and Support System.~~

~~10.02 — The professional growth plan for a teacher shall require that at least one-half (1/2) of the professional development hours required by law or rule for teacher licensure are directly related to one (1) or more of:~~

~~10.02.1 — The teacher's content area;~~

~~10.02.2 — Instructional strategies applicable to the teacher's content area; or~~

~~10.02.3 — The teacher's identified needs.~~

~~10.03 — If a teacher and evaluator cannot agree on a professional growth plan, the evaluator's decision shall be final.~~

~~10.04 — For a teacher in intensive support status, the evaluator or an administrator designated by the evaluator shall have final approval of the teacher's professional growth plan.~~

~~10.05 — Until the teacher is removed from intensive support status, all professional development identified in the professional growth plan, except professional development that is required by law or by the public school where the teacher is employed, shall be directly related to the individual teacher's needs.~~

Source: Ark. Code Ann. § 6-17-2806

11.0 — INTENSIVE SUPPORT STATUS

~~11.01 — An evaluator shall place a teacher in intensive support status if the teacher has a rating of "Unsatisfactory" in any one (1) entire teacher evaluation domain of the evaluation framework.~~

~~11.02 — An evaluator may place a teacher in intensive support status if the teacher has a rating of "Unsatisfactory" or "Basic" in a majority of components in a teacher~~

~~evaluation domain.~~

- ~~11.03 If a teacher is placed in intensive support status, the evaluator shall:~~
 - ~~11.03.1 Establish the time period for the intensive support status; and~~
 - ~~11.03.2 Provide a written notice to the teacher that the teacher is placed in intensive support status. The notice shall state that if the teacher's contract is renewed while the teacher is in intensive support status, the fulfillment of the contract term is subject to the teacher's accomplishment of the goals established and completion of the tasks assigned in the intensive support status.~~
- ~~11.04 The period of time specified by the evaluator for intensive support status shall afford the teacher an opportunity to accomplish the goals of and complete the tasks assigned in the intensive support status.~~
- ~~11.05 Intensive support status shall not last for more than two (2) consecutive semesters unless the teacher has substantially progressed and the evaluator elects to extend the intensive support status for up to two (2) additional consecutive semesters.~~
- ~~11.06 The evaluator shall work with the teacher to:~~
 - ~~11.06.1 Develop a clear set of goals and tasks that correlate to:~~
 - ~~11.06.1.1 The professional growth plan; and~~
 - ~~11.06.1.2 Evidence-based research concerning the evaluation domain that forms the basis for the intensive support status; and~~
 - ~~11.06.2 Ensure the teacher is offered the support that the evaluator deems necessary for the teacher to accomplish the goals developed and complete the tasks assigned while the teacher is in intensive support status.~~
- ~~11.07 If the intensive support status is related to student performance, the teacher shall use formative assessments to gauge student progress throughout the period of intensive support status. The teacher shall be offered the support necessary to use formative assessments under these rules during the intensive support status.~~
- ~~11.08 At the end of the specified period of time for intensive support status, the evaluator shall:~~

- ~~11.08.1 — Evaluate whether the teacher has met the goals developed and completed the tasks assigned for the intensive support status; and~~
- ~~11.08.2 — Provide written notice to the teacher that the teacher either:~~
 - ~~11.08.2.1 — Is removed from intensive support status; or~~
 - ~~11.08.2.2 — Has failed to meet the goals and complete the tasks of the intensive support status.~~
- ~~11.09 — If a teacher does not accomplish the goals and complete the tasks established for the intensive support status during the period of intensive support status, the evaluator shall notify the superintendent of the school district where the teacher is employed and provide the superintendent with documentation of the intensive support status.~~
- ~~11.10 — Upon review and approval of the documentation, the superintendent shall recommend termination or nonrenewal of the teacher's contract.~~
 - ~~11.10.1 — A recommendation for termination or nonrenewal of a teacher's contract under these rules shall be made pursuant to the authority granted to a superintendent for recommending termination or nonrenewal under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq.~~
 - ~~11.10.2 — When a superintendent makes a recommendation for termination or nonrenewal of a teacher's contract under Section 11.10 of these rules, the public school:~~
 - ~~11.10.2.1 — Shall provide the notice required under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq., but is exempt from the provisions of Ark. Code Ann. § 6-17-1504(b); and~~
 - ~~11.10.2.2 — If the public school has substantially complied with the requirements of Section 11.10 of these rules, is entitled to a rebuttable presumption that the public school has a substantive basis for the termination or nonrenewal of the teacher's contract under the applicable standard for termination or nonrenewal under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq. The presumption may be rebutted by the teacher during an appeal under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq.~~

