**Revised Educator Evaluation Regulations effective 10/09/2015**

[**4 AAC 04.200. Professional content and performance standards**](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bGroup+!274+aac+04!2E200!27!3A%5d/doc/%7b@1%7d/hits_only?firsthit)

(a) The provision contained in subsections (b), (c), (e) and (f) of this section identify and describe content and performance standards that reflect the highest abilities and qualities of the teaching profession. The paragraphs within each of those subsections describe the content standards for teachers, and for teachers who are administrators, as applicable. The subparagraphs within those paragraphs identify performance standards upon which districts shall base district performance standards.

Subsection (b)-(e) are not included in this document for brevity.

(f) The following cultural standards for educators apply to a teacher, including a teacher who is an administrator or a special service provider:

(1) a culturally-responsive educator incorporates local ways of knowing and teaching in the educator's work;

(2) a culturally-responsive educator uses the local environment and community resources on a regular basis to link what the educator is teaching to the everyday lives of the students;

(3) a culturally-responsive educator works closely with parents to achieve a high level of complementary educational expectations between home and school;

(4) a culturally-responsive educator recognizes the full educational potential of each student and provides the challenges necessary for the student to achieve that potential.

[**4 AAC 04.205. District performance standards**](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bGroup+!274+aac+04!2E205!27!3A%5d/doc/%7b@1%7d/hits_only?firsthit)

(a) Repealed 2/16/2013.

(b) A district shall establish performance standards for each of the professional content standards set out at 4 AAC 04.200. In establishing its performance standards, a district shall discuss each of the performance standards set out at 4 AAC 04.200 that reflect attainment of each professional content standard. A district may

(1) establish a performance standard set out at 4 AAC [04.200](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+04!2E200'%5d/doc/%7b@1%7d?firsthit) as one of its performance standards;

(2) modify a performance standard set out at 4 AAC [04.200](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+04!2E200'%5d/doc/%7b@1%7d?firsthit) to accommodate district goals and priorities;

(3) combine performance standards set out at 4 AAC [04.200](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+04!2E200'%5d/doc/%7b@1%7d?firsthit) to create broader performance standards; and

(4) provide additional or alternative performance standards to accommodate district goals and priorities.

(c) Repealed 2/16/2013.

(d) Performance standards established by a district shall be interpreted and applied in the context of the job requirements of the teacher being evaluated.

(e) Not later than July 1, 2016, a school district shall adopt for teachers and administrators, standards for performance based on student learning data. In adopting standards for performance based on student learning data, a district shall

(1) confer with educators who are subject to the evaluation system;

(2) require the use of at least two but not more than four measurements of student growth;

(3) require the use of data from the statewide test selected by the commissioner under 4 AAC [06.737](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+06!2E737'%5d/doc/%7b@1%7d?firsthit) as a measurement of student growth if

(A) the commissioner has notified districts that the commissioner has selected a test that

(i) employs measurements of achievement that are comparable across grade levels; and

(ii) permits a district to make valid measurements of student growth from year to year;

(B) data for student growth for a subject and grade level are available from the test; and

(C) the data are for a subject and grade level directly related to the job duties of the educator to whom the standard would apply;

(4) if the use of data from the statewide test is permitted under (3) of this subsection, use the data from the statewide test in at least as high a proportion as any other measurement of student growth used by the district; and

(5) develop procedures based on objective and measurable criteria to ensure that data used to measure performance under the standard accurately reflect student growth based on educator performance.

(f) In addition to the requirements of (e) of this section, districts may use multiple and up to three previous years of student learning data from the statewide test selected by the commissioner under 4 AAC 06.737 and other student learning data as defined in 4 AAC 19.099 to measure educator performance.

**Authority:** [AS 14.03.015](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1403015'%5d/doc/%7b@1%7d?firsthit) [AS 14.07.020](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407020'%5d/doc/%7b@1%7d?firsthit) [AS 14.07.060](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407060'%5d/doc/%7b@1%7d?firsthit) [AS 14.20.010](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1420010'%5d/doc/%7b@1%7d?firsthit) [AS 14.20.020](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1420020'%5d/doc/%7b@1%7d?firsthit)

[**4 AAC 19.010. Purpose and scope of evaluations**](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bGroup+!274+aac+19!2E010!27!3A%5d/doc/%7b@1%7d/hits_only?firsthit)

(a) A district's evaluation of a teacher, administrator, or special service provider shall provide information and analysis that

(1) help the teacher, administrator, or special service provider grow professionally;

(2) are intended to improve the effectiveness of instruction at the school; and

(3) relate to the future employment of the teacher, administrator, or special service provider.

