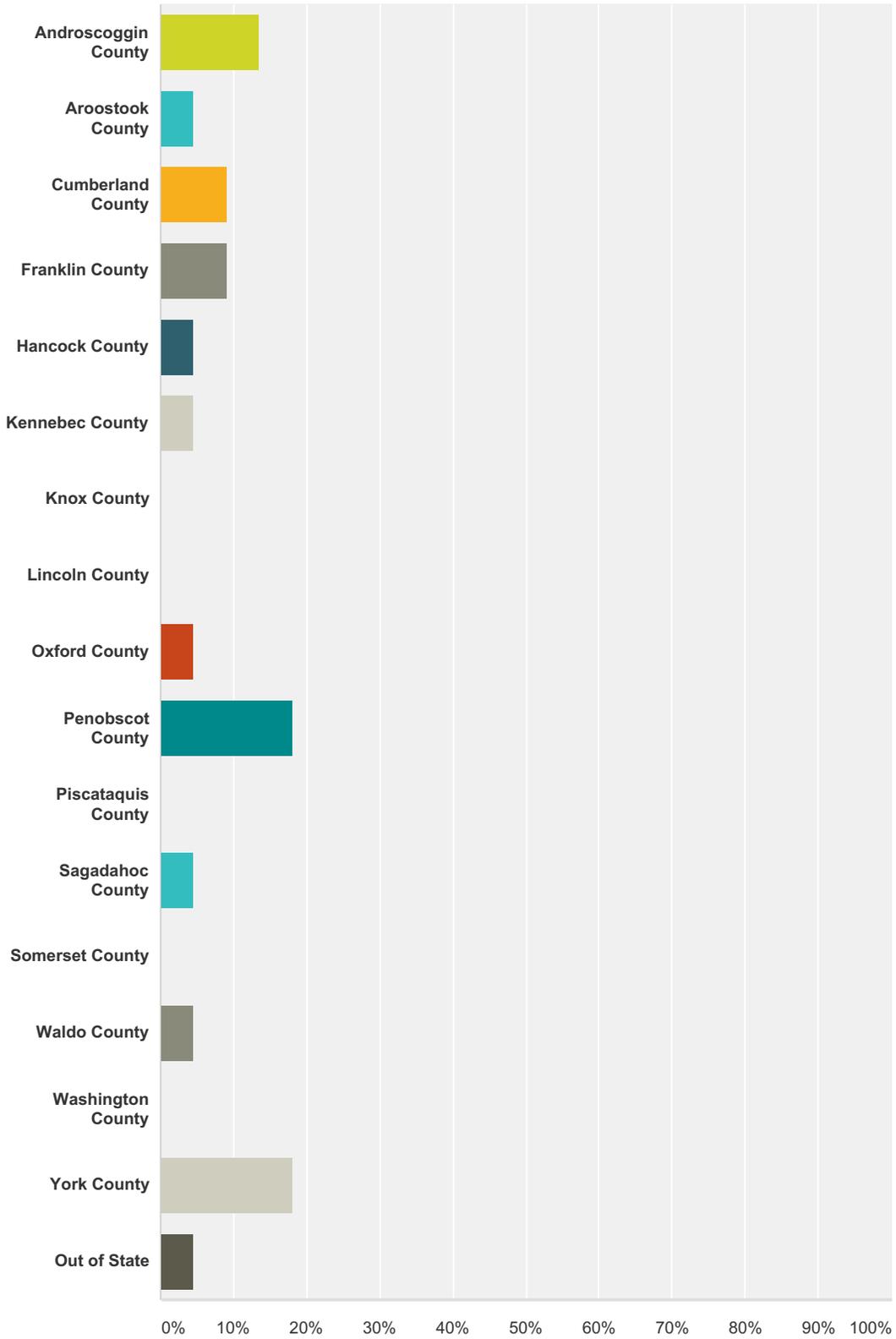


Q1 Where do you live?

Answered: 22 Skipped: 0

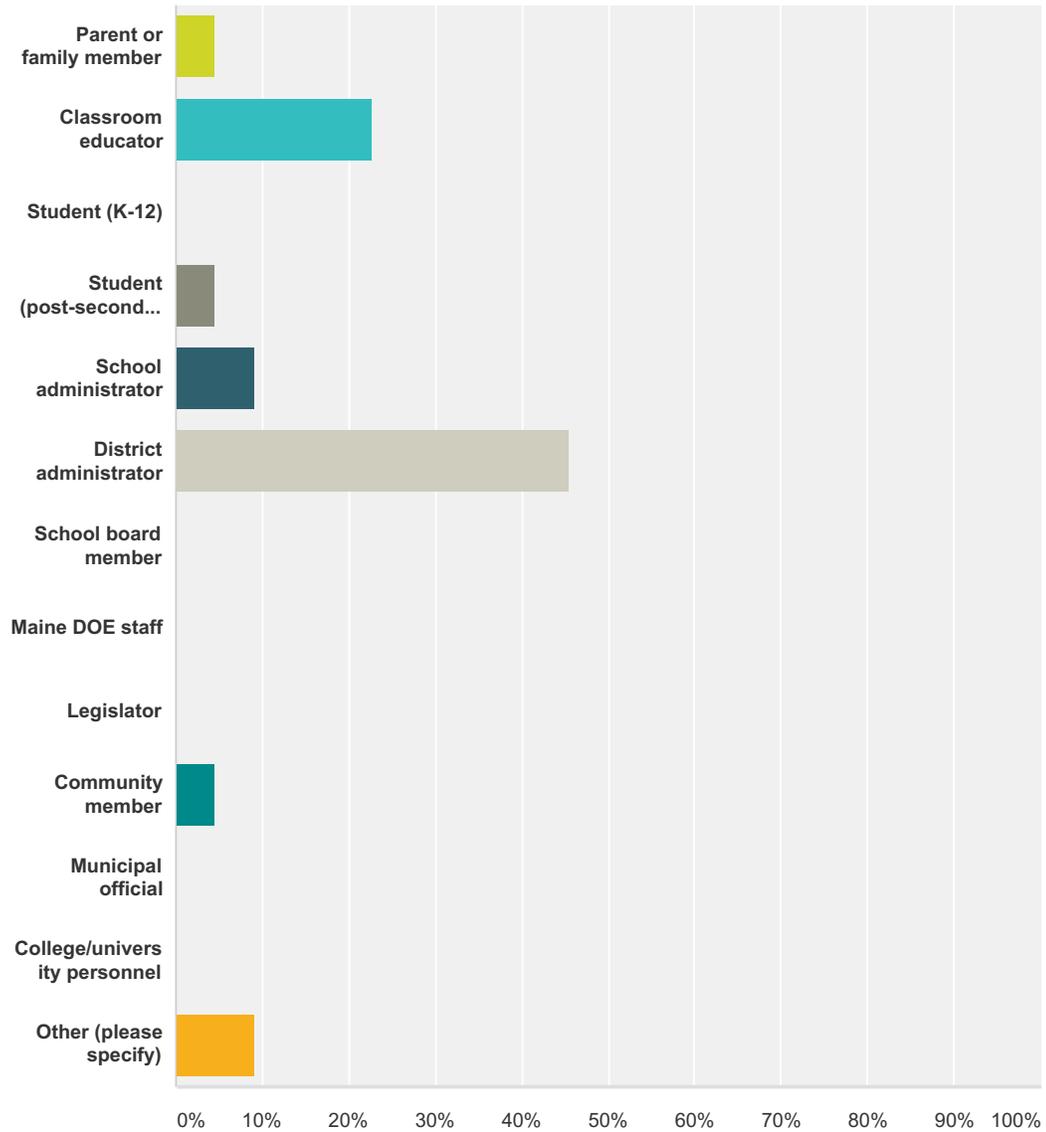


ESEA Waiver Renewal Request Public Survey - 2015

Androscoggin County	13.64%	3
Aroostook County	4.55%	1
Cumberland County	9.09%	2
Franklin County	9.09%	2
Hancock County	4.55%	1
Kennebec County	4.55%	1
Knox County	0.00%	0
Lincoln County	0.00%	0
Oxford County	4.55%	1
Penobscot County	18.18%	4
Piscataquis County	0.00%	0
Sagadahoc County	4.55%	1
Somerset County	0.00%	0
Waldo County	4.55%	1
Washington County	0.00%	0
York County	18.18%	4
Out of State	4.55%	1
Total		22

Q2 What is your primary role in education?

Answered: 22 Skipped: 0



Answer Choices	Responses
Parent or family member	4.55% 1
Classroom educator	22.73% 5
Student (K-12)	0.00% 0
Student (post-secondary)	4.55% 1
School administrator	9.09% 2
District administrator	45.45% 10
School board member	0.00% 0

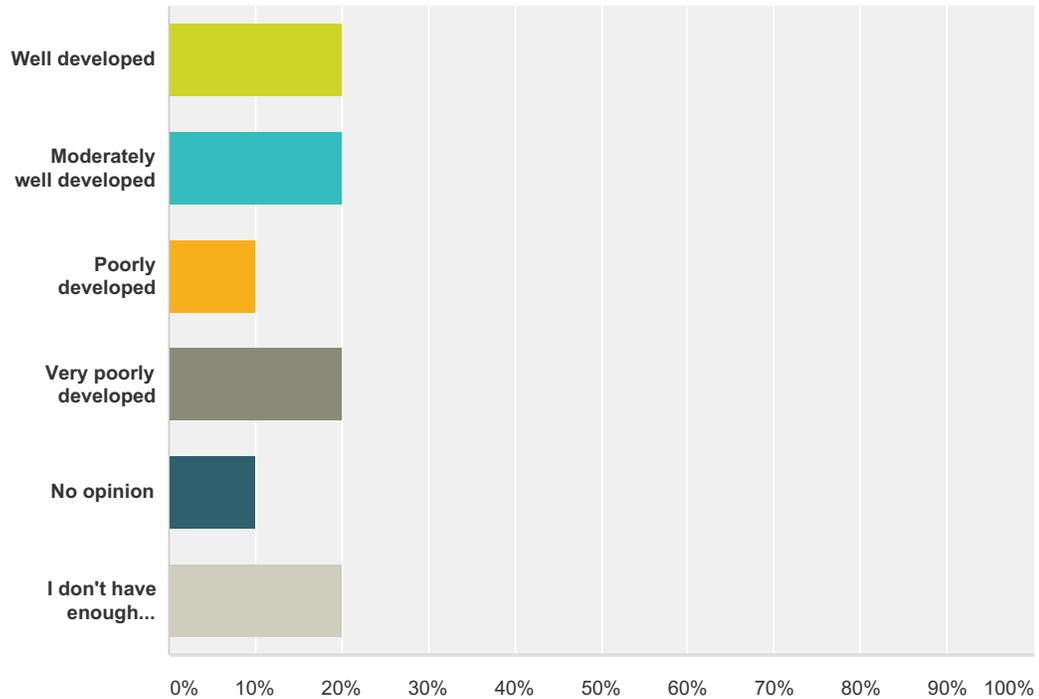
ESEA Waiver Renewal Request Public Survey - 2015

Maine DOE staff	0.00%	0
Legislator	0.00%	0
Community member	4.55%	1
Municipal official	0.00%	0
College/university personnel	0.00%	0
Other (please specify)	9.09%	2
Total		22

#	Other (please specify)	Date
1	School improvement coach	1/29/2015 11:40 AM
2	Director of Training and Professional Development - MEA	1/29/2015 11:40 AM

Q3 The plan for ensuring there are college and career-ready expectations for all K-12 students who attend public schools in Maine is:

Answered: 10 Skipped: 12



Answer Choices	Responses
Well developed	20.00% 2
Moderately well developed	20.00% 2
Poorly developed	10.00% 1
Very poorly developed	20.00% 2
No opinion	10.00% 1
I don't have enough information to answer this question	20.00% 2
Total	10

Q4 With regard to Principle 1, what do you feel are the strengths of Maine's current waiver?