~~11.11—These rules do not preclude a public school superintendent from:~~

- ~~11.11.1—Making a recommendation for the termination or nonrenewal of a teacher's contract for any lawful reason under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq.; or~~
- ~~11.11.2—Including in a recommendation for termination or nonrenewal of a teacher's contract under this section any other lawful reason for termination or nonrenewal under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. Ark. Code Ann. § 6-17-1501 et seq.~~

Source: Ark. Code Ann. § 6-17-2807

~~12.0—INCORPORATION INTO SCHOOL DISTRICT CONTRACTS AND POLICIES~~

~~12.01—Pursuant to Ark. Code Ann. § 6-13-1305, the policy adopted by local school district boards of directors to implement site-based decision making shall address teacher evaluations, professional growth plans, and teacher support under the Teacher Excellence and Support System, Ark. Code Ann. § 6-17-2801 et seq.~~

~~12.02—Every teacher contract renewed or entered into after July 27, 2011 is subject to and shall reference Title 6, Chapter 17, Subchapter 28 of the Arkansas Code.~~

Source: Ark. Code Ann. § 6-13-1305 and § 6-17-2808

~~13.0—SCHOOL PERFORMANCE REPORT~~

~~Beginning with the 2017-2018 school year, for the school year covered by a school performance report pursuant to Ark. Code Ann. § 6-15-1402, the school performance report shall include:~~

- ~~13.01—The total number of teachers who are employed in the public school; and~~
- ~~13.02—Of that total, the number who meet each of the following criteria:~~
 - ~~13.02.1—Highly qualified teacher;~~
 - ~~13.02.2—Identified as proficient or above under the Teacher Excellence and Support System for the school; and~~
 - ~~13.02.3—Certified by the National Board for Professional Teaching Standards.~~

Source: Ark. Code Ann. § 6-15-1402

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE LEADER EXCELLENCE AND
DEVELOPMENT SYSTEM**

December 2015

1.0 — PURPOSE

- 1.01 — The purpose of these rules is to establish the requirements and procedures concerning the evaluation and development of public school building and district-level leader performance.

2.0 — REGULATORY AUTHORITY

- 2.01 — These rules shall be known as the Arkansas Department of Education Rules Governing The Leader Excellence and Development System.
- 2.02 — These rules are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-11-105, 6-15-1402, 6-17-704, 6-17-705, 6-17-2801 through 6-17-2809, 6-20-2305, 25-15-201 et seq.

3.0 — LEGISLATIVE INTENT AND PURPOSE

- 3.01 — The State Board of Education notes that it is the intent of the Arkansas General Assembly to provide a system for school districts to evaluate public school and school district administrators that weights an evaluation on student performance and student growth to the same extent as provided for teachers under the Teacher Excellence and Support System.
- 3.02 — The purposes of these rules are, without limitation, to:
- 3.01.1 — Provide a cohesive process that includes clear expectations to guide building or district-level leader preparation, induction, and continued professional development in Arkansas school districts, open-enrollment public charter schools, and the Arkansas Correctional School;
 - 3.01.2 — Guide and sustain excellent leadership performance that ensures the improvement of teaching and learning;
 - 3.01.3 — Assist higher education programs in developing the content and requirements of degree programs that prepare prospective building or district-level leaders; and
 - 3.01.4 — Provide a process that includes instruments to be used by reflective practitioners to promote their professional growth.

