

## Chapter 29 Statement of Reasons - Regular Rules

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

During the 2019 legislative session, HB 22/HEA61 passed making changes to W.S. 21-2-304(b)(xv), impacting teacher evaluation systems. The SBE has a requirement to promulgate rules and regulations for implementation and administration of a comprehensive performance evaluation system for teachers. The new statutes went into effect July 1, 2019. In the rules, the SBE must establish general criteria for school district teacher performance evaluation systems that provide school districts flexibility in designing teacher evaluations to improve classroom instruction.

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

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

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

Only minor changes have been made to the sections related to leader evaluation systems. Chapter 29 made references to W.S. § 21-3-110(b), which was repealed in the 2019 legislative session. All references to this statute have been removed. Also, the references to a rating system have been replaced with the terminology "classification system." Additionally, Section 3(b)(ii) has been revised to provide clarity that locally-designed leader evaluation systems can show alignment to the state-defined standards through aligning to a majority of benchmarks within a standard.