(b) For each of the content standards set out in 4 AAC [04.200(b)](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+04!2E200'%5d/doc/%7b@1%7d?firsthit)(2) - (8), a district shall evaluate whether a teacher is exemplary, proficient, basic, or unsatisfactory on the standard. In evaluating the teacher, the district shall consider the cultural standards set out in 4 AAC [04.200(f)](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+04!2E200'%5d/doc/%7b@1%7d?firsthit). A district may evaluate a teacher on additional standards that have been adopted by the district.

(c) For each of the content standards set out in 4 AAC [04.200(c)](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+04!2E200'%5d/doc/%7b@1%7d?firsthit), a district shall evaluate whether an administrator is exemplary, proficient, basic, or unsatisfactory on the standard. In evaluating the administrator, the district shall consider the cultural standards set out in 4 AAC [04.200(f)](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+04!2E200'%5d/doc/%7b@1%7d?firsthit). A district may evaluate an administrator on additional standards that have been adopted by the district.

(d) A district shall evaluate whether the performance of a special service provider is exemplary, proficient, basic, or unsatisfactory on the performance standards for the special service applied by the district under 4 AAC [04.205(d)](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+04!2E205'%5d/doc/%7b@1%7d?firsthit). In evaluating the special service provider, the district shall consider the cultural standards set out in 4 AAC [04.200(f)](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+04!2E200'%5d/doc/%7b@1%7d?firsthit).

(e) In addition to the evaluation on the individual standards described in (b), (c), or (d) of this section, a district shall evaluate

(1) whether a teacher's, administrator's, or special service provider's overall performance is exemplary, proficient, basic, or unsatisfactory; and

(2) not later than school year 2016-2017, whether a teacher's or administrator's performance on the district's standards for student learning data is exemplary, proficient, basic, or unsatisfactory and include this information in the teacher or administrator’s overall rating.

(f) A district may not give a teacher, administrator, or special service provider an overall performance rating of proficient or higher if the teacher, administrator, or special service provider has been evaluated to be performing at a level of unsatisfactory on one or more of the content standards or in the case of teachers and administrators, the district’s standard for student learning data..

(g) A teacher, administrator, or special service provider who receives a performance evaluation rating of unsatisfactory on one or more of the content standards or in the case of teachers and administrators, the district’s standard for student learning data has not met the district performance standards for purposes of [AS 14.20.149](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1420149'%5d/doc/%7b@1%7d?firsthit)(b)(6), (e), or (f).

(h) Unless the district is non-retaining the teacher, administrator, or special service provider, if a district gives a special service provider, administrator, or teacher a performance evaluation rating of basic on two or more of the content standards or in the case of teachers and administrators, the district’s standard for student learning data, the district

(1) shall provide support and assistance, as determined by the district, for improvement on those standards or criteria;

(2) may place the teacher, administrator, or special service provider on a plan of professional growth.

(i) If, at the conclusion of a plan of professional growth, a teacher's, administrator's, or special service provider's performance on the standards or criteria in question is not proficient or exemplary, the district may place the teacher, administrator, or special service provider on a plan of improvement under [AS 14.20.149](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1420149'%5d/doc/%7b@1%7d?firsthit)(b)(6).

(j) For purposes of this section, a plan of professional growth is a plan developed by the evaluating administrator, in consultation with the teacher, administrator, or special service provider to whom the plan applies, to provide the structure, assistance, and guidance for the teacher, administrator, or special service provider to improve in all criteria in which the teacher, administrator, or special service provider is performing at a basic level. The plan must include

(1) clear and specific performance expectations;

(2) a description of ways that the teacher's, administrator's, or special service provider's performance can be improved; and

(3) a duration determined by the district.

(k) A school district shall implement a pilot program for the incorporation of student learning data. During the 2015 - 2016 school year, student learning data will not be incorporated into the district's evaluation system. Under the pilot program, the district shall

(1) develop pilot standards for performance based on student learning data;

(2) confer with educators who are subject to the evaluation system;

(3) develop procedures based on objective and measurable criteria to ensure that data used to measure performance under the standards accurately reflect student growth based on educator performance; and

(4) evaluate whether a teacher's or administrator's performance on the district's standards for student learning data is exemplary, proficient, basic, or unsatisfactory and share this evaluation with the educator.

