

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel—Teacher Observations (LAC28:CXLVII.105 and 301)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education proposes to amend LAC 28:CXLVII in Bulletin 130—*Regulations for the Evaluation and Assessment of School Personnel*. During the 2020-2021 and 2021-2022 school years, one observation was waived in BESE policy for educators who earned a rating of Highly Effective or Effective: Proficient on the first formal observation. The aforementioned revisions extend the requirement for educators to receive one observation, rather than two, for those educators who earn a rating of Highly Effective or Effective: Proficient during the 2022-2023 school year. This Declaration of Emergency, effective December 20, 2022, is for a period of 180 days from adoption, or until finally adopted as Rule.

Title 28 EDUCATION

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

Chapter 1. Overview

§105. Framework for LEA Personnel Evaluation Programs

A. - B.2. ...

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

a. For the 2020-2021, 2021-2022, and 2022-2023 academic years only, this shall include one announced observation for teachers and administrators. A second observation shall be conducted upon the request of the evaluatee.

b. Any teacher or administrator who earns an observation rating of Ineffective or Effective: Emerging shall be observed a second time.

c. Following the 2022-2023 academic year, this shall include a minimum of two observations per academic year and may include more observations, particularly for teachers or administrators that are not meeting expectations. At least one of these observations shall be announced and shall include a pre- and post-observation conference. One of the observations may be waived for teachers who have earned a rating of highly effective according to the value-added model in the previous year. Following all observations, evaluators shall provide evaluates with feedback, including areas for commendation as well as areas for improvement. Additional evidence, such as data from periodic visits to the school and/or classroom as well as written materials or artifacts, may be used to inform evaluation. The announced observation shall include a pre- and post-observation conference. Following all observations, evaluators shall provide evaluatees with feedback, including areas for commendation as well as areas for improvement. Additional evidence, such as data from periodic visits to the

school and/or classroom as well as written materials or artifacts, may be used to inform evaluation.

B.4. - 5. ...

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

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

Chapter 3. Personnel Evaluation

§301. Overview of Personnel Evaluation

A. - A.1. ...

2. For the 2020-2021, 2021-2022, and 2022-2023 academic years only, the 50 percent of the evaluation that is based on a qualitative measure of teacher and administrator performance shall include one announced observation for teachers and administrators unless a second observation is requested by the evaluatee. This portion of the evaluation may include additional evaluative evidence, such as walk-through observation data and evaluation of written work products.

a. Any teacher or administrator who earns an observation rating of Ineffective or Effective: Emerging shall be observed a second time.

b. Following the 2022-2023 academic year, the 50 percent of the evaluation that is based on a qualitative measure of teacher and administrator performance shall include a minimum of two observations or site visits. This portion of the evaluation may include additional evaluative evidence, such as walk-through observation data and evaluation of written work products.

B. - D. ...

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

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

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