Answered: 4 Skipped: 18

#	Responses	Date
1	It will report annually to the public on college-going and college credit-accumulation rates for all students and subgroups of students in each LEA and each public high school in the State.	2/4/2015 10:07 AM
2	The waiver allows us the time to develop the resources needed to implement Principle 1 effectively.	1/30/2015 12:39 PM
3	Targets based on individual schools.	1/29/2015 12:08 PM
4	Our academic standards and learning goals are clear, rigorous, and attainable.	1/29/2015 9:22 AM

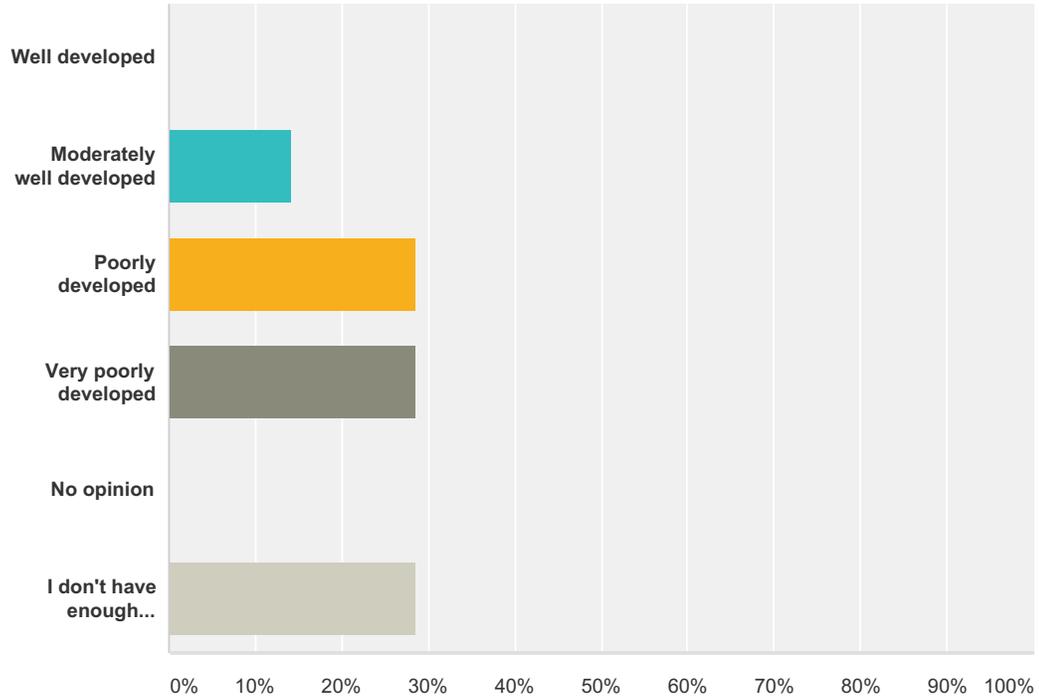
Q5 With regard to Principle 1, what's missing, unclear, or should be added to strengthen Maine's renewal waiver request?

Answered: 4 Skipped: 18

#	Responses	Date
1	Local control is going to undermine this system. There is no way that this will work without more coordination from Augusta.	2/4/2015 10:07 AM
2	Opportunities for student voice and choice should be added.	1/30/2015 12:39 PM
3	I believe that special education students whose services are terminated should remain in the Special Ed. sub-group for a couple of years just as ELL students do. Otherwise, schools are penalized for moving students in special education to proficiency within the accountability system.	1/29/2015 12:08 PM
4	Clarity regarding accurately and effectively measuring the Guiding Principles needs improvement. A clear focus on "growth" over achievement. The state needs to push adoption of the Next Generation Science Standards. The state DOE needs to promote principles of learning, healthy grading practices, and the foundations of standards-based learning better to help communities and citizens better understand its core principles.	1/29/2015 9:22 AM

Q6 The implementation of the state-based system of differentiated recognition, accountability, and support in Maine's K-12 schools is:

Answered: 7 Skipped: 15



Answer Choices	Responses
Well developed	0.00% 0
Moderately well developed	14.29% 1
Poorly developed	28.57% 2
Very poorly developed	28.57% 2
No opinion	0.00% 0
I don't have enough information to answer this question	28.57% 2
Total	7

Q7 With regard to Principle 2, what do you feel are the strengths of Maine's current waiver?

Answered: 2 Skipped: 20

#	Responses	Date
1	Targets based on individual baselines. Reporting by sub-group as well as the whole group. Availability of a planning and implementation system that is based on research and delivered both electronically and through face-to-face coaching for identified Title 1 schools.	1/29/2015 12:10 PM
2	At the least, there's now a growth component. That's a start.	1/29/2015 9:28 AM

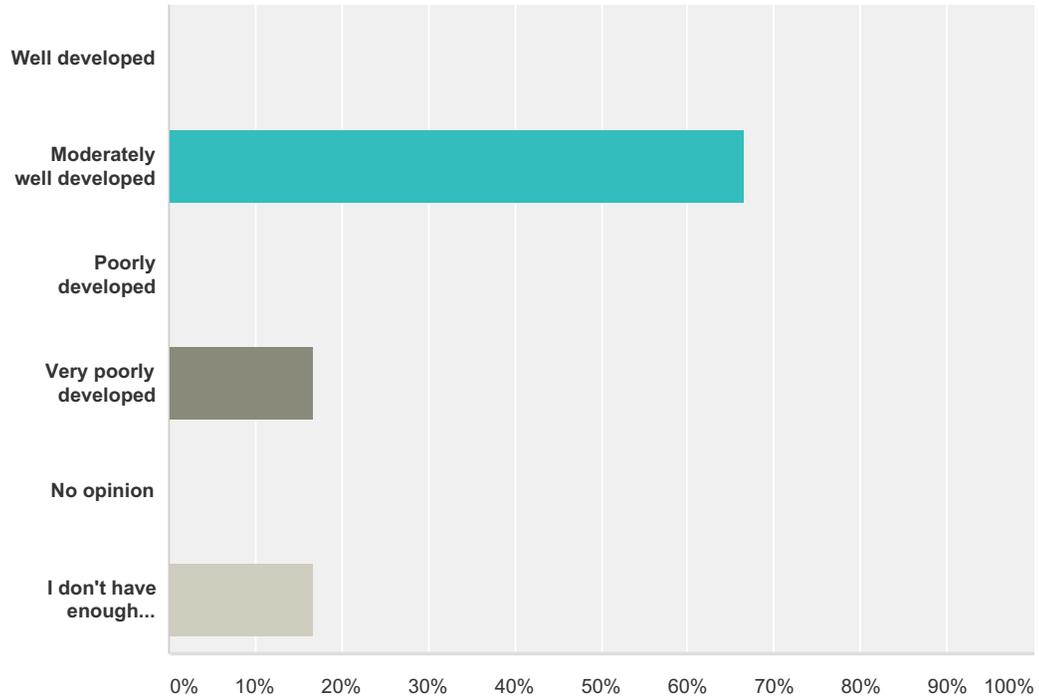
Q8 With regard to Principle 2, what's missing, unclear, or should be added to strengthen Maine's waiver renewal request?

Answered: 4 Skipped: 18

#	Responses	Date
1	The plan is convoluted and extremely confusing. I participated in the original webinar and have watched various parts over and over again. I still have a hard time explaining to admin / board members what our designation is. We thought we were going to have help as we are a monitor school, but we've never been contacted. We were a monitor school last year with no consultation and we don't know what our designation is this year. And there is no information about what happens with this year as we move to the new MEA.	2/6/2015 10:31 AM
2	Too vague. There has not been a clear system put in place for how this system will work for Special Education students that are not able to meet the standards? What will they receive?	2/4/2015 10:09 AM
3	Timely identification of status. We are asking schools to base decisions on data that is reviewed frequently. While formative assessment data may be available, up to now, status has been based on the state assessment. That data should be as current as possible to make the status credible. Inclusion of all schools, not just Title 1 schools, in the accountability system.	1/29/2015 12:10 PM
4	A lack of clarity of how schools and teachers are going to be measured. Using a system of Letter Grades to compare schools and districts works AGAINST the nature of a standards-based system trying to be implemented by schools and districts across the state. Stop with the letter grades, and model good pedagogical behavior: provide feedback, commentary, and instructions for further learning, NOT a letter grade that is difficult to understand, interpret, and has very little meaning. See the works of educational researchers and grading experts like Robert Marzano, Thomas Guskey, John Hattie, Ken O'Connor, Myron Dueck, Rick Wormeli, Douglas Reeves, etc. MODEL the behavior you want, and support the districts by acting how you want districts/schools to act as well.	1/29/2015 9:28 AM

Q9 The plan for supporting effective instruction and leadership in Maine's K-12 public schools is:

Answered: 6 Skipped: 16



Answer Choices	Responses
Well developed	0.00% 0
Moderately well developed	66.67% 4
Poorly developed	0.00% 0
Very poorly developed	16.67% 1
No opinion	0.00% 0
I don't have enough information to answer this question	16.67% 1
Total	6

Q10 With regard to Principle 3, what do you feel are the strengths of Maine's current waiver?

Answered: 2 Skipped: 20

#	Responses	Date
1	Identified schools are getting support and the changing role of the MDOE Learning Systems Team will enhance that support. Up to now, only Title 1 schools have gotten individual help.	1/29/2015 12:11 PM
2	Choice in PE/PG models has allowed districts to align to their instructional frameworks.	1/29/2015 9:30 AM

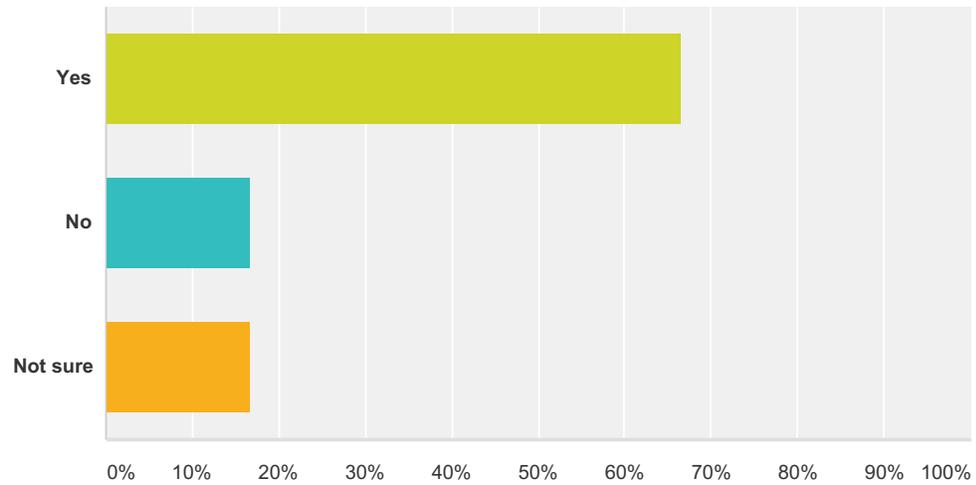
Q11 With regard to Principle 3, what's missing, unclear, or should be added to strengthen Maine's waiver renewal request?

Answered: 3 Skipped: 19

#	Responses	Date
1	The framework is too flexible the evaluative measures don't incorporate state test scores. Instead, local committees in each district have made up how they can use their own metrics too much local control---	2/4/2015 10:28 AM
2	Continuing to build a support system will be vital. I also believe there needs to be continuing enhancement of collaboration among general ed., ELL staff, and special education staff at all levels. Professional development that is readily available and targeted to best practices is key to all of the instructional groups at each level of the system.	1/29/2015 12:11 PM
3	The focus is too heavy on "evaluation," when the system should be focused on "development." DOE needs to better communicate this principle, and not have it sound or come across as "political spinning," but as a genuine focus on development. Good luck with that one. Not saying it'll happen... but it should.	1/29/2015 9:30 AM

Q12 The school designations described in the current waiver apply only to schools that receive federal Title I funds, as is required under ESEA Flexibility. Should these also be required of non-receiving Title I schools whose overall student performance places them in either the priority or focus category?

Answered: 6 Skipped: 16



Answer Choices	Responses
Yes	66.67% 4
No	16.67% 1
Not sure	16.67% 1
Total	6

Q13 Finally, please share any additional comments about Maine's plan for ESEA Flexibility renewal.