**Authority:** [AS 14.07.020](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407020'%5d/doc/%7b@1%7d?firsthit) [AS 14.07.060](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407060'%5d/doc/%7b@1%7d?firsthit) [AS 14.20.149](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1420149'%5d/doc/%7b@1%7d?firsthit)

[**4 AAC 19.015. Evaluation form to be available**](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bGroup+!274+aac+19!2E015!27!3A%5d/doc/%7b@1%7d/hits_only?firsthit)

A district shall make a copy of a form, template, or checklist that the district uses in the evaluation of certificated employees available to the public, including posting the form, template, or checklist on the district's website. The posting shall make clear how the district has considered information from students, parents, community members, classroom teachers, affected collective bargaining units, and administrators in the design of the district's certificated employee evaluation system, as required under [AS 14.20.149](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1420149'%5d/doc/%7b@1%7d?firsthit).

**Authority:** [AS 14.07.060](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407060'%5d/doc/%7b@1%7d?firsthit)

[**4 AAC 19.030. Evaluation procedures**](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bGroup+!274+aac+19!2E030!27!3A%5d/doc/%7b@1%7d/hits_only?firsthit)

(a) In evaluating a teacher, administrator, or special service provider, a district

(1) shall base the evaluation of a teacher, administrator, or special service provider on observation of the teacher, administrator, or special service provider in the workplace by the evaluator;

(2) shall consider information on the performance of the teacher, administrator, or special service provider provided by students, parents, community members, teachers, and administrators under [AS 14.20.149](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1420149'%5d/doc/%7b@1%7d?firsthit)(b)(7);

(3) shall indicate what information the district used to evaluate the teacher, administrator, or special service provider and the source of the information;

(4) shall notify students, parents, community members, teachers, and administrators that students, parents, community members, teachers, and administrators have the opportunity to provide information on the performance of the teacher, administrator, or special service provider being evaluated; the district shall provide a form or electronic means for providing the information;

(5) shall provide the teacher, administrator, or special service provider being evaluated with a copy of the draft evaluation at least 24 hours before the evaluation becomes final;

(6) shall inform the teacher, administrator, or special service provider being evaluated that

(A) the teacher, administrator, or special service provider has the right to review a draft evaluation and comment in writing before the evaluation becomes final; and

(B) a failure to submit comments before the deadline waives the right to comment on the evaluation;

(7) may not retaliate against a teacher, administrator, or special service provider for commenting on the evaluation; and

(8) shall ensure that the evaluator and the teacher, administrator, or special service provider being evaluated signs the evaluation.

(b) In evaluating a teacher, administrator, or special service provider, a district may

(1) consider information in addition to the information described in (a) of this section, if the additional information is relevant to the performance of the teacher, administrator, or special service provider on the performance standard or other criterion under evaluation;

(2) survey students, parents, community members, teachers, or administrators regarding the performance of a teacher, administrator, or special service provider;

(3) use a nationally recognized teacher, administrator, or special service provider evaluation framework approved by the department that aligns with the standards set out in 4 AAC [04.200;](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+04!2E200'%5d/doc/%7b@1%7d?firsthit)

(4) require a more experienced teacher to perform at a higher level than a teacher with less experience.

(c) An evaluation of a teacher, administrator, or special service provider under this section must be approved by a person who possesses an administrative certificate issued under 4 AAC [12.345.](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+12!2E345'%5d/doc/%7b@1%7d?firsthit)

(d) Not later than July 1, 2016, a school district shall adopt evaluation procedures that incorporate student learning data into the evaluation process. In adopting a process to incorporate student learning data, a district shall confer with educators who teach a subject matter and grade level, or with groups of educators whose subject matters and grade levels are related, to identify appropriate student learning data for evaluating teachers in the subject matter and grade level.

**Authority:** [AS 14.07.020](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407020'%5d/doc/%7b@1%7d?firsthit) [AS 14.07.060](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407060'%5d/doc/%7b@1%7d?firsthit) [AS 14.20.149](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1420149'%5d/doc/%7b@1%7d?firsthit)

[**4 AAC 19.040. Confidentiality of the evaluation**](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bGroup+!274+aac+19!2E040!27!3A%5d/doc/%7b@1%7d/hits_only?firsthit)

A school district shall adopt procedures that

(1) protect the confidentiality of the evaluation documents; and

(2) allow supervisory personnel appropriate access to the evaluation documents.

