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Title 28
EDUCATION

**Part XXXVII. Bulletin 1943—Policies and Procedures for
Louisiana Teacher Assistance and Assessment**

Chapter 1. Philosophy

§101. Goals of the Program

A. Goals of the Louisiana Teacher Assistance and Assessment Program are:

1. to enhance learning and improve teaching;
2. to ensure that teachers certified in Louisiana are competent professionals;
3. to provide new teachers a system of support and assistance that will result in strengthened instructional knowledge and skills.

B. Educators throughout Louisiana have been instrumental in carefully planning and coordinating efforts to ensure that these goals will be reached. The coordinated efforts of all aspects of the Louisiana education community have resulted in the passage of Act 1 of the 1994 Third Extraordinary Session of the Louisiana Legislature and its amendments in 1997.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:276 (February 2002).

§103. Beliefs and Principles

A. Assessment of programs and practices is essential to any ongoing effort to improve any profession. Assessment is not apart from but a part of the educational process. However, sound assessment practices must be based on a set of beliefs and principles which are congruent with the outcomes desired.

B. Stated below are the fundamental beliefs about the Louisiana Teacher Assistance and Assessment Program, the new teachers, the mentors, the assessors, the assistance and assessment processes, and the assessment instruments. It is hoped that they are reflective of what educators across Louisiana believe and desire to accomplish, just as they are reflective of the beliefs and goals of the many educators who have contributed to the development of this assessment program.

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§105. The Program

A. The primary goal of the assistance and assessment program is the improvement of teaching and learning.

B. An equally important goal is to ensure that teachers certified in Louisiana are competent professionals.

C. A sound personnel assessment program focuses on performance as well as credentials.

D. To be useful, the Louisiana Teacher Assistance and Assessment Program must be coupled with a strong professional development program, tailored to the needs of each teacher.

E. To be useful, the Louisiana Teacher Assistance and Assessment Program must be coupled with strong programs of student assessment and program assessment.

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HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:277 (February 2002).

§107. The Teacher

A. Teachers want to be competent professionals.

B. All teachers can improve performance.

C. All new teachers want and need the advice and assistance of competent, experienced colleagues.

D. It is possible to assess differences in levels of quality of teacher performance.

E. Essential to competent performance in any position is a nucleus of practices and behaviors which can be identified, assessed, and improved.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:277 (February 2002).

§109. The Mentor Teacher

A. Those who serve as mentors to Louisiana's new teachers must themselves be competent, caring teachers.

B. Rigorous and comprehensive training as mentors and assessors is essential for the mentor.

C. The mentor must have excellent communication and interpersonal skills and be fair, objective, honest, and ethical.

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HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:277 (February 2002).

§111. The Assessor

A. Rigorous and comprehensive training is essential for the assessor.

B. The assessor must have a commitment to improving education and to assisting others to improve.

C. The assessor must be fair, objective, honest, and ethical.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:277 (February 2002).

§113. The Process

A. The assistance and assessment processes should encourage diversity in professional teaching behavior.

B. Multiple data sources and data collection procedures are necessary to obtain a reliable picture of professional practice and behavior.

C. Effectiveness of educational practices and teacher behavior must be assessed in light of learner characteristics and needs. School and/or school system characteristics, needs, and organizational structures will also be considered.

D. The assessment process should focus on the identification of patterns of behavior.

E. The assistance process should focus on improvement of teaching performance as defined by the Louisiana Components of Effective Teaching.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:277 (February 2002).

§115. The Assessment Instruments

A. No single assessment instrument is adequate for assessing teacher performance.

B. Assessment instruments must be developed from the criteria upon which teachers are to be assessed.

C. Instruments should be understood by all professional educators in the school system.

D. Instruments must assess the knowledge and skills considered important to effective teaching.

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HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:277 (February 2002).

Chapter 3. Purpose

§301. Purposes of the Program

A. The Louisiana Teacher Assistance and Assessment Program is a uniform statewide program of assessment for new teachers entering service for the first time in a Louisiana Public School System. The program has two basic purposes.

1. It is the purpose of the teacher assistance and assessment program to provide new teaching employees of the public school systems in this state with a planned program of leadership and support from experienced educators during the most formative stages of a teacher's experience in Louisiana schools.

2. It is further the purpose of the assistance and assessment program to provide assurance to the state, prior to the issuance of a permanent Louisiana teacher certificate, that the new teaching employee demonstrates competency in the understanding and use of the Louisiana Components of Effective Teaching, determined by the state to be the basis for effective professional performance.

B. To accomplish the first purpose, data regarding the new teacher's strengths and weaknesses will be collected during the first year by the mentor and principal, and a professional development plan designed, which when implemented can lead to improvement. In addition, each new teacher during the first semester and throughout two school years shall be provided a mentor who will lead professional development activities designed to enhance teacher competencies found to be essential to student learning. During the second year of employment, data shall be collected by an assessment team as the basis for recommendations to the Louisiana Department of Education (LDE) and the State Board of Elementary and Secondary Education (SBESE) regarding the teacher's certification. In addition, the mentor teacher will continue to provide a program of encouragement, support, and professional development.

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HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:277 (February 2002).

Chapter 5. Assessment

§501. Meeting Assessment Standards

A. Should a new teacher not meet the assessment standards for certification during the first assessment period, the teacher may continue for a second assessment period in the assistance and assessment program, following a process parallel to that of the first assessment period.