Answered: 2 Skipped: 20

#	Responses	Date
1	I believe that the system has been greatly improved under the waiver and will continue to improve with the direct involvement of the Learning Systems Team and those who represent major student sub-groups.	1/29/2015 12:13 PM
2	Please continue to allow flexibility within the school districts in implementation of PE/PG systems, proficiency-based education, and more. Districts, teachers, and administrators across the state are deeply committed to improving the educational system, and formulaic & "cookie cutter" initiatives and mandates don't work. Continue establishing clear goals for achievement, providing clear measurement tools to determine growth and progress, and supporting districts in their progress.	1/29/2015 9:32 AM

Department continues to seek feedback on ESEA waiver in advance of renewal

Posted on March 4, 2015 by Maine Department of Education

In preparation for Maine's application for a renewal of its existing ESEA waiver, the Department continues to seek feedback on how the State's current accountability and improvement system is serving Maine's students and schools.

In 2013, the U.S. Department of Education **approved Maine's application** for flexibility under the Elementary and Secondary Education Act (or No Child Left Behind). The approved flexibility allows Maine to move forward with State and local reforms designed to improve the academic achievement and increase the quality of instruction for all students in a manner that was not originally contemplated by the No Child Left Behind Act of 2001. The two-year waiver is set to expire this year and so Maine must submit an application for its renewal that demonstrates the Maine DOE continues to meet the requirements of the flexibility guidance put forward by the U.S. DOE.

As the Department finalizes that renewal application, it continues to solicit comments as to how the current plan measures and reports academic growth. Suggestions on how the Maine DOE can better support all schools in constantly improving outcomes for students and fairly hold them accountable for those improvements are still encouraged. Feedback can be submitted using the comment form below, **via this survey** or be sent directly to Department Title I Program Director Janette Kirk at janette.kirk@maine.gov.

In the meantime, the Department has received notification from U.S. DOE that its current waiver is in jeopardy as Maine is not meeting federal guidelines for ESEA flexibility as it relates to teacher and principal evaluation and support systems. At greatest issue is that while the State's rules do require that student learning and growth measures be a "significant" factor in the determination of the effectiveness rating of an educator (see section 7 in **the rules**), they do not require the State assessment be considered as one of those measures. In response, the Department has **drafted a bill** that would revise both the State statute and rules so they are aligned with the U.S. DOE's requirements that will be heard by the Legislature's Education Committee early this month.

For more information about Maine's ESEA waiver and accountability and improvement system, visit www.maine.gov/doe/accountability.

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Department seeks feedback on ESEA waiver in advance of renewal
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Department seeks feedback on ESEA waiver in advance of renewal

Posted on January 28, 2015 by Maine Department of Education

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As the Department begins to develop that renewal application, it is soliciting comments as to how the current plan measures and reports academic growth. Suggestions on how the Maine DOE can better support all schools in constantly improving outcomes for students and fairly hold them accountable for those improvements are also encouraged. Feedback can be submitted using the comment form below, **via this survey** or be sent directly to Department Title I Program Director Janette Kirk at janette.kirk@maine.gov.

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For more information about Maine's ESEA waiver and accountability and improvement system, visit www.maine.gov/doe/accountability.

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Committee of Practitioners



January 22, 2015

3 – 4:30 pm

Maine Department of Education

Agenda

- 3:00 pm Welcome & introductions
 Purpose of Committee
- 3:15 pm Program Updates
 Title I School Improvement Updates – FY15 School identification & process
 Migrant Education – Updates from David Fisk
 Schoolwide Program Updates
 ESEA Waiver
 Feedback on current waiver
 Points for consideration for renewal
- 4:15 pm State Equity Plan - Anita Bernhardt or Rachelle Tome
 Overview of Data elements
 Additional points of consideration
 Recommendation for stakeholder participants
- 4:30 pm Adjourn

Welcome & Introductions

Purpose of the Committee of Practitioners

NCLB Section 1903. State Administration

(b) COMMITTEE OF PRACTITIONERS.–

(1) IN GENERAL.–Each State educational agency that receives funds under this title shall create a State committee of practitioners to advise the State in carrying out its responsibilities under this title.

(2) MEMBERSHIP. – Each such committee shall include–

(A) as a majority of its members, representatives from local educational agencies;

(B) administrators, including the administrators of programs described in other parts of this title;

(C) teachers, including vocational educators;

(D) parents;

(E) members of local school boards;

(F) representatives of private school children; and

(G) pupil services personnel.

(3) DUTIES. – The duties of such committee shall include a review, before publication, of any proposed or final State rule or regulations pursuant to this title. In an emergency situation where such rule or regulation must be issued within a very limited time to assist local educational agencies with the operation of the program under this title, the State educational agency may issue a regulation without prior consultation, but shall immediately thereafter convene the State committee of practitioners to review the emergency regulation before issuance in final form.

Program Updates

School Accountability Identification

Priority schools identification

- combined 3 year average proficiency in math & reading
- Below the FY14 annual growth benchmark

Focus school identification

- Top 10% of schools with the highest gaps in math & reading achievement between subgroups

Monitor schools

- Schools not meeting AMOs in reading/math for either “whole school” or “super sub group”
- Schools with lowest school accountability index
 - a) proficiency in math & reading compared to 6yr proficiency goal
 - b) proficiency compared to expected annual growth
 - c) Elementary - schools median student growth percentile in math & reading
 - d) High school – 4 & 5 year graduation rates compared to the States 90% goal.

Current Title I School Identification Breakdown

FY14

Priority schools –17

Focus schools - 35

Monitor schools - 160

FY15 – newly identified

Priority schools – 9

Focus schools – 14

Monitor schools - 15

Totals:

Meeting – 14

Progressing - 81

Priority schools – 26

Focus schools – 49

Monitor schools - 175

Next steps once identified

Priority

The following supports are in place:

- \$20,000 for school improvement plan development
- Increased professional development opportunities
- Monthly Principal Leadership development meetings
- Designated school improvement coach
- Planning support January - January

Focus

The following supports are in place:

- \$10,000 for school improvement plan development
- Increased professional development opportunities
- Designated school improvement coach
- Planning support

All new Priority & Focus schools have been informed of the identification with school improvement coaches identified and in the process of making contact.

Program Updates Migrant Education

Migrant Program Overview

David Fisk

Title IC

Migrant Education Director

Program Updates - Assessment

- For the most up to date information regarding the Maine Comprehensive Assessment system (MECAS), please visit:

<http://www.maine.gov/doe/assessment/index.html>

- For information on the Maine Educational Assessment (MEA) for mathematics and ELA/Literacy, please visit:

<http://www.maine.gov/doe/assessment/math-ela/index.html>

Program Updates

ESEA Waiver

- USDE Waiver Renewal guidance released November 2014
- Maine is in Window 3 with a renewal submission deadline of March 31, 2015.
- What Maine DOE is current working on:
 - Team of DOE staff is assembled and working on specific principles within the review
 - Stakeholder input solicitation – COP & through Commissioner’s Update or survey
 - Examination of current waiver – necessary tweaks

ESEA Waiver Feedback

Principle 2

- What are your thoughts/comments on Maine's Federal Accountability system? Does the current plan measure and report academic growth?
 - What are the strengths of the current plan?
 - What items do you believe are missing or unclear?
- School designations described in the current waiver are currently applied only to schools that receive federal Title I funds. Should these status designations also be required of non-receiving Title I schools whose overall student performance places them in either the priority or focus category?

ESEA Feedback

How stakeholders can provide additional feedback:

- Complete the survey monkey request through the Maine DOE Commissioner's Update
 - Read the current plan
 - <http://www.maine.gov/doe/esea/accountability/index.html>
- Send comments or concerns to:
Janette Kirk, ESEA Director - Title I
23 State House Station
Augusta, ME 04330-0023
Janette.Kirk@maine.gov

Schoolwide Program Updates

- Under the reauthorization of Title I in the No Child Left Behind Act (NCLBA) of 2001, each schoolwide program is required to review its plan yearly and update it as necessary.
- In an effort to further align the schoolwide program with the NCLB application and school improvement efforts all schools currently approved as schoolwide are asked to submit a copy of their comprehensive evaluation of the schoolwide program by July 1, 2015.
- Non-submission of the evaluation may impact the schoolwide status of the school.

Schoolwide Program Updates

- A copy of the updated schoolwide evaluation template and guidance regarding how to successfully complete the process can be found at: <http://www.maine.gov/doe/title-IA/planning/index.html>
- Following the review by Department of Education or Title I staff in July 2015, schools will submit their comprehensive schoolwide review on a revolving basis.
- Schools will also be required to submit an annual review to the department if the following occurs:
 - A change in district (superintendent) or school leadership (principal).
 - An misalignment is identified between data and instructional practices.

State Equity Plan

- July 2014 USDE announced the “50-state” Teacher Equity Strategy.
- A Title I requirement,. Maine DOE must describe the steps it will take to ensure that “poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers.”
- Maine DOE will analyze what its stakeholders and data have to say about the root causes of inequities and will craft its own solutions.
- The State Plan to ensure Equitable Access to Excellent Educators is due to USDE 6/1/2015.

State Equity Plan

Overview of Data Elements

USDE has defined certain key areas for review.

- Percent of Teachers in first year
- Percent of Teachers without certification or licensure
- Percent of Teachers who are not Highly Qualified
- Percent of Teachers absent for more than 10 days
- School Climate Data (Teacher Incentive Fund - TIF)
- Summative Educator Effectiveness Ratings TIF (Rating of 3 or higher)
- Mentoring Plans TIF
- Mentoring Plans All other

Maine DOE has determined initial data runs will address the above key areas.

Any further suggestions for key data elements?

State Equity Plan Next Steps

- Review Data
- Causal effects
- Focus group engagement
- Plan refinement & submission

Focus group participation:

Interested in participating in focus groups or have a recommendation for inclusion in focus groups?

Contact Rachelle Tome, Chief Academic Officer:
Rachelle.Tome@maine.gov

Closing comments & questions

- Items for next meeting agenda
- Questions/Comments/Concerns

Contact information:

Janette Kirk – ESEA Director – Title I

Janette.Kirk@maine.gov

624-6707



Deb Davis Advocacy

Deb Davis, Education Advocate

Working collaboratively for positive outcomes

Phone: 207.233.3392

Email: ddavisadvocacy@gmail.com

Website: debavisadvocacy.com

Committee of Practitioners

Provided by: Deb Davis

2/26/15

Feedback on current waiver:

- There were no available web links to information for educators working with the subgroup of student with disabilities (SWD).
- Did not see any trainings or toolkits geared for parents with SWD to understand how IEP's are aligned with the CCSS in ELA and Math.
- Consideration of review of other available collected data, specifically restraint and seclusion (R&S), suspension and expulsion data. The available data shows that mostly SWD are the students who are primarily experiencing R&S. The use of R&S, on SWD, can be a precursor to suspensions and expulsion. I have not included graduation rates, but believe they are also affected by the use of these interventions.

Behavioral challenges in the classroom that create crisis can interfere with that student's ability to access their education, as well as affect others in the area. The data shows that R&S are primarily used in pre-k - elementary grades while suspension and expulsion, are mostly used in MS and HS grades. But unfortunately, there has also been concerns about the use of suspension and expulsion in early learning settings. The information learned from the review of the additional data could be used as part of the corrective action and/or restructuring planning. Please consider these data points:

- During the school year 2012-13, the ME DOE reported a TOTAL of over 14,400 incidents of R&S.
- The recent 2011-12 CRDC revealed that in Maine, more than 85% of those students who experienced R&S, were SWD. Putting Maine 10% above the national average. In some Maine schools, it was 100% ONLY to SWD.
- Please also refer to these data highlights <http://ocrdata.ed.gov/Downloads/CRDC-School-Discipline-Snapshot.pdf>
- The R&S data is available from State of ME and the Maine Civil Rights Data Collection (CRDC). The suspension and expulsion data is available from the CRDC for 2009-10 and 2011-12. <http://ocrdata.ed.gov/>
<http://www.maine.gov/doe/school-safety/restraints/index.html>

Points for consideration for renewal:

- Consideration of additional data to review, as described above. Please review attached data chart. As you will see, I've included data from 3 schools that range from pre-k to grade 3 that are in Title 1 status districts because I believe it's important to look at the district as a whole, not just the individual schools. I've tried to show the connection for SWD early learning experiences and how that can affect their outcomes. Best practices could be considered to reduce and prevent the need to use R&S, suspension and expulsion, better supporting SWD to improve their outcomes.

