

**RULES
OF
THE STATE BOARD OF EDUCATION**

**CHAPTER 0520-02-01
EVALUATIONS**

TABLE OF CONTENTS

0520-02-01-.01	General Requirements for Evaluations	0520-02-01-.03
0520-02-01-.02	Procedures for Approval and Monitoring of Local Evaluations	through 0520-02-01-.14 Repealed

0520-02-01-.01 GENERAL REQUIREMENTS FOR EVALUATIONS.

- (1) The Department of Education shall develop and recommend a model plan for teacher evaluation to the State Board of Education for approval. The model plan will be developed in accordance with these rules and the Educator Evaluation Policy adopted by the State Board of Education.
- (2) Local boards of education shall use either the model plan for teacher evaluation or evaluation models that have been adopted by the local board of education and approved by the State Board of Education.
 - (a) Prior to review by the State Board of Education, locally adopted evaluation models must:
 1. Be reviewed by the Commissioner of the Department of Education for compliance with the guidelines and criteria adopted by the State Board of Education, and;
 2. Following conditional approval by the commissioner, have been implemented for a one (1) year pilot in a Tennessee LEA.
 - (b) Following the pilot year, evaluation models shall be reviewed by the Commissioner and submitted to the State Board of Education for final approval.
 - (c) Evaluation models approved by the State Board of Education may, with local board approval, be used in any LEA.
- (3) Annual evaluation shall be made of all educators in the state.
- (4) Local boards of education shall develop a local-level evaluation grievance procedure that complies with the State Board of Education's Teacher Evaluation Policy. This procedure shall provide a means for evaluated teachers and principals to challenge only the accuracy of the data used in the evaluation and the adherence to the evaluation policies adopted by the State Board of Education.
- (5) Pursuant to the Governor's Executive Orders of the year 2020 declaring the existence of a State of Emergency in response to COVID-19 and Public Chapter 652 of 2020, and notwithstanding paragraph three (3), level of overall effectiveness scores shall not be generated for educators in the 2019-20 school year. Any observations required by State Board Policy 5.201 that were not completed in the 2019-20 school year prior to the COVID-19 Public Health Emergency shall not be required.

(Rule 0520-02-01-.01, continued)

- (a) No adverse action may be taken against any student, teacher, administrator, school, or LEA based, in whole or in part, on student achievement, student performance, or student growth data generated from The Tennessee comprehensive assessment program (TCAP) tests, which include, but are not limited to, TNReady assessments, English learner assessments, alternate TCAP assessments, and end-of-course examinations, administered in the 2019-2020 school year.
- (b) Pre-Kindergarten and Kindergarten teachers employed in an LEA that receives pre-kindergarten program approval under T.C.A. §§ 49-6-103 - 49-6-110 shall not be evaluated using the pre-K/kindergarten growth portfolio model approved by the State Board, or a comparable alternative measure of student growth approved by the State Board and adopted by the LEA, for the 2019-20 school year.
- (c) Any other educator evaluated under a student growth portfolio model shall not be evaluated using that portfolio model during the 2019-20 school year.

Authority: T.C.A. §§ 49-1-201, 49-1-301, 49-1-302, and 49-5-5205; Executive Order No. 14 of 2020 (and applicable, subsequent Executive Orders addressing COVID-19 relief); and Public Chapter 652 of 2020.

Administrative History: Original rule certified June 10, 1974. Repeal and new rule filed July 17, 1981; effective October 28, 1981. Amendment filed March 7, 1983; effective June 15, 1983. Amendment filed September 30, 1986; effective November 14, 1986. Amendment filed October 18, 1989; effective January 29, 1989. Amendment filed November 18, 1988; effective February 28, 1989. Amendment filed October 31, 1989; effective January 29, 1990. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed April 27, 1998; effective August 28, 1998. Amendment filed May 28, 1999; effective September 28, 1999. Repeal and new rule filed February 18, 2011; effective July 29, 2011. Amendment filed December 16, 2011; effective May 30, 2012. Emergency rules filed April 16, 2020; effective through October 13, 2020.

0520-02-01-.02 PROCEDURES FOR APPROVAL AND MONITORING OF LOCAL EVALUATIONS.

- (1) Prior to the beginning of the 2011-2012 school year, each LEA shall submit the evaluation system that has been approved by the local board of education to the Commissioner of Education.
- (2) The Commissioner of Education shall verify that each LEA's evaluation system complies with the State Board approved guidelines and criteria no later than September 1 of each year. Changes made in a locally developed evaluation system shall be submitted to the Commissioner of Education by July 1 prior to the proposed implementation year.
 - (a) By June 15 annually, LEAs' evaluation plans and recommendations of all apprentice teachers who are in their final apprentice year shall be submitted for state review and approval.
 - (b) Evaluation deadlines for first and second year apprentice teachers and professionally licensed teachers may be determined by the local school system, but must occur no later than June 15.
- (3) The Department of Education shall collect data from each LEA on approved teacher evaluation models and shall make an annual report to the State Board of Education. Such data shall include but not be limited to the following: the evaluation model being implemented, the relationship between the principal's rating and student achievement, the percentage of licensed staff trained as evaluators, the percentage of licensed staff grieving the evaluation, and the distribution of teachers by effectiveness group.
- (4) Training of Evaluators. Anyone conducting an evaluation and/or observation must complete a training process approved by the Department of Education. The approved training process

(Rule 0520-02-01-.03, continued)

must be conducted by a trainer certified by the Department of Education. Local boards of education that choose an alternative evaluation plan shall present their training plans to the Department of Education by August 15 of each year.

Authority: T.C.A. §§ 49-1-201, 49-1-301, and 49-5-5205. **Administrative History:** Original rule certified June 10, 1974. Amendment filed June 10, 1974; effective July 10, 1974. Repeal and new rule filed July 17, 1981; effective October 28, 1981. Amendment filed September 30, 1986; effective November 14, 1986. Amendment filed September 20, 1987; effective December 22, 1987. Amendment filed January 31, 1991; effective May 1, 1991. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed April 27, 1998; effective August 28, 1998. Amendment filed May 28, 1999; effective September 28, 1999. Amendment filed April 28, 2000; effective August 28, 2000. Amendment filed October 31, 2002; effective February 28, 2003. Amendment filed September 6, 2007; effective January 28, 2008. Repeal and new rule filed February 18, 2011; effective July 29, 2011. Amendment filed December 16, 2011; effective May 30, 2012.

0520-02-01-.03 REPEALED.

Authority: T.C.A. §§ 49-1-302; 49-5-5003; 49-5-5004; 49-5-5101, et seq.; and 49-5-5205. **Administrative History:** Original rule certified June 10, 1974. Amendment filed June 10, 1974; effective July 10, 1974. Repeal and new rule filed July 17, 1981; effective October 28, 1981. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Amendment filed May 28, 1999; effective September 28, 1999. Amendment filed April 28, 2000; effective August 28, 2000. Repeal filed February 18, 2011; effective July 29, 2011.

0520-02-01-.04 THROUGH 0520-02-01-.14 REPEALED.

Authority: T.C.A. §§ 49-1-302, 49-5-5003, 49-5-5004, and 49-5-5101, et seq. **Administrative History:** Repeal filed May 28, 1999; effective 28, 1999.