B. A teacher who does not meet the assessment standards for certification defined in this document within two years must leave teaching in the public schools of Louisiana for at least two years and undertake activities defined by the Year Two assessment team before re-entry into the teaching profession and the Louisiana Teacher Assistance and

Assessment Program. Upon re-entry into teaching in Louisiana Public Schools, the teacher shall also re-enter the Louisiana Teacher Assistance and Assessment Program. If, after another two years in the program, the teacher cannot meet the assessment standards for certification, the teacher will be denied all authority to teach in Louisiana Public Schools according to R.S. 17:3893.C of Act 1 of the 1994 Louisiana Legislature, Third Extraordinary Session and its amendments in 1997.

C. Additional statements of beliefs and principles that undergird this program appear in Chapter 1 of this bulletin.

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HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:278 (February 2002).

§503. Teachers Subject to the Program

A. New teachers subject to this assistance and assessment program, as specified by Act 1 of the 1994 Third Extraordinary Session of the Louisiana Legislature and its 1997 amendments, include general education teachers, vocational education teachers, special education teachers, and "any person employed as a full-time employee of a local board who is engaged to directly and regularly provide instruction to students." Teachers required to participate in this program include those who hold standard certificates (Type C, Level 1), those who hold non-standard certificates (Temporary Authority to Teach, Out-of-Field Authorization to Teach, Practitioner License, or Temporary Employment Permit), teachers moving for the first time from Louisiana nonpublic schools to public schools, and new teachers from out-of-state who do not meet the conditions outlined in Subsection B of this Section.

B. Beginning August 1, 1998, experienced teachers from other states who enter Louisiana public schools for the first time and provide appropriate evaluation results from their immediate previous teaching assignment are excluded from participation in the Louisiana Teacher Assistance and Assessment Program. (Section 3891 of R.S. 17:3881-3895 Amended 1997). To implement this legislation, the following definitions and guidelines have been established.

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HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:278 (February 2002), amended LR 29:553 (April 2003).

§505. Definitions

Appropriate Evaluation Results—shall be defined as satisfactory annual evaluation results as defined by and certified by the immediate previous out-of-state school district(s).

Experienced in Other States— shall be defined as two or more years of creditable experience in a public school approved/accredited by the state or regional accreditation agency.

Immediate Previous Teaching Assignment—as it pertains to assessment shall be defined as the teaching assignment last held by the applicant for a period of two creditable years or more within a 5-year period immediately preceding employment in a Louisiana public school.

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HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:278 (February 2002).

§507. Procedures to Request Exclusion

A. To request exclusion from the Teacher Assistance and Assessment Program, the teacher must have submitted to the Louisiana Department of Education (LDE), Office of Quality Educators, Division of Professional Development, Professional Accountability Section the following materials:

1. a completed exclusion request form forwarded by the employing Louisiana school system. Each teacher applying for exclusion shall sign a release to solicit needed personnel evaluation information from the previous school system. The request form and release must be sent to the LDE within six weeks of the date of employment to be considered for exclusion.

B. The request for exclusion will be reviewed by an appropriate LDE staff member, and notification indicating approval or denial of the request will be returned to the employing LEA submitting the request.

C. Experienced teachers from out-of-state holding a National Board for Professional Teaching Standards (NBPTS) Certificate will be approved for exclusion from the Louisiana Teacher Assistance and Assessment Program upon submission of the completed exclusion form and a copy of their valid NBPTS Certificate. Note: The National Board Certified Teacher (NBCT) applicant from out-of-state must follow all procedures and must attach a copy of their valid NBPTS Certificate for review.

NOTE: Approval of requests for exclusion will be granted if the completed exclusion request form contains the signature(s) of the administrative authority(ies) responsible for authorizing the results of the evaluation(s).

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HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:278 (February 2002), amended LR 31:2766 (November 2005).

§509. Timely Implementation of the Program

A. To ensure fair and timely assistance to and assessment of every new teacher, a yearly schedule of activities must be maintained. Failure of a local school system to meet these timelines will result in State Board review and could result in loss of State funding.

1. Report to the LDE by the dates set in the deadline schedule established by the LDE new teacher names and required information about new teachers employed.

NOTE: New teachers employed after the established dates will begin the Assistance and Assessment Program the following semester.

2. Report to the LDE names and other necessary information about persons to be trained as assessors or mentors by the dates set in the deadline schedule established by the LDE.

3. The activities listed below shall be completed within the specified time frames for each scheduled activity. Note that a teacher may enter the Assistance and Assessment Program during the first semester of employment, either Fall or Spring.

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HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:278 (February 2002).

§511. Timelines for Activities

Activity	Fall Semester Entry	Spring Semester Entry
Assignment of Mentor	Upon employment or entry to the school	
New Teacher Orientation to Assistance and Assessment Program (LEA)	First 2-3 weeks of employment	
Mentor/Teacher Activities	August-June	January-December
Informal and "Full" Observations of New Teacher by Principal or Designee and Mentor	February-April	September-November
Professional Growth Plan and Conference (Mentor, Principal, and New Teacher)	After "full" observation	
Assignment of Assessor Team	August-Year Two	January-Year Two
First Assessor Visit	September-October	January-February
Second Assessor Visit	October-November	February-March
Team Consensus Meeting	November-Early December	March-Early April
Teacher Summary Conference	By Mid-December	By Mid-April
Assessment Results and Recommendations Forwarded to LDE	By Mid-January	By Mid-May

Note: This is a general schedule for a typical school year. The LDE will prepare a recommended assessment schedule for each school year, outlining exact dates for completion of Assistance and Assessment Program activities.