Please also refer to this recent article that really brings home the point:

Suspended students lose millions of days of instruction while out of school

"We conclude that our nation cannot close the achievement gap if we ignore the discipline gap," the UCLA report said.

http://www.washingtonpost.com/local/education/suspended-students-lose-millions-of-days-of-instruction-while-out-of-school/2015/02/23/1bcab258-b9ec-11e4-aa05-1ce812b3fdd2_story.html

- On-going support to increase the number of special educators who write and implement IEP's so that IEP's are aligned with the CCSS in ELA and Math.
- Trainings or toolkits geared for parents with SWD's made available. (To better understand how IEP's are aligned with the CCSS in ELA and Math.)
- More instructional supports made available to Special Educators based on Universal Design for learning.
- Review of what's working for General Educators working in the classroom with SWD's to align their academic progress with the CCSS.
- More training to Special Educators and those who work with SWD's about the accommodations or assistive technology available that better support students to learn within the framework of CCSS, (changes in materials or procedures).
- More resources available online (webinars) to general education teachers that teach specialized instruction aligned with CCSS in ELA and Math to SWD's.

General Title I Updates

- ESEA Flexibility Waiver due for renewal. Opportunity for feedback on Maine's current ESEA waiver will be solicited from stakeholders through the Commissioner's Update.
- On-Site Monitoring Reports in the finalization process. Reports and notices will be going out the end of January & first week in February.
- Schoolwide program training in January & February for those interested in exploring implementation of a schoolwide model
- ESEA Accountability School Status Identification is in its final stages.
- Title I team attending the National Title I conference February 5-8, 2015 in Salt Lake City, UT. *Please note a delayed response time for any communication.*

ESEA Waiver Renewal

- Submission deadline March 31, 2015
- Maine DOE team continues to finalize the renewal application
- Minimal changes to the approved waiver
- Planning on no new school identifications during 2015/16 school year – hold steady
- School identifications resume 16/17 school year (2 years of SBAC data)
- Examining submitting an amendment for reset of AMO's

TESTING_YEAR	DISTRICT_ID	DISTRICT_NAME	SCHOOL_ID	SCHOOL_NAME	2015 ESEA Category_Assignment	Reward Category
2014	1008	Augusta Public Schools	1151	Farrington School	Meeting	High-Performance
2014	1055	Edgecomb Public Schools	1232	Edgecomb Eddy School	Meeting	High-Performance
2014	1058	Fayette Public Schools	1242	Fayette Central School	Meeting	High-Performance
2014	1125	Otis Public Schools	1333	Beech Hill School	Meeting	High-Performance
2014	3156	RSU 02	1224	Dresden Elementary School	Meeting	High-Performance
2014	3158	RSU 05	1225	Durham Community School	Meeting	High-Performance
2014	3163	RSU 16	1309	Minot Consolidated School	Meeting	High-Performance
2014	1249	RSU 55/MSAD 55	1716	South Hiram Elementary School	Meeting	High-Performance
2014	1238	RSU 44/MSAD 44	1647	Woodstock School	Meeting	High-Performance
2014	1231	RSU 37/MSAD 37	1615	Daniel W Merritt School	Meeting	High-Performance
2014	1191	York Public Schools	1460	Coastal Ridge Elementary	Meeting	High-Performance
2014	1258	RSU 64/MSAD 64	1762	Bradford Elementary School	Meeting	High-Performance
2014	1238	RSU 44/MSAD 44	1643	Andover Elementary School	Priority	High-Progress
2014	1014	Beals Public Schools	1173	Beals Elementary School	Progressing	High-Progress
2014	3152	RSU 01 - LKRSU	1169	Dike-Newell School	Meeting	High-Progress
2014	3166	RSU 20	1604	Edna Drinkwater School	Progressing	High-Progress
2014	1231	RSU 37/MSAD 37	1619	Harrington Elementary School	Progressing	High-Progress
2014	1258	RSU 64/MSAD 64	1767	Kenduskeag Elementary School	Meeting	High-Progress
2014	1207	RSU 83/MSAD 13	1526	Moscow Elementary	Priority	High-Progress
2014	3160	RSU 12	1334	Palermo Consolidated School	Focus	High-Progress
2014	1127	Pembroke Public Schools	1335	Pembroke Elementary School	Focus	High-Progress
2014	1258	RSU 64/MSAD 64	1768	Stetson Elementary School	Progressing	High-Progress
2014	1207	RSU 83/MSAD 13	1524	Upper Kennebec Valley Senior HS	Progressing	High-Progress
2014	3138	Whiting Public Schools	1813	Whiting Village School	Progressing	High-Progress

District Id	District Name	School Id	School Name*	2015 ESEA Category (Title I Schools Only)
1007	Auburn Public Schools	1138	Washburn School	PRIORITY
1288	East Range CSD	1840	East Range II CSD School	PRIORITY
1054	Eastport Public Schools	1231	Shead High School	PRIORITY
1056	Ellsworth Public Schools	1236	Ellsworth High School	PRIORITY
1073	Harmony Public Schools	1261	Harmony Elementary	PRIORITY
1088	Lewiston Public Schools	1286	Governor James B Longley Elem Sch	PRIORITY
1088	Lewiston Public Schools	1282	Montello School	PRIORITY
3137	Machiasport Public Schools	1812	Fort O'Brien School	PRIORITY
1221	MSAD 27	1575	Fort Kent Community High School	PRIORITY
1134	Portland Public Schools	1939	East End Community School	PRIORITY
1143	Robbinston Public Schools	1372	Robbinston Grade School	PRIORITY
1197	RSU 03/MSAD 03	1472	Monroe Elementary School	PRIORITY
1197	RSU 03/MSAD 03	1476	Mt View Elementary School	PRIORITY
1197	RSU 03/MSAD 03	1473	Troy Central School	PRIORITY
3157	RSU 04	1424	Sabattus Primary School	PRIORITY
1202	RSU 08/MSAD 08	1860	Vinalhaven School	PRIORITY
3165	RSU 19	1664	Hartland Consolidated School	PRIORITY
3165	RSU 19	1666	Somerset Valley Middle School	PRIORITY
3169	RSU 24	1833	Sumner Memorial High School	PRIORITY
3174	RSU 39	1288	Limestone Community School	PRIORITY
1234	RSU 40/MSAD 40	1626	Miller School	PRIORITY
1238	RSU 44/MSAD 44	1643	Andover Elementary School	PRIORITY
3199	RSU 50	1571	Katahdin Middle/High School	PRIORITY
1265	RSU 74/MSAD 74	1794	Garret Schenck School	PRIORITY
1207	RSU 83/MSAD 13	1526	Moscow Elementary	PRIORITY
1208	RSU 84/MSAD 14	1527	East Grand School	PRIORITY
1155	South Portland Public Schools	1399	James Otis Kaler Elementary School	PRIORITY
1007	Auburn Public Schools	1143	Sherwood Heights Elementary Sch	FOCUS
1011	Bangor Public Schools	1156	Fairmount School	FOCUS
1016	Biddeford Public Schools	1910	Biddeford Intermediate School	FOCUS
1028	Calais Public Schools	1201	Calais Elementary School	FOCUS
1056	Ellsworth Public Schools	2601	Ellsworth Elementary-Middle School	FOCUS
1294	Five Town CSD	1852	Camden Hills Regional H S	FOCUS
1065	Gorham Public Schools	1254	Narragansett Elementary School	FOCUS
1088	Lewiston Public Schools	1285	Lewiston Middle School	FOCUS
1088	Lewiston Public Schools	1280	Martel School	FOCUS
1092	Lisbon Public Schools	1872	Lisbon Community School	FOCUS
1107	Millinocket Public Schools	1306	Granite Street School	FOCUS
1283	Mt Desert CSD	1834	Mt Desert Island High School	FOCUS
1124	Orrington Public Schools	1332	Center Drive School	FOCUS
1127	Pembroke Public Schools	1335	Pembroke Elementary School	FOCUS
1134	Portland Public Schools	1358	Howard C Reiche Community Sch	FOCUS
1134	Portland Public Schools	1353	King Middle School	FOCUS

3156	RSU 02	1369	Marcia Buker School	FOCUS
3157	RSU 04	2621	Carrie Ricker School	FOCUS
1200	RSU 06/MSAD 06	1499	George E Jack School	FOCUS
3160	RSU 12	1334	Palermo Consolidated School	FOCUS
3162	RSU 14	1438	Windham Primary School	FOCUS
1211	RSU 17/MSAD 17	1936	Paris Elementary School	FOCUS
3164	RSU 18	1656	Belgrade Central School	FOCUS
3164	RSU 18	1219	China Primary School	FOCUS
3164	RSU 18	1659	Williams Elementary School	FOCUS
3165	RSU 19	1662	Corinna Elementary School	FOCUS
3166	RSU 20	1605	Ames Elementary School	FOCUS
3166	RSU 20	1597	East Belfast School	FOCUS
3166	RSU 20	1606	Kermit S Nickerson School	FOCUS
3167	RSU 21	1133	Mildred L Day School	FOCUS
3217	RSU 22	1562	Leroy H Smith School	FOCUS
3172	RSU 34	1325	Leonard Middle School	FOCUS
3173	RSU 38	1367	Readfield Elementary School	FOCUS
1234	RSU 40/MSAD 40	1625	Union Elementary	FOCUS
1235	RSU 41/MSAD 41	1631	Brownville Elementary School	FOCUS
1235	RSU 41/MSAD 41	1633	Milo Elementary School	FOCUS
1238	RSU 44/MSAD 44	1644	Crescent Park School	FOCUS
1238	RSU 44/MSAD 44	1646	Telstar Middle School	FOCUS
1243	RSU 49/MSAD 49	1674	Benton Elementary School	FOCUS
3199	RSU 50	1570	Katahdin Elementary School	FOCUS
1246	RSU 52/MSAD 52	1691	Leeds Central School	FOCUS
1246	RSU 52/MSAD 52	1695	Turner Primary School	FOCUS
1247	RSU 53/MSAD 53	1699	Warsaw Middle School	FOCUS
3184	RSU 78	1364	Rangeley Lakes Regional School	FOCUS
1198	RSU 80/MSAD 04	2614	Piscataquis Community Secondary Sch	FOCUS
1206	RSU 82/MSAD 12	1522	Forest Hills Consolidated School	FOCUS
1217	RSU 87/MSAD 23	1565	Caravel Middle School	FOCUS
1146	Saco Public Schools	1375	C K Burns School	FOCUS
1163	Trenton Public Schools	1413	Trenton Elementary School	FOCUS

Maine DOE
PEPG Proposal: Implementation Timeline
January 2015

Year	2014-15	Summer 2015	2015-16	2016-2017
	<p>Development of PEPG System Elements</p> <p>Implement local review and approval process for SLOs</p> <p>Selection/development of assessment items</p> <p>LEAs Submit to SEA Intent to Pilot in June 2015</p> <p>SEA continues supporting development and prepares information-gathering tool</p>	<p>SEA develops plan to support LEAs with training of evaluators.</p>	<p>SEA implements plan to support training of evaluators</p> <p>LEAs Train teachers in elements of system</p> <p>Pilot: Professional Practice Standards; State assessments in tested grades and subjects; and some portion of district-defined assessments</p> <p>Adjust system</p> <p>Submit PEPG plans for approval by May 1, 2016</p>	<p>Full implementation</p> <p>Teachers and principals receive official summative ratings</p>

ESEA Waiver –Maine DOE Proposed responses to US DE Peer Review

Note: On December 29, 2014, the US DE provided the Maine DOE with a Summary of concerns related to ESEA Waiver principle 3, which they asked the Maine DOE to address in its revised ESEA Principle 3 Renewal. The table below is supplemental to the Maine DOE’s revised (redlined) Principle 3 narrative proposal in that it provides a summary of the US DE’s concerns and the Maine DOE responses organized by changes to statute, rule and guidance.

