**Current Teacher Evaluation Statute:**

KRS 156.557 mandates that the Kentucky Department of Education implement a statewide professional growth and effectiveness system. The statute (KRS 156.557 (3), KRS 156.557 (4), and KRS 156.557 (5)) specifies an extensive list of required elements and procedures for the system:

*(3) The professional growth and effectiveness system shall:*

*(a) Use multiple measures of effectiveness, including student growth data as a significant factor in determining the effectiveness of teachers and administrators, that utilize both state standardized tests and local formative growth measures that are rigorous and comparable across schools in a local district;*

*(b) Include both formative and summative evaluation components;*

*(c) Measure professional effectiveness;*

*(d) Support professional growth;*

*(e) Have at least three (3) performance levels;*

*(f) Be used to inform personnel decisions;*

*(g) Be considerate of the time requirements of evaluators at the local level and shall not require that all certified school personnel have a formal summative evaluation each year; and*

*(h) Rate teachers or administrators by multiple measures instead of a single measure.*

*(4) The performance criteria by which teachers and administrators shall be evaluated shall include but not be limited to:*

1. *Performance of professional responsibilities related to his or her assignment, including attendance and punctuality and evaluating results;*
2. *Demonstration of effective planning of curricula, classroom instruction, and classroom management, based on research-based instructional practices, or school management skills based on validated managerial practices;*
3. *Demonstration of knowledge and understanding of subject matter content or administrative functions and effective leadership techniques;*
4. *Promotion and incorporation of instructional strategies or management techniques that are fair and respect diversity and individual differences;*
5. *Demonstration of effective interpersonal, communication, and collaboration skills among peers, students, parents, and others;*
6. *Performance of duties consistent with the goals for Kentucky students and mission of the school, the local community, laws, and administrative regulations;*
7. *Demonstration of the effective use of resources, including technology;*
8. *Demonstration of professional growth;*
9. *Adherence to the professional code of ethics; and*
10. *Attainment of the teacher standards or the administrator standards as established by the Education Professional Standards Board that are not referenced in paragraphs (a) to (i) of this subsection.*

*(5) The following provisions shall apply to the statewide professional growth and effectiveness system:*

1. *Certified school personnel, below the level of superintendent, shall be evaluated by using the system developed by the Kentucky Department of Education;*
2. *The evaluation system shall include formative evaluation and summative evaluation components; and*
3. *The Kentucky Board of Education shall adopt administrative regulations incorporating written guidelines for a local school district to follow in implementing the professional growth and effectiveness system and shall require the following:*
4. *All evaluations of certified school personnel below the level of the district superintendent shall be in writing on evaluation forms and under evaluation procedures developed by a committee composed of an equal number of teachers and administrators;*
5. *The immediate supervisor of the certified school personnel member shall be designated as the primary evaluator. At the request of a teacher, observations by other teachers trained in the teacher's content area or curriculum content specialists may be incorporated into the formative process for evaluating teachers;*
6. *All monitoring or observation of performance of a certified school personnel member shall be conducted openly and with full knowledge of the personnel member;*
7. *Evaluators shall be trained, tested, and approved in accordance with administrative regulations adopted by the Kentucky Board of Education in the proper techniques for effectively evaluating certified school personnel. Evaluators shall receive support and resources necessary to ensure consistent and reliable ratings;*
8. *The professional growth and effectiveness system shall include a plan whereby the person evaluated is given assistance for professional growth as a teacher or administrator. The system shall also specify the processes to be used when corrective actions are necessary in relation to the performance of one's assignment; and*
9. *The training requirement for evaluators contained in subparagraph 4 of this paragraph shall not apply to district board of education members.*

While this is an extensive list of requirements, many of the details regarding how these elements and procedures will be designed and implemented can be local decisions. Beyond these local decisions, the statute also allows local school districts to design and implement an alternative effectiveness and evaluation system if the alternative system meets specific requirements and has been approved by the Kentucky Board of Education:

*(7) Local districts may submit a written request to use an alternative effectiveness and evaluation system to the Kentucky Board of Education. The Kentucky Board of Education shall consider and approve a local district's use of an alternative effectiveness and evaluation system instead of the statewide system only if the Kentucky Board of Education determines the alternative system:*

1. *Is as rigorous, reliable, valid, and educationally sound as the statewide professional growth and effectiveness system;*
2. *Uses multiple measures of effectiveness, including student growth data as a significant factor in determining the effectiveness of teachers and administrators, that utilize both state standardized tests and local formative growth measures that are rigorous and comparable across schools in a local district;*
3. *Includes both formative and summative evaluation components;*
4. *Measures professional effectiveness;*
5. *Supports professional growth;*
6. *Has at least three (3) performance levels;*
7. *Is used to inform personnel decisions;*
8. *Is considerate of the time requirements of evaluators at the local level and does not require that all certified school personnel have a formal summative evaluation each year; and*
9. *Rates teachers and administrators by multiple measures instead of a single measure.*

KRS 156.557 also specifies how these local decisions regarding the details of evaluation procedures are to be made. KRS 156.557(5)(c)(1) states:

*The following provisions shall apply to the statewide professional growth and effectiveness system:*

*(c)  The Kentucky Board of Education shall adopt administrative regulations incorporating written guidelines for a local school district to follow in implementing the professional growth and effectiveness system and shall require the following:*

*1.  All evaluations of certified school personnel below the level of the district superintendent shall be in writing on evaluation forms and under evaluation procedures developed by a committee composed of an equal number of teachers and administrators; ...*

The “*committee composed of an equal number of teachers and administrators*” is sometimes referred to statewide as the local school district’s 50/50 committee. In the case of JCPS, the 50/50 committee is referred to as the Educator Quality Oversight Committee (EQOC).

It is important to note that, unlike most district committees that are established by (and thereby empowered by) the local board of education, the 50/50 committee is established and empowered by state law. This leads to the question of what role, if any, the local school board is legally authorized to play in the adoption of certified evaluation plans. The answer can be found in the corresponding regulation promulgated by the Kentucky Board of Education.