**Authority:** [AS 14.07.020](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407020'%5d/doc/%7b@1%7d?firsthit) [AS 14.07.060](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407060'%5d/doc/%7b@1%7d?firsthit) [AS 14.20.149](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1420149'%5d/doc/%7b@1%7d?firsthit)

[**4 AAC 19.055. Reporting of evaluation results**](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bGroup+!274+aac+19!2E055!27!3A%5d/doc/%7b@1%7d/hits_only?firsthit)

Beginning July 1, 2016, a district shall report to the department not later than September 15 of each calendar year on a form prescribed by the department

(1) the number and percentage of tenured and non-tenured teachers, administrators, and special service providers in the district at each of the performance levels described in 4 AAC [19.010(e)](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+19!2E010'%5d/doc/%7b@1%7d?firsthit)(1) at the end of the preceding school year; and

(2) the number and percentage of tenured and non-tenured teachers, administrators, and special service providers in the district during the preceding school year who

 (A) exceeded the district’s performance standards under AS 14.20.149(b)(4);

 (B) were on a plan of improvement under AS 14.20.149(b)(6);

 (C) were receiving district support on a plan of professional growth:

 (D) were non-retained under AS 14.20.175;

 (E) were dismissed under AS 14.20.170; or

 (F) were identified as having unsatisfactory or basic performance on their evaluation by the school district and subsequently resigned.

**Authority:** [AS 14.07.020](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407020'%5d/doc/%7b@1%7d?firsthit) [AS 14.07.060](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407060'%5d/doc/%7b@1%7d?firsthit) [AS 14.20.149](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1420149'%5d/doc/%7b@1%7d?firsthit)

**[4 AAC 19.060. Evaluation training](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bGroup+!274+aac+19!2E060!27!3A%5d/doc/%7b@1%7d/hits_only?firsthit)**

A district's evaluation training must include training that provides for an assurance of inter-rater reliability.

**Authority:** [AS 14.07.020](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407020'%5d/doc/%7b@1%7d?firsthit) [AS 14.07.060](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407060'%5d/doc/%7b@1%7d?firsthit) [AS 14.20.149](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1420149'%5d/doc/%7b@1%7d?firsthit)

[**4 AAC 19.099. Definitions**](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bGroup+!274+aac+19!2E099!27!3A%5d/doc/%7b@1%7d/hits_only?firsthit)

In this chapter, unless the context requires otherwise,

(1) "administrator" has the meaning given in [4](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'t!2E+4'%5d/doc/%7b@1%7d?firsthit) AAC l2.900(c)(2)(A);

(2) "measurement"

(A) means an assessment of student knowledge, understanding, or skill;

(B) includes an assessment that is not a standardized test;

(3) "measurement of student growth" means a comparison of a measurement of a student's knowledge, understanding, or skill in a subject before being taught by the teacher with a comparable measurement made after the student has been taught the subject by the teacher;

(4) "objective, empirical, and valid measurement" means an assessment of the extent of a student's knowledge, understanding, or skill that

(A) is based on verifiable data or information that has been recorded or preserved;

(B) can be repeated with the same expected result; and

C) is not dependent on the point of view or interpretation of the person giving the assessment;

(5) "special service provider" means a certificated person employed by a school district in a special services area; in this paragraph, "special services area" has the meaning given in [4](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'t!2E+4'%5d/doc/%7b@1%7d?firsthit) AAC l2.900(a);

(6) "student growth" means measurable gains made by a student in the student's knowledge, understanding, or skill in a subject;

(7) "student learning data"

(A) means objective, empirical, and valid measurements of a student's growth in knowledge, understanding, or skill in a subject that occurred during the time the student was taught that subject by a teacher;

(B) for an administrator or for a teacher on special assignment, includes data showing one or more of the following changes, if related to the educator’s job duties or responsibilities:

 (i) changes in participation rates under 4 AAC 06.820;

 (ii) changes in graduation rates under 4 AAC 06.825;

 (iii) changes in student attendance under 4 AAC 06.895(i);

(8) "teacher"

(A) has the meaning given in 4 AAC [12.900(c)](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+12!2E900'%5d/doc/%7b@1%7d?firsthit)(1);

(B) includes a provider of special education who holds a certificate issued under 4 AAC [12.305.](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5bJUMP:'4+aac+12!2E305'%5d/doc/%7b@1%7d?firsthit)

(9) “teacher on special assignment”

(A) means a teacher who does not provide instruction or academic support to students and does not serve as the teacher of record for any student;

(B) does not include a teacher assigned to a correspondence study program that the department has approved under 4 AAC 33.420.

**Authority:** [AS 14.07.020](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407020'%5d/doc/%7b@1%7d?firsthit) [AS 14.07.060](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1407060'%5d/doc/%7b@1%7d?firsthit) [AS 14.20.149](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/Unknown_Title/query=%5bJUMP:'AS1420149'%5d/doc/%7b@1%7d?firsthit)