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HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:279 (February 2002), amended LR 30:1656 (August 2004).

Chapter 7. Glossary

§701. Assessment Terminology

A. The Louisiana Teacher Assistance and Assessment Program makes use of specific terminology related to the practices and procedures of the assessment process. In order for consistency to be maintained on a statewide basis, the following list of terms is provided so that all parties involved with the process have a clear and common understanding of assessment terminology most frequently used.

Appeal—the process by which a teacher can request a review of assessment results and/or procedures.

Assessment Standards for Certification—levels of competence in the Louisiana Components of Effective Teaching to be demonstrated by a participant in the Louisiana Teacher Assistance and Assessment Program as prerequisites to obtaining the regular/permanent teaching credential being sought.

Assessment Team—a team of two highly qualified, experienced educators assigned to the new teacher for assessment purposes. One member is the new teacher's immediate supervisor; and the other is an external assessor. (See other definitions.) The new teacher's mentor cannot also serve as his/her assessor.

Assessor—a trained supervisor, experienced teacher, or external assessor who gathers data on the performance of a new teacher. Performance is measured by the Louisiana Components of Effective Teaching.

Assistance and Assessment Period—the time frame established for new teacher participation in the Louisiana Teacher Assistance and Assessment Program. The assistance period in which the new teacher is assigned a mentor or mentor support team covers two years (four semesters). The assessment period covers the third and possibly the fourth semester(s) of teaching.

Experienced Teacher—a qualified educator who holds a permanent teaching certificate and is nominated by his/her school faculty to serve as a member of the assessment team in another school. It is suggested that the experienced teacher have five years of teaching experience.

External Assessor—an active faculty member of a college or university, a central office administrator, retired educator, experienced teacher, or other educators as deemed appropriate. The external assessor must be qualified to serve as an assessor by virtue of having completed the assessor training program and having met all requirements thereof.

Immediate Supervisor—the new teacher's principal (or designee), or a special education or vocational supervisor to whom the new teacher directly reports.

Informal Conference—a discussion between the assessor or mentor and the new teacher which occurs prior to the classroom observation; the purposes are to share information about the lesson/classroom to be observed and to conduct a planning and student assessment interview; the interview is structured so that all new teachers are asked the same basic questions in the same order.

Mentor Teacher—an experienced teacher assigned to a new teacher to provide assistance as a coach, model, and professional development specialist. To be eligible for assignment as a mentor, the teacher must have a permanent teaching certificate and a minimum of three years of teaching experience, a minimum of one complete year of experience in the school system, and training as both an assessor and a mentor.

Mentor Support Team—a group of educators led by a teacher of record who has completed the Louisiana Teacher Assistance and Assessment Program (i.e., assessor and mentor training). A mentor support team may support no more than five new teachers at the district or building level.

New Teacher—any full-time employee of a local board who is engaged to directly and regularly provide instruction to students in any elementary, secondary, or special education school setting, one who is not an administrator and who is employed for the first time in a public school in this state after August 1, 1994; and one who holds a regular teaching certificate which when issued was valid for three years, or who is authorized under law or board regulation to teach temporarily while seeking a regular teaching certificate.

Nonstandard Certificate—a temporary license issued to one who has not yet completed all requirements for Louisiana certification but who is authorized to teach on a provisional basis in Louisiana schools while pursuing completion of all certification requirements.

Observation—the process of collecting information about teaching performance through watching and listening in the classroom; the data collected during the observation process.

Postobservation Conference—a discussion between the new teacher and the assessor or mentor for the purpose of reviewing the observation, discussing congruency with the informal conference, and sharing commendations, insights, and ratings

Professional Growth Plan—a written plan for improvement, based on the new teacher's self-assessment of areas for refinement and the mentor's and/or assessors' identification of areas for growth during the assistance and assessment cycles.

Standard Certificate—a license issued to one who has completed a teacher education program and satisfied other requirements for certification in Louisiana.

Team Summary Conference—a summary session in which ratings and information from the assessment instruments are provided to the new teacher by the assessors.

Team Summary Report—the report used to record final attribute and component scores and documentation summarizing the results of the assessment. The report is completed by all assessors at the end of the assessment cycle. The report is also used to record the status of the teacher with regard to accomplishment of the assessment standards for certification.

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Chapter 9. Responsibilities

§901. Duties and Responsibilities of Each Party

A. An important factor in the success of any process depends largely on making certain that all involved parties have a clear understanding of the duties and responsibilities of each party. The Louisiana Teacher Assistance and Assessment Program divides responsibility among seven groups. These seven groups are the State Board of Elementary and Secondary Education (SBESE); the Louisiana Department of Education (LDE); the Local Education Agency (LEA); mentor teachers or mentor support teams; principals; assessor teams; and the new teachers.

1. Responsibilities of the State Board of Elementary and Secondary Education:

a. establish the Louisiana Components of Effective Teaching which shall be periodically reviewed and revised as becomes appropriate with increased experience and knowledge;

b. establish high and rigorous standards which assessors will meet;

c. set assessment standards for certification based upon the recommendations of a standards setting panel, reputable technical consultants, and available assessment data;

d. approve all assistance/mentor program procedures and all changes in those procedures;

e. approve all assessment program procedures and all changes in those procedures;

f. provide for the training of all trainers for the teacher assistance and assessment program as well as provide for the training of mentors or mentor support teams and assessors who implement the Louisiana Teacher Assistance and Assessment Program;

g. require the LDE to monitor the assistance and assessment program. The method used in monitoring the program shall be established by the Department with the approval of the Board and shall be sufficient to determine whether such program has been implemented, to what extent it has been implemented, and whether such program complies with the provisions of the legislation;

h. approve panels and consultants to be engaged in formulating recommendations to the Board;

i. receive and approve recommendations for regular/permanent certification and denial of regular/permanent certification.