4.0 — DEFINITIONS

- 4.01 — **“Artifact”** means a documented piece of evidence chosen by the building or district-level leader being evaluated, the evaluator, or both, that relates to the evaluation rubric.
- 4.02 — **“Building or district-level leader”** means an individual employed by an educational agency who performs the role of a building or district-level administrator or an equivalent role, including an administrator licensed by the State Board of Education, an unlicensed administrator, or an individual on an Administrator-Licensure Completion Plan. “Building or district-level leader” does not include:
- 4.02.1 A superintendent; or
 - 4.02.2 Unless the school district, open-enrollment public charter school, or Arkansas Correctional Schools elects to include them in LEADS, deputy superintendents, associate superintendents, and assistant superintendents.
- 4.03 — **“Department”** means the Arkansas Department of Education.
- 4.04 — **“District-level”** means agency-wide level when used in reference to an open-enrollment public charter school or the Arkansas Correctional School.
- 4.05 — **“Educational agency”** means an Arkansas public school district, an open-enrollment public charter school, or the Arkansas Correctional School.
- 4.06 — **“Evaluation”** means the process under these rules used to:
- 4.06.1 Assess with evidence what a building or district-level leader should know and be able to do as measured by the standards and functions of an evaluation framework; and
 - 4.06.2 Promote building or district-level leader’s professional growth.
- 4.07 — **“Evaluation framework”** means a standardized set of building or district-level leader evaluation standards and functions that provide the overall basis for an evaluation.
- 4.08 — **“Evaluation rubric”** means a set of performance functions for each building or district-level leader evaluation standards in the evaluation framework.
- 4.09 — **“Inquiry Category”** is a category in which the building or district-level leader consistently demonstrates progressing, proficient, and/or exemplary performance on standards and functions in the LEADS rubric.

- 4.10 — **“Intensive Category”** is a category in which a building or district level leader receives a rating of not meeting standards and/or not progressing on the majority of functions in any of the standards on the summative evaluation rubric.
- 4.11 — **“LEADS”** means the Arkansas Leadership Excellence and Development System.
- 4.12 — **“Novice Category”** is a category in which a building level leader will be placed for three (3) years if the building level leader is a first-time administrator.
- 4.13 — **“Probationary”** is a category in which the building or district level leader will be placed if required under an educational agency’s policy adopted under the Teacher Fair Dismissal Act, Ark. Code Ann. § 6-17-1501 et seq., for one (1) year if the building or district level leader:
- 4.13.1.1 — Has transitioned to the educational agency from another educational agency where he or she had previous building or district level leadership experience; or
 - 4.13.1.2 — Has transitioned within a school from one building or district level leader position to another;
- 4.14 — **“Problem of practice”** is identified in a professional growth plan as a gap between current performance and desired performance of a school or educational agency based on a review of school or district data.
- 4.15 — **“State Board”** means the Arkansas State Board of Education.
- 4.16 — **“Statewide assessment of student achievement”** means an external assessment approved by the State Board as an assessment of student achievement.
- 4.17 — **“Student growth measure”** means one (1) or more student growth measures based on external assessments adopted by rules promulgated by the State Board.
- 4.18 — **“Summative evaluation”** means an evaluation of a building or district level leader’s performance that evaluates all applicable standards and functions of the evaluation framework that supports:
- 4.18.1 — Improvement in the building or district level leader’s leadership practices, student learning, and teacher growth; and
 - 4.18.2 — An educational agency’s employment decision concerning the building or district level leader.
- 4.19 — **“Superintendent”** includes a position in an educational agency that is equivalent to the position of superintendent in a school district.

5.0 — GENERAL REQUIREMENTS AND IMPLEMENTATION

~~5.01 — Beginning in the 2014-2015 school year, an educational agency, as defined in these rules, shall implement the Arkansas Leader Excellence and Development System (LEADS) for building- or district-level leaders employed by it.~~

~~5.02 — Each evaluation under LEADS shall be in writing.~~

~~5.03 — A building- or district-level leader shall participate in LEADS and collaborate in good faith with the evaluator to develop the building- or district-level leader's professional growth plan.~~

~~5.03.1 — A failure to comply with Section 5.03 of these rules may be reflected in the building- or district-level leader's evaluation.~~

~~5.04 — A school district or open-enrollment public charter school may be deemed to have met the requirements of Sections 5.01 and 5.02 of these rules if:~~

~~5.04.1 — The school district or open-enrollment public charter school has received authority to continue to use a nationally recognized system of teacher evaluation and support other than the Teacher Excellence and Support System under Section 8 of the Rules Governing the Teacher Excellence and Support System; and~~

~~5.04.2 — In the 2012-2013 and 2013-2014 school years used a nationally recognized system of building- or district-level leader evaluation and development that is substantially similar to LEADS. In order for a school district or open-enrollment public charter school to continue to use an alternate, nationally recognized system of building- or district-level leader evaluation and development that is substantially similar to LEADS beyond the 2013-2014 school year, the school district or open-enrollment public charter school shall submit the following in writing to the Arkansas Department of Education by April 1, 2014:~~

~~5.04.2.1 — The name of the alternate, nationally recognized system of building- or district-level leader evaluation and development; and~~

~~5.04.2.2 — A brief description of the alternate, nationally recognized system of building- or district-level leader evaluation and development, including an explanation of how it is substantially similar to LEADS.~~