US DE requirements	Changes to Statute	Changes to Rule	Changes to existing guidance documents OR New Maine DOE Supports
<p>1. Provide more information on how the State’s guidelines for teacher and principal evaluation and support systems will promote systems that meaningfully differentiate performance, given the flexibility LEAs have in system design, including the student growth measures that are permissible See 3 Ai. Bi</p>	<p>Require that districts use data from state assessments for English language arts/literacy and mathematics as at least one measure of the performance of ELA and math teachers in tested grades AND as a measure for the performance of principals. CHANGE TO STATUTE (3.A)</p> <p>Require annual summative evaluations and ratings for all educators whose performance rating is ineffective, until that rating improves. CHANGE TO STATUTE</p>	<p>Require LEAs to implement and maintain a process for the review and approval of student growth measures.</p> <p>Strike collective measures.</p> <p>Require that all teachers, regardless of performance rating, be on a professional growth plan or a professional improvement plan each year includes targeted goals.</p> <p>Student learning and growth measures must be a significant factor in the determination of the summative effectiveness rating of an educator.</p> <p>The proportionate weight of the student learning and growth measures that are considered to be a significant factor in the determination of the summative</p>	<p>Provide guidance for the process for reviewing and approving student growth measures that LEAs must implement according to rule.</p> <p>Maine DOE will develop a plan for ongoing data collection that will, among other things, ask districts to explain how PEPG systems are used to inform professional development, career ladder decisions, dismissal and tenure decisions.</p> <p>The Maine DOE has published the PowerPoint slides delivered at the MADSEC conference which addresses Student Learning and Growth and special educators.</p> <p>The Maine DOE will include criteria in the submittal and ongoing data collection that</p>

		<p>effectiveness rating of an educator must be a local decision made by a school administrative unit in accordance with the provisions in section 12.</p> <p>School administrative units must develop a defensible approach to using student learning and growth as a significant factor in the summative effectiveness rating of an educator.</p> <p>Require districts to use an SLO or similar framework to develop student learning and growth measures for each assigned instructional cohort in the PEPG system.</p> <p>Establish minimum criteria for what the SLO framework must include.</p> <p>Local Steering Committee will provide a plan to the Maine DOE for monitoring the effectiveness of their systems.</p>	<p>require districts to explain how their evaluator training program ensures inter-rater reliability in order to accurately differentiate performance; how their PEPG system ensures high expectations for student learning in the development of SLO's; what employment decisions summative ratings will inform.</p> <p>The Maine DOE will provide guidance for LEA self- evaluation of the evaluator training and educator training program implemented by the local district.</p> <p>The Maine DOE will monitor aggregate LEA educator summative effectiveness ratings and state test results in tested areas.</p> <p>The Maine DOE has developed guidance documents (state approved PEPG models for teachers and principals; SLO Handbook; Professional Cohort Handbook; PowerPoints on measuring student growth and selecting high quality assessments). Maine DOE will provide more direction for districts in using these documents to support the development of</p>
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			<p>their PEPG systems and use components of these documents as anchors to support the submittal process.</p> <p>The Maine DOE is committed to using some of the budgeted PD funds to support districts in implementing high quality training programs for evaluators and/or educators. Possibilities for this support include small grants to LEAs, or direct training of district trainers and coordinators.</p>
<p>US DE requirements</p>	<p>Changes to Statute</p>	<p>Changes to Rule</p>	<p>Changes to existing guidance documents OR New Maine DOE Supports/Responses</p>
<p>2. Clarify how the State will provide guidance support to LEAs for their system to promote continuous improvement of instruction within the educator evaluation systems. 3Aii a</p>		<p>Require that all educators have a professional development plan based on targeted goals.</p> <p>Qualified the definition of principal to base the application of the PEPG system on the principal’s role as instructional leader.</p>	<p>The Maine DOE Standards and Instructional Supports Team has developed a series of workshops for principals called “Principal as Instructional Leader.” These supports are in part a response to the role of the principal as it is articulated in the leadership standards reflected in educator evaluation models. All three of the workshops in the series help principals to identify and promote instructional practices that support students in developing the skills and knowledge they need to achieve Maine’s College and Career Readiness Standards. .</p>

			<p>The first two events in the series have been delivered, with a third to follow in the spring. The third workshop is focused on instructional practices that support struggling students.</p> <p>The state has worked with AIR to provide training modules aligned with the state teacher evaluation model and the state leader evaluation model, which can be adapted by LEAs who are using a set of practice standards other than those in the state models. Many aspects of the modules serve the goal of improving instructional practice. For example, in T-PEPG Module 2, teachers are supported in developing SLOs, and then in module 3, teachers walk through the steps of setting S.M.A.R.T. goals for implementing instructional practices that target the SLOs. In the LEPG modules, principals practice giving feedback on instructional practice, and evaluators learn how to support high quality instructional feedback.</p> <p>The professional cohort framework that is the structure</p>
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			for PD in the state teacher PEPG model also provides guidance/support for instruction.
US DE requirements	Changes to Statute	Changes to Rule	Changes to existing guidance documents OR New Maine DOE Supports/Responses
3. Clarify the use of Individual Educational Plans (IEPs) for measuring student growth. 3Aii a	The Maine DOE will clarify rule language on IEPs to ensure there is no conflict with the proposed prohibition on the use of IEPs as growth targets. CHANGE TO STATUTE	State in Rule that IEPs must not be used to measure student growth for the purposes of teacher and leader evaluation.	The Maine DOE will revise the state model to clearly state that IEPs should not be used to measure student growth for the purposes of teacher and leader evaluation, though IEPs could help inform learning objectives and learning targets. The state has provided guidance on the inadvisability of using IEPs as measures of teacher effectiveness in a power point for special educators that has been added to the Educator Effectiveness website.
US DE requirements	Changes to Statute	Changes to Rule	Changes to existing guidance documents OR New Maine DOE Supports/Responses
4. Clarify how the system will ensure that educators are provided timely and meaningful feedback, particularly educators who are struggling, with full evaluations conducted every three years. See 3Aii d and 3Aii e	Require annual summative evaluations and rating for all educators who have received a summative rating of ineffective. CHANGE TO STATUTE	Current rule language requires observation and formative feedback on an annual basis regardless of frequency of summative effectiveness ratings. Additional requirement that training of evaluators must include training in "Providing	The Maine DOE has worked with AIR to provide training modules aligned with the state teacher evaluation model and the state leader evaluation model, which can be adapted by LEAs who are using a set of practice standards other than those in the state models. In the LEPG modules,

		meaningful feedback on instructional practice.”	principals practice giving feedback on instructional practice, and principal evaluators learn how to support high quality instructional feedback. The professional cohort framework also provides guidance/ support for instruction. The Maine DOE developed a professional cohort framework as part of its state teacher PEPG model that provides the structure for ongoing peer review and collaboration on SLOs, lessons, goals, etc.
US DE requirements	Changes to Statute	Changes to Rule	Changes to existing guidance documents OR New Maine DOE Supports/Responses
5. Clarify the role of statewide assessments in the evaluation of teachers in tested grades and subjects. See 3 A. ii. ci and cii and ciii	Require that districts use state assessments for English language arts/literacy and mathematics data as at least one measure of the performance of ELA and math teachers in tested grades AND as a measure for the performance of principals.	Reflect statutory requirements related to use of assessments for ELA and math for tested grades in rule.	The Maine DOE will develop guidelines for use of state assessments, including the use of interim assessments for pre and post testing in Math and ELA. For non-tested content areas and grades, the Maine DOE has made available an assessment PowerPoint that directs districts to consider confidence and commonality as criteria for the development and selection of assessments The confidence and commonality criteria is included in the state teacher PEPG model.

			<p>Districts that vary from this guidance will be asked in the submittal process to describe the process that will be used to ensure that student growth measures are rigorous and comparable and how the assessments meet the criteria for permissible measures.</p> <p>The Maine DOE will provide statewide supports to increase assessment literacy and provide guidance on developing processes that include attention to the careful selection of assessments.</p> <p>The Maine DOE will provide guidance on the development of SLOs.</p>
<p>US DE requirements</p>	<p>Changes to Statute</p>	<p>Changes to Rule</p>	<p>Changes to existing guidance documents OR New Maine DOE Supports/Responses</p>
<p>6. Provide more information on the kinds of personnel decisions that summative ratings will inform, other than for professional development 3 A.ii f</p>			<p>Maine DOE states in statute the kinds of employment opportunities that summative ratings should inform:</p> <p>§13703. USE OF EFFECTIVENESS RATING; GRIEVANCE</p> <p>A superintendent shall use effectiveness ratings of educators to inform strategic human capital decision making, including, but</p>

			<p>not limited to, decision making regarding recruitment, selection, induction, mentoring, professional development, compensation, assignment and dismissal. [2011, c. 635, Pt. A, §3 (NEW).]</p> <p>There is a very clear employment provision for teachers that are rated ineffective in statute.</p> <p>Maine DOE will participate in the TIF program Human Capital Management System work groups to inform its guidance to non-TIF districts in this area.</p> <p>Maine DOE will develop a plan to monitor ongoing data collection from districts about how the PEPG systems are used to inform professional development, career ladder decisions, dismissal and tenure decisions AND include this level of specificity in the submittal process.</p>
US DE requirements	Changes to Statute	Changes to Rule	Changes to existing guidance documents OR New Maine DOE Supports/Responses
<p>7. Provide more information on the State’s comprehensive monitoring systems to ensure that LEAs implement</p>	<p>Authorize the Maine DOE to monitor ongoing implementation of district PEPG systems. CHANGE to STATUTE</p>	<p>Modify the rule to specify the data such as the following to be collected in ongoing monitoring:</p> <ul style="list-style-type: none"> The aggregate summative 	<p>The Maine DOE has produced a comprehensive monitoring tool that can be used for initial submittal of PEPG systems for</p>

<p>educator evaluation systems that are fair, valid and reliable See 3 B</p>		<p>ratings for each school. The process for and frequency of observation and feedback. The types and descriptions of individual assessments used in the evaluation of educators</p> <ul style="list-style-type: none"> • The process for setting growth targets • Exemplars of growth targets • The district process for selection of assessments • The use of ratings for employment decisions • The process for sustaining the PEPG system • The LEA evaluator and educator training programs • The process for review and approval of SLOs <p>The quality of LEA SLOs/growth measures</p> <p>Require LEA steering committee to develop a plan for monitoring and evaluating the results of the pilot.</p>	<p>approval and then ongoing monitoring at scheduled interval throughout the first years of implementation. This ongoing monitoring process will inform the Maine DOE can as to the level of fidelity of LEA-PEGP systems to the goals of improving instruction and student outcomes.</p> <p>The Maine DOE will use data collected in ongoing monitoring to identify districts in need of extra support.</p>
<p>US DE requirements</p>	<p>Changes to Statute</p>	<p>Changes to Rule</p>	<p>Changes to existing guidance documents OR New Maine DOE Supports/Responses</p>
<p>8. Provide more information on the State’s process for ensuring student growth measures are rigorous and comparable. See 3B</p>	<p>Authorize the Maine DOE to monitor ongoing implementation of district PEPG systems. CHANGE to STATUTE</p>	<p>Require districts to use an SLO or similar framework to develop student learning and growth measures for each assigned instructional cohort in the PEPG</p>	<p>The Maine DOE will ask schools to describe their process for review and approval of student growth measures and will provide additional guidance on LEA self-</p>