2. Responsibilities of the Louisiana Department of Education:

a. oversee implementation of the assistance and assessment program;

b. prepare training and orientation materials;

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c. train trainers and oversee training of mentors and assessors to ensure that all meet high and rigorous standards so that there will be fairness and consistency of assessment statewide;

d. train local education agency personnel to conduct new teacher orientation;

e. assist local education agencies in developing assessment teams in accordance with procedures outlined in this bulletin;

f. monitor the state assistance and assessment process at the local level to ensure validity, consistency, fairness, and credibility;

g. Recommend modifications of the Assistance and Assessment Program to the Board, as needed, based on analysis of assessment data and input from persons conducting the Program and subject to it;

h. recommend assessment standards for certification to the Board.

3. Responsibilities of Local Education Agencies:

a. identify and report to the LDE the names and positions (content areas and grade levels) of all new teachers subject to the Louisiana Teacher Assistance and Assessment Program no later than the deadline dates established by the LDE (New teachers employed after the established dates will begin the Assistance and Assessment Program in the following semester.);

b. inform teachers experienced in other states, but newly employed in Louisiana of the conditions and procedures for exclusion from the Assistance and Assessment Program;

c. identify and report to the LDE the names and positions of all persons to be trained as mentors and/or assessors for the coming year no later than the deadline dates established by the LDE;

d. establish mentors or mentor support teams and assessor teams in accordance with guidelines, and report the names and positions of all persons in those capacities for the current year by the deadline dates established by the LDE;

e. conduct the assessment process in accordance with the policies and procedures set forth in this bulletin and report to the LDE the names of those persons recommended for regular/permanent certification and the names of those denied regular/permanent certification together with appropriate documentation for the recommendations by a mid-January date established by the LDE, if the assistance and assessment process is completed within a regular school year (August-May schedule), or by a mid-May date established by the LDE, if the assistance and assessment process is completed during a January-December schedule;

f. provide whatever released time from classroom or other duties as necessary for mentors, mentor support team members, assessors, and new teachers to be trained and to perform their respective duties and activities;

g. inform each teacher of the assistance/assessment provisions such as the assignment of a mentor teacher or mentor support team and conditions/procedures for deferring assessment when reassigned (see Sections XII and XIII);

h. implement a process for the nomination of persons to serve on assessment teams.

4. Responsibilities of Mentor Teachers or Mentor Support Teams. One of the first responsibilities of the Mentor or Mentor Support Team leaders is to remind the assigned new teacher to complete the *Teacher Preparation Program Accountability Survey*. This survey must be completed during the first semester of the assistance period. Additional responsibilities include:

a. coach:

i. coach the new teacher in analysis of the instructional process and in determining how well students are learning;

ii. coach the new teacher in expanding effective teaching strategies;

iii. conduct advisory informal conferences and observations with feedback using *Louisiana Components of Effective Teaching*;

iv. conduct advisory observations with feedback using the observation instrument used in the assessment program;

b. model:

i. demonstrate effective planning, instruction, and adjustment of instruction based on content knowledge;

ii. guide management of professional responsibilities;

iii. provide encouragement and support;

c. Professional Development Specialist:

i. assist the new teacher in analyzing and resolving problems;

ii. direct the new teacher to needed assistance and resources;

iii. confer with the new teacher and principal to formulate a formal Professional Growth Plan (PGP) for the new teacher and to revise it as needed;

iv. assist the new teacher in the analysis of student performance data and student records to plan instruction consistent with student needs and the school improvement plan;

v. assist the new teacher in exploring a variety of methods to obtain representative samples of student work.

5. Responsibilities of Principals or Principal Designees

a. Introduce the new teacher to school and system policies and procedures, to faculty and staff, to teaching responsibilities, the school improvement plan, the school

accountability program, to the *Teacher Preparation Program Accountability Survey*, to the availability of district resources, and the Teacher Assistance and Assessment Program;

b. assist the new teacher and mentor or mentor support team in arranging necessary coverage of his or her class for classroom observation purposes;

c. ensure that new teachers and their mentors or mentor support team members meet weekly and observe each other's classroom on at least eight occasions during the first year of the Assistance Program;

d. conduct at least one informal conference and one structured observation during the teacher's second semester of assistance and give feedback on his/her performance;

e. work with the new teacher and mentor or mentor support team members to create and revise, as needed, a formal Professional Growth Plan (PGP);

f. serve as the leader of the assessor team which will visit the new teacher during his/her third semester;

g. assist the mentor and new teacher in securing necessary resources for the completion of professional development activities;

h. assign mentors or mentor support teams, monitor their activities and evaluate mentor performance (if required by LEA policy);

i. assign mentors from the available, trained pool of teachers unless the LEA has another established procedure.

6. Responsibilities of Assessors:

a. meet high and rigorous performance standards established by the LDE;

NOTE: No person shall be allowed to function as an assessor who does not meet the established performance standards for assessors.

b. perform assessor responsibilities in a timely manner and in accordance with the Code of Ethics appearing in the appendices of this bulletin;

c. develop a comprehensive professional growth plan for and with each teacher assessed at the conclusion of the assessment semester.