~~5.04.2.3 — The Arkansas Department of Education shall, by May 1, 2014, approve or deny the continued use of the alternate, nationally recognized system of building or district-level leader evaluation and development beyond the 2013-2014 school year.~~

~~6.0 — BUILDING OR DISTRICT-LEVEL LEADER EVALUATION PROCESS~~

~~6.01 — Annually in a summative evaluation year or an inquiry category year, a superintendent shall assign each building-level or district-level leader employed by the school district an annual overall rating that is based on:~~

~~6.01.1 — The leader's professional practice, as evidenced by the performance rating for a summative evaluation or for the inquiry category; and~~

~~6.01.2 — Student growth, as determined by rules promulgated by the State Board.~~

~~6.02 — Building or District-level Leader Professional Growth Plan~~

~~6.02.1 — A building or district-level leader shall complete or revise a professional growth plan based on the standards and functions determined in collaboration with the superintendent or designee under Section 6.04 of these rules.~~

~~6.02.2 — The building or district-level leader should review multiple sources of data to determine a building or district problem of practice.~~

~~6.02.3 — The building or district-level leader shall indicate in his or her professional growth plan:~~

~~6.02.3.1 — The school's or educational agency's problem of practice and goal(s);~~

~~6.02.3.2 — The leadership strategies to address the identified problem;~~

~~6.02.3.3 — Results indicators (staff and students); and~~

~~6.02.3.4 — Sources of data to be monitored.~~

~~6.02.4 — The building or district-level leader shall determine the action steps needed to implement the leadership strategies identified in his or her professional growth plan.~~

~~6.02.5 The building or district-level leader shall submit a copy of his or her completed professional growth plan to the superintendent or designee.~~

~~6.03 Formative Assessment Conferences~~

~~Throughout the year, a superintendent or designee shall conduct formative assessment conferences with all building and district-level leaders evaluated under the LEADS system. Formative assessments should be based on a building or district-level leader's individual needs as shown by evidence presented from the professional growth plan and evaluation rubric.~~

~~6.04 Summative Evaluation~~

~~6.04.1 The superintendent or designee shall complete the evaluation rubric for summative evaluation at the end of each year for a building or district-level leader who is in a novice, a probationary, or an intensive category.~~

~~6.04.2 The superintendent or designee shall complete the evaluation rubric for summative evaluation minimally once every four (4) years for a building or district-level leader who is in an inquiry category.~~

~~6.04.3 The building or district-level leader shall provide evidence of effective practice for each function identified on the appropriate evaluation rubric, using relevant artifacts for each standard and function on which the building or district-level leader is evaluated as applicable to the building or district-level leader's position.~~

~~6.04.4 The superintendent shall make a recommendation concerning a building or district-level leader's employment based on:~~

~~6.04.4.1 The level of performance based on the performance functions and standards of the evaluation rubric;~~

~~6.04.4.2 The evidence of teacher performance and growth applicable to the building or district-level leader;~~

~~6.04.4.3 The building or district-level leader's progression on his or her professional growth plan; and~~

~~6.04.4.4 Student performance and student growth measures for the building or the district, as applicable to the building or district-level leader.~~

~~6.04.4.4.1 Until the State Board adopts rules defining one (1) or more student growth measures, student~~

~~growth measures will not be required as part of the summative evaluation.~~

~~6.04.5 The superintendent shall place the evaluation rubric for summative evaluation in the personnel file of the building or district-level leader:~~

~~6.04.5.1 Annually if the building or district-level leader is in the novice, probationary, or intensive category, and~~

~~6.04.5.2 Once every four (4) years for a building or district-level leader in the inquiry category.~~

~~6.04.6 During a period in which a summative evaluation is not required, the superintendent or designee may conduct an evaluation that is lesser in scope than a summative evaluation but uses the portions of the evaluation framework and evaluation rubrics that are relevant to the evaluation.~~

6.05 — Inquiry Category

~~6.05.1 The inquiry category shall be used to:~~

~~6.05.1.1 Support a building or district-level leader on an ongoing basis throughout the school year;~~

~~6.05.1.2 Provide a building or district-level leader with immediate feedback about the leader's practices;~~

~~6.05.1.3 Engage the building or district-level leader in a collaborative, supportive learning process;~~

~~6.05.1.4 Help the building or district-level leader use formative assessments to inform the leader of student progress and adapt practices based on the formative assessments; and~~