<p>9. Clarify how the state will ensure the rigor of Student Learning Objectives (SLOs) developed by LEAs, as well as other types of student growth measures allowed and how the State plans to monitor implementation of LEAs systems See 3B</p>		<p>system.</p> <p>Establish minimum criteria for what the SLO framework must include.</p>	<p>assessment of the quality of student growth measures. The Maine DOE will provide assistance through recorded webinars, virtual conferences, and presentations</p>
<p>US DE requirements</p>	<p>Changes to Statute</p>	<p>Changes to Rule</p>	<p>Changes to existing guidance documents OR New Maine DOE Supports/Responses</p>
<p>10. Describe how the State plans to collect data on the implementation across the pilots, and how these data will be used to provide the improvements in the system. See 3B</p>			<p>The Maine DOE is already authorized to collect data about the LEA pilots through the submittal process. This information will inform the Maine DOE directed focused support/outreach.</p> <p>The Maine DOE will provide guidance to LEAs that has been generated from the TIF schools for monitoring the PEPG system.</p> <p>The Maine DOE will require through the submittal process that schools identify all assessments that they pilot (and what they learned about their meaningfulness to educator effectiveness) and that they will</p>

			be using in their systems. This will provide information that can inform statewide sharing of assessments resources.
US DE requirements	Changes to Statute	Changes to Rule	Changes to existing guidance documents OR New Maine DOE Supports/Responses
<p>11. Clarify how the State will provide support and guidance to LEAs on how to give regular feedback to all educators that result in improved practice. See 3 B</p>			<p>The Maine DOE has worked with AIR to provide training modules aligned with the state teacher evaluation model and the state leader evaluation model, which can be adapted by LEAs who are using a set of practice standards other than those in the state models. In the LEPG modules, principals practice giving feedback on instructional practice, and principal evaluators learn how to support high quality instructional feedback. The professional cohort framework also provides guidance/ support for instruction.</p> <p>The Maine DOE will collect data about the process for and frequency of educator observation and feedback through the submittal process. This information will inform the Maine DOE directed focused support/outreach.</p>

APPROVED

MARCH 17, 2015

BY GOVERNOR

CHAPTER

3

PUBLIC LAW

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

S.P. 250 - L.D. 692

An Act Regarding Educator Effectiveness

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the United States Department of Education requires that revisions be made to the Maine Revised Statutes, Title 20-A, sections 13704 and 13706 and that corresponding amendments to Maine Department of Education Rule Chapter 180 be in effect by March 15, 2015 in order to be in compliance with the federal Elementary and Secondary Education Act of 1965; and

Whereas, because Rule Chapter 180 is a major substantive rule, changes to the rule require legislative review before the changes may be made; and

Whereas, the Legislature has the authority to direct the Department of Education to amend its rule to reflect legislative policy determinations; and

Whereas, the Department of Education, educators and administrators need statutory and rule revisions to be in compliance with the federal Elementary and Secondary Education Act of 1965; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA §13704, sub-§3, ¶A, as enacted by PL 2011, c. 635, Pt. A, §3, is amended to read:

A. The rating must be based on standards of professional practice and measures of educator effectiveness. The proportionate weight of the standards and the measures is a local decision, but measurements of student learning and growth must be a significant factor in the determination of the rating of an educator. School

administrative units shall use state assessment growth data for English language arts, literacy and mathematics as at least one measure of the performance of English language arts and mathematics teachers in tested grades and as a measure for the performance of principals.

An educator whose summative effectiveness rating indicates ineffectiveness must receive an annual summative effectiveness evaluation and rating until the rating improves.

An individualized education plan may not be used to measure student growth for the purposes of teacher and principal evaluation, but an individualized education plan may be a source of evidence from which learning objectives and learning targets may be developed.

Sec. 2. 20-A MRSA §13706, as enacted by PL 2011, c. 635, Pt. A, §3, is amended to read:

§13706. Rules

The department shall adopt rules to implement this chapter, including but not limited to a rule relating to the method of identifying the educator or educators whose effectiveness ratings are affected by the measurement of learning or growth of a particular student. The department shall also adopt rules pertaining to the approval of performance evaluation and professional growth systems pursuant to section 13702. The department shall also adopt rules pertaining to the ongoing monitoring of the implementation and results of district performance evaluation and professional growth systems. Rules adopted pursuant to this section are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 3. Amendment of rule. The Department of Education shall amend portions of Rule Chapter 180: Performance Evaluation and Professional Growth Systems as follows.

1. Throughout the rule the abbreviation PE/PG must be changed to PEPG.
2. In section 2, subsection 10, language must be added to the definition of "principal" to provide that "principal" means a person who supervises teachers in delivering the instructional program of a school. The phrase "serving in a position that requires certification under State Board of Education Rule Chapter 115, Part II, Section 4.5, 4.6 and 4.7" must be moved to the end of subsection 10.
3. In section 2, subsection 12, the definition of school administrative unit must be amended to include charter schools.
4. In section 4, subsection 2, the following changes must be made to the requirements of a performance evaluation and professional growth system plan:
 - A. In subsection 2, paragraph C, student learning and growth measures must be removed as a requirement and replaced with a system for the selection, development, review and approval of individual educators' student learning and growth measures, including an explanation of how the student learning and growth measurement is a

significant factor in the determination of the summative effectiveness rating of an educator in accordance with the provisions in section 7, subsection 1;

B. In subsection 2, paragraph F, a description of the 4 rating categories must be changed to the 4 summative effectiveness rating categories; and

C. A provision must be added providing that department approval is also contingent upon evidence of adoption of the system by the school board.

5. In section 5, the Kim Marshall Teacher Evaluation Rubrics and MSAD 49 Teacher Evaluation Rubric, based on the Kim Marshall Teacher Evaluation Rubrics, must be added as models containing all of the elements necessary to be approved for use as the professional practice element for teachers.

6. In section 6, the Marzano School Leader Evaluation Model and the Kim Marshall Principal Evaluation Rubrics must be added as models containing all of the elements necessary to be approved for use as the professional practice element for principals.

7. Section 7, subsection 2, paragraph A must be clarified so that a teacher is a "teacher of record" for a student only if, for any student growth measure, the student meets the criteria in subsection 2, paragraph A.

8. In section 7, subsection 2, paragraph A, a provision must be added providing that a student's academic performance may be attributed to more than one teacher of record, as long as the criteria in subparagraphs (1) to (3) are met for each teacher. The current language regarding a student's academic performance being attributable to more than one teacher must be deleted.

9. In section 7, subsection 2, paragraph B, a sentence must be added providing that nothing in section 7 prohibits collaboration in establishing and monitoring the list of students for whom the teacher will be the teacher of record.

10. In section 7, subsection 3, paragraph A, the criterion requiring that a student learning and growth measure must measure student growth in achievement, and not solely the level of achievement, must be removed and replaced with a criterion requiring that a student learning and growth measure must measure a change in a student's knowledge or skills between 2 points of time during which an educator has influence.

11. Section 7, subsection 3, paragraph B must provide that multiple measures of student learning and growth must be factored into the summative effectiveness rating of an educator and the sentence regarding reference to large-scale, norm-referenced standardized tests must be replaced with a provision requiring that, at a teacher's discretion, large-scale standardized tests may be the sole type of student learning and growth measures used in a summative effectiveness rating.

12. In section 7, subsection 3, paragraph C, the word "subject" must be changed to "knowledge and skills" and the word "pre-assessment" must be changed to "comparable pre-assessment."

13. Section 7, subsection 3, paragraph F must also provide a provision that an individual education plan may not be used as a measure of student learning and growth in the evaluation of an educator.

14. Section 7, subsection 4 must be deleted and replaced with a provision requiring that school administrative units must use a student learning objective framework or comparable structure to develop and record student learning and growth measures, and the school administrative unit must establish in its PEPG system handbook criteria for:

- A. The identification of content standards;
- B. The selection of assessments;
- C. Setting growth targets, if applicable;
- D. The size of an instructional cohort; and
- E. The length of the instructional interval of time.

15. In section 7, a new subsection must be added after subsection 5 with a provision regarding the use of state assessment results for tested subjects and grades that provides that the Maine Educational Assessment for Mathematics and English Language Arts/Literacy State Assessment results must be used as one measure of student learning and growth for teachers in the corresponding grades and subjects. These results must:

- A. Be attributed to teachers of record in accordance with the criteria for a teacher of record in section 7, subsection 2; and
- B. Be used in such a way that they meet the criteria for permissible measures in section 7, subsection 3.

16. In section 11, subsection 3, paragraph A, a requirement that evaluators must complete training in providing meaningful feedback on instructional practice must be added.

17. Section 12, subsection 1, paragraph D must be deleted and replaced with a provision that provides if the stakeholder group fails to reach consensus on the issue of the proportionate weight of student learning and growth measures by July 15, 2015, the proportionate weight of student learning and growth measures in that school administrative unit must be 20%.

18. In section 12, subsection 1, paragraph E, the date established regarding the stakeholder group failure to reach consensus on any issue in addition to the proportionate weight of student learning and growth measures must be changed from June 1, 2015 to July 15, 2015.

19. In section 13, a new subsection must be added regarding professional growth plans and must provide that an educator who receives a summative effectiveness rating higher than ineffective must develop a professional growth plan that is based on clearly articulated goals related to targeted areas of practice and student performance.

20. The text of section 14 must be moved to section 13 and identified as subsection 2.

21. Except for language containing the purpose of the pilot project and the provision providing that data from a pilot project must be used to inform potential refinement and improvement of the system, section 15 must be replaced with the following provisions:

A. Evidence and data collected during the pilot year may be used to inform professional growth plans and differentiated evaluation cycles beginning during the first year of implementation, but performance ratings assigned during the pilot year may not be used in any action related to employment or compensation of an educator; and

B. A school administrative unit shall design a pilot project for the purpose of testing technical aspects of the system, determining the value of its elements and identifying problems. The pilot project must include student growth measures based on state assessments in English language arts and literacy and mathematics and a portion of the district-defined growth measures intended for use in content areas other than English language arts and literacy and mathematics. The school administrative unit shall ensure that the local steering committee is formed before the pilot project begins and must ensure that the steering committee develops a plan for monitoring and evaluating the results of the pilot project.

22. In section 16, a provision must be added providing that the department shall implement a system of monitoring and providing feedback and support based on information gathered through the monitoring system. Ongoing monitoring will include the collection of data including but not limited to:

- A. The aggregate summative effectiveness ratings for each school;
- B. The process for and frequency of observation and feedback;
- C. Opportunities for targeted professional growth and improvement;
- D. The types and descriptions of individual assessments used in the evaluation of educators;
- E. The process for developing student learning and growth measures;
- F. Exemplars of student learning and growth measures;
- G. District criteria for the development, review and approval of growth measures;
- H. The use of effectiveness ratings for employment decisions;
- I. The mechanism for sustaining the PEPG system; and
- J. Evaluator and educator training programs.

23. The sections must be renumbered to read consecutively.

Sec. 4. Expedited amendment process. Notwithstanding the Maine Revised Statutes, Title 5, chapter 375, subchapters 2 and 2-A and any other law, the Department of Education shall adopt the amendments to its Rule Chapter 180: Performance Evaluation and Professional Growth Systems as provided in section 3 of this bill. The department shall file the amended rule with the Secretary of State as a final adopted rule within 7 business days of the effective date of this bill and the rule is effective upon

filing. Rules adopted pursuant to this bill are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. Beginning July 1, 2015, any changes to Rule Chapter 180 are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. Submission of pilot project plan. Each school administrative unit shall submit to the Department of Education by July 15, 2015 a plan describing the intentions of its pilot project designed in accordance with the amended provisions in section 15 of the Department of Education's Rule Chapter 180: Performance Evaluation and Professional Growth Systems as provided in this Act.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

05-071 DEPARTMENT OF EDUCATION**Chapter 180: PERFORMANCE EVALUATION AND PROFESSIONAL GROWTH SYSTEMS**

SUMMARY: This rule establishes standards and procedures for implementation of performance evaluation and professional growth systems (PEPG systems) for educators, as required in Chapter 508 of Title 20-A of the *Maine Revised Statutes*. It defines terms, identifies professional practice standards for use in PEPG systems, establishes criteria that must be met by student learning and growth measures used in a PEPG system and requires involvement of educators in implementation of systems. The rule sets forth the process for obtaining Department approval of locally-developed plans, and describes technical assistance to be provided by the Department.