7. Responsibilities of New Teachers

a. Complete the *Teacher Preparation Program Accountability Survey* during the first semester of the assistance period.

b. Perform new teacher responsibilities in accordance with the Code of Ethics for new teachers appearing in the appendices of this bulletin.

c. Meet regularly with his/her mentor at agreed upon times.

d. Take responsibility for his/her own professional growth.

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Chapter 11. Procedures for Selection of Mentor Teachers and Mentor Support Teams

§1101. Qualifications for Selection as a Mentor

A. The building principal shall assign a mentor teacher to each new teacher (teachers entering Louisiana public schools for the first time who do not meet the conditions for exclusion from the Louisiana Teacher Assistance and Assessment Program described in §503.B of this Bulletin). To qualify as a mentor teacher, an experienced teacher must have:

1. a permanent teaching certificate and a minimum of three years of teaching experience (five years preferred);

2. a minimum of two years of experience in the school system where he/she will serve as a mentor (preferably in the building in which the new teacher is located);

3. evidence of excellence in teaching (type of evidence left to the LEA and building principal);

4. evidence of continuing professional development (type of evidence left to the LEA and building principal);

5. successful completion of the Louisiana teacher assessor and mentor training programs. (Teacher met standards for knowledge and performance in these training programs.);

6. ability to model effective instruction and to communicate effectively.

B. To qualify as a mentor support team member, a candidate may be:

1. a trained mentor, including full or part-time teachers, resource teachers, subject area coordinators, teachers on special assignment, teachers on leave or sabbatical, Regional Service Center coordinators with appropriate experiences, and retired teachers who have been retired no more than five years prior to becoming a member of the mentor support team;

2. a principal or other administrator;

3. one or more members who may not have attended Mentor training, but who can offer special expertise such as subject area specialists or key resource teachers (team members need not be in the same building as the new teacher);

4. a new teacher who has successfully completed the Louisiana Teacher Assistance and Assessment Program.

C. The mentor team leader is the teacher of record responsible for reporting placement information and for planning mentor team activities. At minimum, the mentor

team leader must have completed the Louisiana Teacher Assistance and Assessment Training Programs (i.e., Assessor and Mentor Training).

Note: A new teacher being mentored shall not be assigned a department supervisor or administrator who will participate in his/her evaluation or assessment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:281 (February 2002).

§1103. Guidelines for the Assignment of Mentor Teachers and Mentor Support Teams

A. Local school systems and building principals should adhere as closely as possible to the following guidelines in assigning mentors or mentor support teams to new teachers.

1. Mentors and new teachers should be matched by grade level and subject areas, if at all possible; at minimum, regular education teachers should be paired, and special education teachers should be paired.

2. The building principal will make the mentor assignment for the new teachers, unless the school system has another procedure in place.

3. A mentor teacher who is teaching full-time should be assigned no more than one new teacher to mentor, unless he/she willingly accepts a second mentee. Maximum assignment of new teachers to a full-time teacher is two. However, this does not preclude a teacher serving as a mentor also serving on an assessor team for a different new teacher than the one(s) he/she mentors, if he/she is willing to do so.

4. A teacher can be assigned as a mentor to several new teachers as a full-time or part-time responsibility. Or, as indicated in item 3, a teacher can remain in the classroom, serving as a mentor to one or two new teachers as an additional responsibility.

5. A teacher who is employed as a full-time mentor may serve in that position for no more than three years consecutively. A full-time teacher who mentors one or two new teachers as an additional responsibility is not subject to this provision.

6. A mentor support team shall be assigned no more than five new teachers to mentor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:282 (February 2002).

Chapter 13. Procedures for Selection of Assessment Teams

§1301. Qualifications for Assessment Team Member

A. The new teacher shall be assessed by a team of two highly qualified, experienced educators who have completed

their assessor training and have met all requirements thereof. This team shall consist of the immediate supervisor (principal or designee) and an assessor external to the building who meets the qualifications defined in the following paragraphs. Each team member will each conduct one visit to the new teacher's classroom during the assessment semester. The requirements for selection as a team member are outlined below.

1. Immediate Supervisor

a. Usually the new teacher's principal or principal's designee. In some unique situations, the immediate supervisor may be a director of vocational education, special education supervisor, or person in another position to whom the new teacher directly reports.

2. External Assessor

a. The external assessor can be appointed from the ranks of five specific groups of educators who are qualified to serve as an assessor by virtue of completing the assessor training program and meeting all requirements thereof.

i. Faculty members in colleges/departments of education and other colleges/departments who have training, experience, and teaching assignments in pedagogy and teacher education.

ii. Experienced teachers currently employed within the LEA but outside the new teacher's school who:

(a). have a minimum of three years of experience (five years suggested);

(b). ideally, possess training and experience in the content fields/grade levels taught by the new teacher;

NOTE: It will not always be possible to obtain a teacher for the team who is currently serving at exactly the same grade level. Therefore, this requirement is interpreted to mean that a teacher assigned to a new kindergarten teacher shall have training or experience at this level and be teaching currently in grades Pre-K through 2. Teachers in grades 3 through 5 shall be eligible to serve as assessors for new teachers in those grades. Teachers representing appropriate content areas in grades 5 through 8 can be assigned to teams for new teachers serving at any of those grade levels. Teachers in grades 9 through 12 can be assigned to teams in their content field(s) at any of those grade levels. Teachers who serve as assessors of new special education teachers should have experience within the special education area.