~~6.05.1.5 Provide a performance rating that is included in the annual overall rating.~~

~~6.05.1.5.1 A building or district-level leader shall submit artifacts for the components agreed upon by the building or district-level leader and the superintendent or designee as evidence of professional practice in determining the performance rating for the inquiry category.~~

6.06—Intensive Support

- ~~6.06.1 If at a time other than an evaluation conducted under LEADS a superintendent believes or has reason to believe that (a) a building or district-level leader is having difficulties or problems meeting the expectations of the educational agency or its administration and (b) that the problems could lead to termination or nonrenewal of contract, the superintendent shall:~~
- ~~6.06.1.1 Bring in writing the problems or difficulties to the attention of the building or district-level leader involved; and~~
 - ~~6.06.1.2 Document the efforts that have been undertaken to assist the building or district-level leader to correct whatever appears to be the cause for potential termination or nonrenewal.~~
- ~~6.06.2 When a building or district-level leader's performance is unsatisfactory in any one (1) standard or the building or district-level leader is not progressing in a majority of the functions of an evaluation rubric, the superintendent shall identify and document the inadequate performance and move the building or district-level leader into the intensive category.~~
- ~~6.06.3 If a building or district-level leader is placed in the intensive category, the superintendent or designee shall:~~
- ~~6.06.3.1 Establish the time period for the intensive category.~~
 - ~~6.06.3.1.1 The period of time specified by the superintendent or designee for the intensive category shall afford the building or district-level leader an opportunity to accomplish the goals of and complete the tasks assigned in the intensive category.~~
 - ~~6.06.3.1.2 The intensive category shall not last for more than two (2) consecutive semesters unless the building or district-level leader has substantially progressed and the superintendent or designee elects to extend the intensive category for up to two (2) additional consecutive semesters.~~
 - ~~6.06.3.2 Provide a written notice to the building or district-level leader that the building or district-level leader is placed in~~

~~the intensive category. The notice shall state that if the building or district level leader's contract is renewed while the building or district level leader is in the intensive category, the fulfillment of the contract term is subject to the building or district level leader's accomplishment of the goals established and completion of the tasks assigned in the intensive category;~~

~~6.06.3.3 — Develop a clear set of goals and tasks that correlate to:~~

~~6.06.3.3.1 — The professional growth plan; and~~

~~6.06.3.3.2 — Evidence-based research concerning the evaluation function or standard that forms the basis for the intensive category; and~~

~~6.06.3.4 — Ensure the building or district level leader is offered the support that the superintendent or designee deems necessary for the building or district level leader to accomplish the goals developed and complete the tasks assigned while the building or district level leader is in the intensive category.~~

~~6.06.4 — At the end of the specified period of time for the intensive category, the superintendent or designee shall:~~

~~6.06.4.1 — Evaluate whether the building or district level leader has met the goals developed and completed the tasks assigned for the intensive category; and~~

~~6.06.4.2 — Provide written notice to the building or district level leader that the building or district level leader either:~~

~~6.06.4.2.1 — Is removed from the intensive category; or~~

~~6.06.4.2.2 — Has failed to meet the goals and complete the tasks of the intensive category.~~

~~6.06.5 — If a building or district level leader does not accomplish the goals and complete the tasks established for the intensive category during the period of the intensive category, the superintendent shall review the documentation of the intensive category.~~

~~6.06.6 — Upon review and approval of the documentation, the superintendent shall recommend termination or nonrenewal of the building or district level leader's contract.~~

~~6.06.6.1 — If the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq., is applicable to the building or district-level leader's contract, a recommendation for termination or nonrenewal of a building or district-level leader's contract under these rules shall be made under the authority granted to a superintendent for recommending termination or nonrenewal under the Teacher Fair Dismissal Act.~~

~~6.06.6.2 — These rules do not preclude a superintendent from recommending the termination or nonrenewal of a building or district-level leader's contract that is based all or in part on any lawful reason under the Teacher Fair Dismissal Act.~~

~~7.0 — INCORPORATION INTO EDUCATIONAL AGENCY CONTRACTS AND POLICIES~~

~~7.01 — The policy adopted by educational agency boards of directors to implement site-based decision making under Ark. Code Ann. § 6-13-1305, shall address building or district-level leader evaluations and development under LEADS.~~

~~7.02 — Every building or district-level leader contract renewed or entered into for the 2014-2015 school year and thereafter is subject to and shall reference these rules.~~