SECTION 1. PURPOSE OF THE RULE

This rule sets forth requirements for implementing Chapter 508 of Title 20-A of the *Maine Revised Statutes*. Chapter 508 requires school administrative units to develop, pilot and implement systems of performance evaluation and professional growth for teachers and principals. The purpose of Chapter 508 and this rule is to improve educator effectiveness by clearly setting forth expectations for professional practice and student learning and growth, and providing actionable feedback and support to help educators meet those expectations. The goal of improving educator effectiveness is to improve student achievement.

SECTION 2. DEFINITIONS

1. “Approved PEPG system” means a PEPG system that complies with the requirements of Chapter 508 and this rule and that has been approved by the Department.
2. “Chapter 508” means Chapter 508 of Title 20-A of the *Maine Revised Statutes*.
3. “Department” means the Maine Department of Education.
4. “Educator” means a teacher or a principal.
5. “Instructional Cohort” of a particular teacher means the group of students for whom that teacher is the teacher of record.
6. “InTASC Model Core Teaching Standards” or “InTASC standards” means the set of professional practice standards for teachers adopted in April, 2011 by the Interstate Teacher Assessment and Support Consortium (InTASC).
7. “Educational Leadership Policy Standards: ISLLC 2008” or “ISLLC standards” means the set of professional practice standards for educational leaders adopted by the National Policy Board for Educational Administration/Interstate Leader Licensure Consortium Steering Committee.

8. “Performance evaluation and professional growth system”, or “PEPG system” means a system of evaluation and support as described in Chapter 508.
9. “PEPG system plan” means the documents governing the operation of a local PEPG system, including but not limited to professional practice standards, descriptors and rubrics; student learning and growth measures; the method for combining measures into a summative effectiveness rating; and other documents describing implementation of the PEPG system.
10. “Principal” means person who supervises teachers in delivering the instructional program of a school This includes a person serving as principal, assistant principal, teaching principal, career and technical education administrator and assistant career and technical education administrator serving in a position that requires certification under State Board of Education Rule Chapter 115, Part II, Section 4.5, 4.6, and 4.7.
11. “Rating level” means one of the four summative effectiveness ratings assigned to educators under a PEPG system.
12. “School administrative unit” has the same meaning as in Title 20-A, section 1, subsection 26 except that, for purposes of this rule, it also includes career and technical education regions and all charter schools.
13. “Summative effectiveness rating” means the effectiveness rating of an educator that is assigned at the end of an evaluation period, under an approved PEPG system.
14. “Teacher” means a person who provides classroom instruction to students in a general education, special education or career and technical education program. It does not include adult education instructors or persons defined as “educational specialists” in State Board of Education Rule Chapter 115, section 2.20.
15. “Teacher of Record” means a teacher to whom the academic growth of a student in a course or other learning experience is attributed, in whole or in part, as described in Section 7(2).

SECTION 3. REQUIREMENT TO DEVELOP, PILOT AND IMPLEMENT SYSTEMS

Each school administrative unit shall develop, pilot and implement a performance evaluation and professional growth system for educators that complies with Chapter 508 and this rule. Development, piloting and implementation of the system must occur within the time frame set forth in Chapter 508.

SECTION 4. DEPARTMENT APPROVAL OF SYSTEM

1. Timing of submission and approval

A PEPG system must be approved by the Department before the first school year in which the system is implemented, other than as a pilot. To ensure adequate time for

Department review and feedback, and to ensure adequate time for the school administrative unit to train educators on the system, a school administrative unit shall submit its PEPG system plan for Department approval not less than 90 days before the beginning of the first school year in which the PEPG system will be used to assign a summative effectiveness rating.

Within 30 days of receiving a complete filing of a proposed system plan, the Department shall notify the school administrative unit of whether the system plan is approved, or what changes are needed in order for the plan to be approved. The Department shall assist the school administrative unit in understanding options, and making changes to the system plan to bring it into compliance with Chapter 508 and this rule.

A school administrative unit is encouraged to seek advice and comment from the Department as it develops and pilots its PEPG system.

2. **Submittal requirements**

To obtain Department approval, a school administrative unit must submit its PEPG system plan, on a form provided by the Department.

The PEPG system plan must include:

- A. A professional practice model applicable to teachers;
- B. A professional practice model applicable to principals;
- C. A system for the selection, development, review and approval of individual educators' student learning and growth measures, including an explanation of how the student learning and growth measure is a significant factor in the determination of an educator's summative effectiveness rating, in accordance with the provisions in section 7, subsection 1:
- D. If a school chooses to use team-wide, school-wide or other collective measures of student learning and growth in the evaluation of a teacher, the process for creating such measures and seeking teacher approval of the use of collective measures;
- E. A description of other measures of educator effectiveness, if any, that will be used in determining the educator's summative effectiveness rating;
- F. A description of the four summative effectiveness rating ~~levels~~ categories and the method of combining the multiple measures of educator effectiveness, weights, targets and actual performance to arrive at a summative effectiveness rating for an educator;
- G. A description of the results and consequences of being placed in each of the rating levels;

- H. Implementation procedures, including but not limited to training requirements for evaluators and the process for making and reviewing “teacher of record” determinations;
- I. A description of how educators were involved in development of the system, and how they will be trained to ensure that they understand and can fully participate in the system;
- J. A description of how teachers, principals, administrators, school board members, parents and other members of the public were involved in development of the system;
- K. A description of when and how the Steering Committee was formed and the mechanism by which the Steering Committee’s review will lead to revision of the PEPG system to ensure that it is aligned with school administrative unit goals and priorities; and
- L. A description of the PEPG system pilot, and what changes, if any, were made to the system plan as a result of the pilot.

Department approval is also contingent upon evidence of adoption of the system by the school board.

SECTION 5. PROFESSIONAL PRACTICE STANDARDS FOR TEACHERS

The *Interstate Teacher Assessment and Support Consortium (InTASC) Model Core Teaching Standards* are the benchmark for teacher effectiveness in Maine schools. To evaluate the professional practice of teachers in a PEPG system, a school administrative unit must use a professional practice model that includes performance standards aligned with the *InTASC Model Core Teaching Standards*; supporting descriptors for each standard as published or endorsed by the creator/sponsor of the standards; and rubrics for each standard. At the time this rule was drafted, the creators of the *InTASC Model Core Standards* had not created rubrics to be used with the standards and descriptors. Therefore, a school administrative unit must either locate or create rubrics for the InTASC standards or use a professional practice model that includes a complete set of InTASC-aligned standards, descriptors and rubrics.

The Department has determined that the following models contain all of the elements necessary to be approved for use as the professional practice element of a PEPG system for teachers:

1. The National Board for Professional Teaching Standards (NBPTS) Five Core Propositions and Indicators, along with the rubrics created by the Maine Schools for Excellence;
2. *The Framework for Teaching*, by Charlotte Danielson; and
3. *The Marzano Art and Science of Teaching Framework*.

4. The Kim Marshall Teacher Evaluation Rubrics
5. MSAD 49 Teacher Evaluation Rubric, based on the Kim Marshall Teacher Evaluation Rubrics

If a school administrative unit chooses to use a professional practice model other than the models listed above, it must demonstrate to the Department that the school administrative unit's selected model meets the criteria set forth in this section.

SECTION 6. PROFESSIONAL PRACTICE STANDARDS FOR PRINCIPALS

The *Educational Leadership Policy Standards: ISLLC 2008* is the benchmark for principal effectiveness in Maine schools. To evaluate the professional practice of principals, a school administrative unit must use a principal evaluation model that includes performance standards that align with the ISLLC 2008 standards; supporting descriptions or indicators for each standard as published or endorsed by the creator /sponsor of the standards; and rubrics for each standard that are aligned with the adopted standards and descriptors. At the time this rule was drafted, the creators of the ISLLC 2008 standards had not created rubrics to be used with the standards and descriptors. Therefore, a school administrative unit must either locate or create rubrics for the ISLLC 2008 standards or use a professional practice model that includes a complete set of ISLLC-aligned standards, descriptors and rubrics.

The Department has determined that the following models contain all of the elements necessary to be approved for use as the professional practice element of a PEPG system for principals:

1. *National Board Core Propositions for Accomplished Educational Leaders*, adopted by the National Board for Professional Teaching Standards in 2009, along with the rubrics created by the Maine Schools for Excellence; and
2. The principal professional practice evaluation model created by the Supervision and Evaluation Committee of the Maine Principal's Association, dated September 2013 and posted on the Association's Website at www.mpa.cc.
3. *The Marzano School Leader Evaluation Model*
4. The Kim Marshall Principal Evaluation Rubrics

If a school administrative unit chooses to use a professional practice model other than the models listed above, it must demonstrate to the Department that the model meets the criteria set forth in this section.

SECTION 7. STUDENT LEARNING AND GROWTH MEASURES

1. **“Significant Factor”**

Student learning and growth measures must be a significant factor in the determination of the summative effectiveness rating of an educator. To be considered “significant,”

student learning and growth measures must have a discernible impact on an educator's summative effectiveness rating.

The proportionate weight of the student learning and growth measures that are considered to be a significant factor in the determination of the summative effectiveness rating of an educator must be a local decision made by a school administrative unit in accordance with the provisions in section 12.

2. **“Teacher of Record”**

A. A teacher is a “teacher of record” for a student only if:

- (1) The student is enrolled in the course or other learning experience taught by that teacher;
- (2) The student was present and was subject to instruction by that teacher at least 80% of the scheduled instructional time for that course or learning experience with that teacher; and
- (3) The student took both the pre-test and the post-test designed to measure achievement in that course or learning experience.

A student's academic performance may be attributed to more than one teacher of record, as long as the criteria set forth in subparagraphs (1) to (3) above are met for each teacher.

B. A school administrative unit must provide each teacher with a list of students for whom the teacher is likely to be the teacher of record, and must provide the teacher an opportunity to request review and revision of the list to correct any inaccuracies on the list. A list of those students must be provided within a reasonable time after the beginning of the course or learning experience, and must include information about the pre-test taken by each student and the scheduled instructional time for that course or learning experience with that teacher. A proposed final list of students must be provided to the teacher within a reasonable amount of time before the end of the course or learning experience, and must include a calculation of the amount of time that the student was present and taught by that teacher. The PEPG system must include a process by which a teacher can contest and seek correction of determinations of “teacher of record” status. Nothing in this section prohibits collaboration in establishing and monitoring the list of students for whom the teacher will be teacher of record.

3. **Permissible Measures**

Student learning and growth measures must meet the criteria established in this subsection. Student learning and growth measures must be appropriately attributed to the teacher or principal whose evaluation is impacted by those measures.

- A. A student learning and growth measure must measure a change in a student's knowledge or skills between two points of time during which an educator has influence.
- B. Multiple measures of student learning and growth must be factored into the summative effectiveness rating of an educator. At a teacher's discretion, large-scale standardized tests may be the sole type of student learning and growth measures used.
- C. To obtain growth information, the knowledge and skills must have been assessed before the student is taught or led by the teacher or principal, and after, i.e., there must be a comparable pre-assessment and post-assessments to measure the growth of the student under instruction or leadership of the teacher or principal whose evaluation is impacted by the student. The pre-assessment and post-assessment are not required to occur in the same school year.
- D. To obtain growth information, the knowledge and skills must have been assessed before the student is taught or led by the teacher or principal, and after, i.e., there must be a comparable pre-assessment and post-assessments to measure the growth of the student under instruction or leadership of the teacher or principal whose evaluation is impacted by the student. The pre-assessment and post-assessment are not required to occur in the same school year.
- E. A particular student's growth measure may be included in the evaluation of a teacher only if:
 - (1) The teacher is a teacher of record for that student; or
 - (2) The student's growth measure is part of a collective measure, the use of which has been agreed to by the teacher pursuant to the process set forth in the school administrative unit's system plan.

The criteria or instrument used to measure student growth must:

- (1) Be able to measure growth in identified and intended learning outcomes;
 - (2) Provide all students in the instructional cohort the opportunity to demonstrate growth in knowledge or skills;
 - (3) Be able to inform instruction;
 - (4) Be administered consistently across similar grade spans, courses or instructional cohorts.
- F. The results must be used in a way that takes into account differences in growth opportunity across the spectrum, e.g., higher-achieving students shouldn't be expected to make the same quantity of growth as lowest-achieving students.

An individual education plan must not be used as a measure of student growth in the evaluation of an educator.