(c). ideally, possess a master's degree;

(d). qualified to serve as an assessor by virtue of exemplary teaching practice;

(e). nominated to serve as an assessor by the faculty of the school in which he/she teaches;

(f). qualified to serve as an assessor by virtue of completing the assessor training program and meeting all requirements thereof;

(g). selected by agreement of the principals of the two schools (assessor's school, new

teacher's school) from the pool of nominees presented and trained;

(h). an experienced teacher should not be asked to serve as an assessor for more than two new teachers in a given year, unless the LEA makes provisions for that teacher to be released from an appropriate portion of his/her other responsibilities or unless extenuating circumstances prevail. The teacher has the option of refusing to take on the additional responsibilities.

NOTE: A full-time experienced teacher who is also serving as a mentor to two new teachers cannot serve on more than one assessor team.

iii. Central office administrators (e.g., supervisors, directors of curriculum) with appropriate educational background and experience who are employed by the new teacher's LEA.

iv. Retired teachers, administrators, or higher education faculty members nominated by teachers and administrators within the LEA. It is suggested that these individuals be retired no more than five years prior to becoming an assessor.

v. Other educators as deemed appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:282 (February 2002).

Chapter 15. Compensation

§1501. Persons Eligible for Compensation

A. Only retired educators, college faculty, other educators as deemed appropriate, and experienced teacher assessors and mentors shall receive compensation for their assistance/assessment activities. When and if the State makes additional funding for this program available, the Board and LDE shall determine, with input from LEAs, how to best utilize those resources.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:283 (February 2002).

Chapter 17. Assessment Criteria

§1701. Louisiana Components of Effective Teaching

A. The criteria for the assessment of new teachers are the Louisiana Components of Effective Teaching.

1. Definitions

a. In the Louisiana Components of Effective Teaching:

Domain—is defined as a major area of teaching responsibilities;

Component—is a critical function within a Domain;

Attribute—is a behavior that relates to and helps to define a Component.

b. The Domains, Components, and Attributes form a hierarchy that represents skills and knowledge of effective teaching.

B. The Components of Effective Teaching shall be reviewed annually by the LDE, educators administering the assessment program, and appropriate consultants to determine need for modifications and their continuing utility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:283 (February 2002).

Chapter 19. Assessment Standards for Certification

§1901. Standards for Certification

A. The assessment standards for certification recommended by a Standards Setting Panel convened by the State Superintendent of Education in June, 1994, adopted by the SBESE in the same month, and revised in Summer 2005 are:

1. achievement of a "competent", "2" rating on 11 components of the *Louisiana Components of Effective Teaching*.

NOTE: For new teachers entering the first semester of LaTAAP in Fall 2006, the assessment standards will be the achievement of a competent (2) rating on the 11 Components from Planning, Management, Instruction, Professional Development, and School Improvement. Review of the assessment standards will occur as needed.

B. A teacher who does not meet this standard during semester three of employment in Louisiana public schools may be re-employed by the local school system for a fourth semester, during which time the teacher shall again participate in the Louisiana Teacher Assistance and Assessment Program. This second assessment period shall be treated as a second opportunity to meet the assessment standards for certification. No data or ratings from the first assessment period shall be used in determination of the teacher's ratings during this second year. Only the information from the Professional Growth Plan will be used during the second assessment period to assist the teacher.

C. Failure of the teacher to meet the assessment standards for certification during the fourth semester of assistance and assessment shall result in a prohibition to teach in Louisiana Public Schools for a period of at least two years. During this period, the individual should complete the Professional Growth Plan formulated with the assessment team at the conclusion of the second assessment period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:283 (February 2002), amended LR 30:1657 (August 2004), LR 32:391 (March 2006).

§1903. Reapplication for Entry into the Program

A. To reapply for entry into the assistance and assessment program after absence from teaching due to failure to meet the assessment standards for certification, a teacher must document to the employing school system and the Louisiana Department of Education that the last Professional Growth Plan outlined by/with the previous support/assessment team has been completed to the extent possible.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:283 (February 2002), amended LR 30:1657 (August 2004).

§1905. Loss of State Funding

A. Local school systems which continue to employ teachers who have been denied regular certificates or other authority to teach, due to failure to meet the assessment standards for certification, shall be subject to loss of State funding.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:284 (February 2002).

§1907. Previous Requirements

A. Nothing in this bulletin supersedes or changes additional, previously established requirements for certification (e.g., passing scores on the PRAXIS/National Teacher Examination, completion of required college/university course work, and degrees).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:284 (February 2002).

Chapter 21. Grievance Procedures for the Louisiana Teacher Assistance and Assessment Program

§2101. Due Process

A. Teachers will be afforded due process in all aspects of the Louisiana Teacher Assistance and Assessment Program. The due process rights include the following.

1. The assessed teacher shall receive copies of all teacher-signed documents: the Postobservation Conference Record, the Team Summary Report, and the Professional Growth Plan.

2. The assessed teacher may request, in writing, copies of any additional records used during the assessment process at the conclusion of the Team Summary Conference, within 20 working days.

3. A Postobservation Conference must be held within two working days of the completion of the observation.

4. The assessed teacher may, in either semester, file a written response (that may or may not lead to a formal grievance process) to the assessment as represented in the Team Summary Report and supporting assessment records. This response may be filed at the end of the Postobservation Conference or the Team Summary Conference, but no later than 10 working days after the receipt of the Professional Growth Plan during the Team Conference. This response shall be permanently attached to the Teacher Summary Report.

5. The assessed new teacher has the right to receive proof, by documentation, of any item contained in the assessment documents that the teacher believes to be inaccurate, invalid, or misrepresented. If documentation does not exist, the item in question must be amended or removed from the Team Summary Report.