4. **Use of Student Learning Objectives**

SAUs must use a Student Learning Objectives-(SLOs) framework or comparable structure to develop and record student learning and growth measures and The SAU must establish in its PEPG system handbook criteria for:

- (1) The identification of content standards,
- (2) The selection of assessments;
- (3) Setting growth targets (if applicable);
- (4) The size of an instructional cohort; and
- (5) The length of the instructional interval of time.

5. **Use of Collective Student Growth Measures**

In recognition that a student's academic achievement may be affected by teachers other than the student's teacher of record, a PEPG system may include academic achievement of students outside the teacher's instructional cohort. Any use of such collective measures must:

- A. Be agreed to by teachers to whom it will be applied, under the agreement process set forth in the system plan; and
- B. Comprise not more than one-fourth of the total student growth measure.

6. **Use of State Assessment (MEA) Results for Tested Subjects and Grades**

Maine Educational Assessment (MEA) for Mathematics and English Language Arts/Literacy State Assessment results must be used as one measure of student learning and growth for teachers in the corresponding grades and subjects (English Language Arts/Literacy and Math). These results must

- A. Be attributed to teachers of record in accordance with the criteria for Teacher of Record in Section 7.2; and
- B. Be used in such a way that they meet the criteria for Permissible Measures in Section 7.3.

SECTION 8. RATING LEVELS

Each PEPG system must result in placement of educators into one of the following four summative effectiveness rating categories: Highly Effective; Effective; Partially Effective; and Ineffective.

While implementing a PEPG system, a school administrative unit may use different labels for its four rating levels, as long as the levels align with the levels above, and the labels above are used for purposes of applying laws and rules.

SECTION 9. METHODS OF COMBINING MEASURES

A school administrative unit shall adopt a method of combining qualitative and quantitative measures of educator effectiveness to determine an educator's summative effectiveness rating. The method may include, but is not limited to:

1. Assigning numerical values to each element in the system and weighting them to provide a single numerical result; and
2. Creation of a two-dimensional matrix with professional practice on one axis and student learning and growth on the other axis. The intersection of the levels results in one of the four possible ratings (effective, highly effective, partially effective and ineffective).

SECTION 10. RESULTS OF PLACEMENT IN RATING LEVELS

A school administrative unit must set forth the professional growth opportunities and the employment consequences tied to each rating level. An educator who is rated ineffective must be provided an opportunity to develop and implement a professional improvement plan.

SECTION 11. IMPLEMENTATION REQUIREMENTS

1. Notice of person overseeing evaluations

A school administrative unit must provide to each educator who will be evaluated under this rule the name and contact information of the administrator responsible for overseeing the evaluation and support process for that educator.

2. Evaluation frequency

A school administrative unit shall determine and set forth in its system plan, the frequency with which it will conduct full evaluations leading to summative effectiveness ratings. A school administrative unit is not required to conduct a full evaluation leading to a summative effectiveness rating of each educator in each year. The frequency of full evaluations may vary depending on the effectiveness ratings of educators. However, full evaluations must be conducted at least every three years, even for highly effective educators.

Regardless of whether an educator is evaluated formally in a particular year, observations of professional practice and formative feedback must occur each year and throughout the school year for all educators.

3. Training of evaluators

A person is a qualified evaluator in a Chapter 508 system only if that person has completed training appropriate to the role he or she will play in the system.

Evaluators must be trained in the specific professional practice model selected by the school administrative unit in which the evaluator will perform duties.

- A. Evaluators must complete training in the following:
 - (1) Conducting pre-observation and post-observation conferences;
 - (2) Providing meaningful feedback on instructional practice;
 - (3) Observing and evaluating the professional practice of teachers and/or principals; and
 - (4) Developing and guiding professional growth plans.

- B. The training in observing and evaluating professional practice of teachers and/or principals must include the following:
 - (1) Training in evaluating performance based on evidence, and without bias;
 - (2) Adequate time for evaluators to practice and become familiar with the model during their trainings;
 - (3) Opportunity for evaluators to work collaboratively;
 - (4) Training in assessing evidence of performance not directly observed in classroom observations or direct observations of principals and in incorporating that evidence into a summative evaluation; and
 - (5) Training designed to ensure a high level of inter-rater reliability and agreement. To continue to serve as a trained evaluator, an evaluator must maintain an identified minimum level of inter-rater reliability and agreement by participating in training or recalibration at intervals specified in the PEPG system plan.

4. Written evaluation

In addition to a summative effectiveness rating, each educator must receive a written evaluation that includes a narrative providing recommendations and commendations that describe the educator's effectiveness.

5. Personnel record

An educator's written evaluation, evaluation documentation and summative effectiveness rating are confidential personnel records, in accordance with Title 20-A, section 6101, subsection 2.

SECTION 12. EDUCATOR INVOLVEMENT IN DEVELOPING, IMPLEMENTING AND REVIEWING PEPG SYSTEMS

1. Development of system

Title 20-A of the *Maine Revised Statutes*, Section 13705 requires school administrative units to develop PEPG systems “in collaboration with teachers, principals, administrators, school board members, parents and other members of the public.”

- A. A majority of the members of the initial group of stakeholders must be composed of at least a majority of teachers. Of the teachers appointed to the initial group of stakeholders, 2/3rds must have the endorsement of the majority of the teachers in the school administrative unit and 2/3rds must have the endorsement of the majority of the school administrative unit’s governing body.
- B. For a school administrative unit that has established an initial group of stakeholders to develop the unit’s performance evaluation and professional growth system prior to the effective date of this rule, the existing group of stakeholders, with the consent of a majority of teachers in the school administrative unit, may continue as constituted even if the group of stakeholders does not meet the specific composition established in paragraph A.
- C. The initial group of stakeholders must use a consensus decision-making process to develop the performance evaluation and professional growth system, including the proportionate weight of the student learning and growth measures as set forth in section 7.
- D. If the stakeholder group fails to reach consensus on the issue of the proportionate weight of student learning and growth measures by July 15, 2015 the proportionate weight of student learning and growth measures in that school administrative unit must be 20%.
- E. If the stakeholder group fails to reach consensus on any issue in addition to the proportionate weight of the student growth measures by July 15, 2015, the school administrative unit shall adopt one of the State Model PEPG systems developed pursuant to section 16 of the rule. Upon request by the entire membership of the stakeholder group, the commissioner may provide additional time to the group to reach consensus. Upon the expiration of that additional time, the school administrative unit shall adopt one of the State Model PEPG systems developed pursuant to section 16 of this rule.

2. Training

Prior to implementing a PEPG system, a school administrative unit must provide training to each educator who will be evaluated under the PEPG system to provide the opportunity for each educator to understand:

- A. The structure of the system, including the multiple measures of educator effectiveness and the evaluation cycle;
- B. The names and roles of administrators and others whose decisions impact the educator's rating;
- C. How to participate in professional development opportunities to assist the educator in meeting professional practice standards used in the system;
- D. The results and consequences of receiving each type of summative effectiveness rating; and
- E. Other aspects of the system necessary to enable the educator to participate fully in the evaluation and professional growth aspects of the system.

3. **Implementation, review and refinement of systems; Steering Committee**

Each school administrative unit shall form a Steering Committee to regularly review and refine the PEPG system to ensure that it is aligned with school administrative unit goals and priorities. The Steering Committee must include representatives of the local education association, appointed by the local association, teachers, administrators and other school administrative unit staff. The structure and proposed operation of a Steering Committee, including the method of appointing members to the Steering Committee, must be included in the PEPG system plan. The Steering Committee must be formed no later than the beginning of the pilot period of the PEPG system.

4. **Peer review and collaboration**

Each PEPG system must include a peer review component and opportunities for educators to share, learn and continually improve their practice. A school administrative unit shall specify in its system plans what peer review components will be included and what qualifications will be required of peer reviewers, including, but not limited to, training.

Peer review includes, but is not limited to, observation of peers, review of portfolios and other evidence offered to demonstrate an educator's performance, and review of professional improvement plans. Peer review is for formative evaluation purposes only, and must not be included in determining the summative effectiveness rating unless the peer reviewer is trained in the evaluation process as required under Section 11 of this rule, and the educator being evaluated chooses to include the peer review as part of the summative effectiveness rating.

Educator opportunities for sharing, learning and continually improving practice include, but are not limited to, providing opportunities for mentoring and coaching, involvement in professional learning communities, and targeted professional development.

SECTION 13. USE OF RATING IN PROFESSIONAL DEVELOPMENT DECISIONS

Professional development opportunities must be provided to educators, based on individual needs identified during PEPG system evaluations.

1. Professional Growth Plan

An educator who receives a summative effectiveness rating higher than ineffective must develop a professional growth plan that is based on clearly articulated goals related to targeted areas of practice and student performance.

2. Professional Improvement Plan

An educator who receives a summative effectiveness rating of “ineffective” must be provided the opportunity to develop and implement a professional improvement plan. The PEPG system plan must assign responsibility to one or more supervisors or administrators to work with the educator and to oversee development and implementation of a professional improvement plan.

The professional improvement plan must:

1. Be in writing;
2. Be developed with input from the educator;
3. Set forth clear, measurable objectives and deadlines; and
4. Be focused on improvement in the specific areas of evaluation identified as needing improvement.

SECTION 14. PILOTING OF SYSTEM

A. The purpose of the pilot is to evaluate the school administrative unit’s proposed PEPG system. Data from the pilot must be used to inform potential refinement and improvement of the system. Evidence and data collected during the pilot year may be used to inform professional growth plans and differentiated evaluation cycles beginning during the first year of implementation, but performance ratings assigned during the pilot may not be used in any action related to employment or compensation of an educator.

B. A school administrative unit shall design a pilot and identifying problems. The pilot must include student growth measures based on state assessments in ELA/Literacy and math and a portion of the district-defined growth measures intended for use in content areas other than ELA and Math. The school administrative unit shall ensure that the local Steering Committee is formed before the pilot begins and must ensure that the Steering Committee develops a plan for in monitoring and evaluating the results of the pilot.

SECTION 15. TECHNICAL ASSISTANCE; STATE MODEL PEPG SYSTEM

- A. The Department shall provide technical assistance to school administrative units in developing, piloting and implementing PEPG systems, including, but not limited to: an online bank of tools, training and resources for use in developing, piloting and implementing PEPG systems; posting of approved PEPG systems and system tools; and technical assistance in developing student learning and growth measures. The Department shall develop at least one complete State Model PEPG system for teachers and at least one complete State Model PEPG system for principals.

- B. The Department shall implement a system of monitoring and providing feedback and support based on information gathered through the monitoring system. Ongoing monitoring will include the collection of data including but not limited to:
 - A. The aggregate summative ratings for each school.

 - B. The process for and frequency of observation and feedback

 - C. Opportunities for targeted professional growth and improvement

 - D. The types and descriptions of individual assessments used in the evaluation of educators

 - E. The process for developing student learning and growth measures

 - F. Exemplars of student learning and growth measures

 - G. District criteria for the development, review and approval of growth measures

 - H. The use of ratings for employment decisions

 - I. The mechanism for sustaining the PEPG system

 - J. Evaluator and educator training programs

SECTION 16. FUNDING FOR DEVELOPMENT, PILOTING AND IMPLEMENTATION

The Department shall provide guidance to school administrative units on sources of funding for development and implementation of PEPG systems, which may include guidance on the permissible use of federal *Elementary and Secondary Education Act* (ESEA) funds, state essential programs and services (EPS) funds and potential grant sources.

SECTION 17. IMPACT OF EFFECTIVENESS RATINGS UNDER PRE-CHAPTER 508 SYSTEMS

An effectiveness rating assigned to an educator in a system that has not been approved pursuant to Chapter 508 and this rule, is not an “effectiveness rating pursuant to Chapter 508” as used in Title 20-A, section 13201 or a “summative effectiveness rating” as used in Title 20-A, section 13703.

STATUTORY AUTHORITY: Title 20-A MRSA §13706

EFFECTIVE DATE:

June 20, 2014 – filing 2014-099 (Final adoption, major substantive)

March 18, 2015 filing 2015-040 (Final Adoption)