6. Confidentiality of assessment results must be maintained as prescribed by law.

7. A grievance procedure and an appeals procedure that follow the proper lines of authority have been established and must be followed.

8. The assessed teacher shall be assured of due process in all aspects of the assessment grievance procedures. The hearing officer required to conduct a hearing on a grievance shall be an employee of or contracted by the Office of the Attorney General. The assessed new teacher may retain representation of his/her choice and at his/her own expense.

9. The assessment team shall initially assume the burden of proof at Steps 1 and 2 of the grievance procedures. Upon appeal at Step 3, the burden of proof shifts to the assessed new teacher.

10. At any point in the grievance procedures when either party fails to appear for a properly scheduled grievance hearing, a remedy may be fashioned within the discretion of the hearing officer.

11. Grievance hearings shall be conducted during the working day with the assessed teacher suffering no loss of pay or benefits for attending grievance hearings. However, in the event the hearing officer determines that the grievance is frivolous, or if the appeal is unsuccessful, the assessed teacher shall be reimbursed for no more than two days pay. Should the assessed teacher's appeal be successful, then he/she shall be paid for the full length of the hearing. Grievance hearings may be conducted during the summer.

12. The aggrieved teacher may choose to retain representation at any and all stages in the grievance procedure. The assessment team leader shall be notified of this decision by the aggrieved teacher five days prior to the scheduled hearing or prehearing. The assessment team shall be provided with a legal representative, upon request, at all stages of the grievance procedure, at no charge to the assessor(s). If any or all assessors choose to retain their own attorneys rather than the state appointed attorney, then the assessor(s) will be responsible for all legal fees.

13. In the event a lawsuit is filed against the assessment team or any individual assessor in his/her official capacity in a court of competent jurisdiction, the assessor shall be represented by the Louisiana Department of Education (LDE) at no charge to the individual assessor or the assessment team. The assessors shall be indemnified both as individuals and as assessment team members should there be judgment for any cost incurred. Indemnification may be denied if the court finds the assessor's actions were willful, intentional, or malicious.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:284 (February 2002), amended LR 30:1657 (August 2004).

§2103. Grievance

A. A grievance is a claim by an assessed teacher that the assessment is inaccurate, invalid, or misrepresented. The grievance shall be based upon assessor bias, omission, or error. Any other issues are to be handled as administrative complaints (i.e., receipt of implementation guide, teacher orientation, teacher notification, etc.).

1. Step 1

a. Any assessed teacher who believes that he/she has a grievance may file the grievance at any time during the assessment process but not later than 20 working days after the Team Summary Conference. The grievance must be in writing and shall state:

- i. the precise factual basis on which it is based; and
- ii. the specific relief requested by the teacher. The grievance shall be presented to the principal or the immediate supervisor who served on the assessment team. That principal, or the immediate supervisor, shall acknowledge receipt of the grievance in writing and keep a record of its filing. That principal or that immediate supervisor shall forward a copy of the grievance to all assessment team members.

b. Within 10 working days of receipt of the written grievance, the assessment team shall schedule a conference with the assessed teacher and/or the teacher's representative to discuss the specific terms of the grievance. If the conference must be delayed (i.e., illness, prior scheduling, holidays, etc.), the conference shall be mutually rescheduled within 20 working days. Any other extensions would be considered only in the case of documented illness or severe emergency.

c. Within 10 working days of the conference, the assessment team must confer concerning the specifics of the grievance, arrive at a mutually agreeable decision, and render a signed written response specifically addressing each area in which relief has been requested. If no mutually agreeable decision can be reached by the assessment team, the grievance shall be handled as prescribed in Step 2. Within the above stated 10-day limit, the principal or

immediate supervisor from the assessment team shall hand deliver or send by certified mail, the assessment team's written response to the assessed teacher.

2. Step 2

a. If an assessed teacher is not satisfied with the decision rendered at Step 1, he/she shall institute a written request for a formal hearing within 10 working days of receipt of the response from the assessment team. The assessed teacher must complete an official form to request a formal hearing and submit it to the Louisiana Teacher Assistance and Assessment Program Contact Person at the appropriate Local Education Agency (LEA). The official request must be hand delivered or mailed by certified mail. If mailed, the official request must be postmarked on or before the tenth day after receipt of the response from the assessment team.

i. The Request for Formal Hearing shall contain the following:

- (a) the name of the assessed teacher and the LEA in which the teacher is employed;
- (b) the name and position of each member of the assessment team;¹
- (c) the name, address and telephone number of the teacher's representative, if designated;
- (d) the date the Postobservation Conference was conducted;
- (e) the date on which the grievance was filed;
- (f) the date on which the assessed teacher and the assessment team met to discuss the grievance (see Step 1B);
- (g) the date on which the assessed teacher received the assessment team's response.

ii. Attached to the Request for Formal Hearing shall also be:

- (a) a copy of the original assessment team's report on the assessed teacher's classroom performance (the Team Summary Report);
- (b) a copy of the original grievance;
- (c) a copy of the Assessment Team's response to the specific grievance(s);
- (d) any other pertinent documents or relevant information.

b. i. The Louisiana Teacher Assistance and Assessment Program Contact Person shall notify within 5 days a Regional Hearing Officer, appointed by the Attorney General, of the assessed teacher's appeal. The Regional Hearing Officer shall review the allegation(s) of the appeal, compile all evidence relevant to the allegation(s) and:

- (a) dismiss the appeal for failing to have the official Request for Formal Hearing and/or the attachments required above²;

(b). notify, by certified mail, all persons directly involved, as to the date, time, and place of the formal hearing and of the prehearing conference, if any.

ii. The hearing must be conducted within 35 working days of the filing of the appeal. The Regional Hearing Officer may grant an extension upon appropriate written request of the assessed teacher or assessor(s) for good cause shown, or upon his own motion to grant an extension.

c. The assessed teacher or his/her representative, or the assessment team, may add to the grievance any additional evidence relevant to the hearing. The Regional Hearing Officer shall decide if the evidence is relevant and material.

d. The Regional Hearing Officer may schedule any prehearing conferences as he/she feels may be necessary for the exchange of evidence, or for any other purposes set forth in these rules.

i. The prehearing conference must be held not less than 5 working days prior to the formal hearing.

ii. At least 10 working days prior to the prehearing conference, all parties shall exchange and deliver copies of exhibits, documentary evidence, offerings, and a list of proposed witnesses. Failure to exchange documentary evidence and/or witness lists will result in those witnesses and evidence being excluded from the hearing.

iii. The Regional Hearing Officer, at the prehearing conferences or otherwise, may determine what material or relevant facts or issues exist without substantial controversy, and which should be deemed stipulated or proven and what material facts and issues actually, and in good faith, are contested.

iv. The Regional Hearing Officer may, prior to the hearing, issue an order which specifies the action(s) taken at the prehearing conference, and the agreements made by the parties as to any of the matters considered and/or which limit the issues to be considered at the hearing to those which are actually, and in good faith, contested. This order shall control the subsequent course of the proceedings, unless modified during the formal hearing to prevent manifest injustice.

v. All parties to the proceedings shall be given notice of any prehearing conference, and any party who fails to attend or participate in such a conference may be found to be in default. If a party is found to be in default, the Regional Hearing Officer may limit the party's participation in the hearing or evidence sought to be introduced, dismiss the proceeding, continue the hearing at a later date, proceed with the hearing and render a decision, or order appropriate action based on the evidence submitted at the hearing.

vi. The Regional Hearing Officer may issue subpoenas upon the request of the assessed teacher, his/her representative, or the assessment team. The request for subpoenas must be in writing and shall be submitted to the Hearing Officer 15 days prior to the scheduled formal

hearing. Further discovery will not be required nor shall subpoenas be issued for public records within the Louisiana Department (LDE) of Education which are available under the Public Records Law (R.S. 44:1).

e. Failure by the assessed teacher to submit relevant evidence and failure to attend the hearing may result in a dismissal of the hearing with prejudice at the discretion of the Regional Hearing Officer. (In the event persons directly involved in the assessment process fail to submit evidence, then the teacher shall be granted the specific relief he/she has requested.)

f. The Regional Hearing Officer may affirm, reverse, modify or set aside the decision of the assessment team. The Regional Hearing Officer shall render a decision in writing within 15 working days of the date of the hearing.

3. Step 3

a. If the assessed teacher is not satisfied with the Regional Hearing Officer's decision, he/she may appeal to the Attorney General's Office within 10 working days of the receipt of the Regional Hearing Officer's decision. The appeal is deemed timely if it is postmarked within the 10 working day period. The State Hearing Officer appointed by the Attorney General shall review the allegation(s) of the appeal, compile all evidence relevant to the allegation(s), and:

i. dismiss the appeal for failing to have an official Request for Formal Hearing and/or the attachments required above; or

ii. notify, by certified mail, all persons directly involved, as to the date, time, and place of the formal appeal hearing and of the prehearing conference, if any. The formal appeal hearing must be conducted within 35 working days of the filing of the appeal. Additional evidence may be introduced by the involved parties.

b. The State Hearing Officer at his discretion may:

i. grant a limited hearing/argument of the issue with no oral testimony;

ii. require an appeal through briefs;

iii. grant a new formal hearing;

iv. allow the introduction of new evidence that was not available and/or accessible at Step 2.

c. The State Hearing Officer may affirm, reverse, modify, or set aside the decision of the Regional Hearing Officer.

d. If the State Hearing Officer affirms the Regional Hearing Officer's decision and also determines the assessed teacher's appeal to be based upon a personal grudge, harassment, frivolous complaint, or made solely for the purpose of delay, he shall dismiss the appeal with prejudice. If the State Hearing Officer determines that an assessment team member has committed a procedural violation during the assessment of the teacher, or it is determined that it is in the best interest of the assessment process and procedures,

then the State Hearing Officer shall notify the LED and make recommendations for that assessor to:

- i. be reprimed of the assessment process and procedures;
 - ii. be retrained;
 - iii. have his assessment certification revoked;
 - iv. be reassigned to another assessment team.
- e. The State Hearing Officer shall render a decision in writing within 25 working days of the date of the hearing.

¹ The principal or the teacher's immediate supervisor shall supply the teacher with all pertinent names and addresses, upon request by the teacher, within 2 working days.

² If a Professional Development Plan is in progress for the teacher, the Regional Hearing Officer may suspend the Plan, based on relevant evidence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:284 (February 2002), amended LR 30:1657 (August 2004).

§2105. Glossary of Terminology

A. In order that the consistency in terminology be maintained on a statewide basis, a list of terms and definitions is being established to provide the reader with a clear and common understanding of the due process components and grievance procedures.

Appeal—a challenge of a decision rendered by an Regional Hearing Officer appointed by the Attorney General.

Assessment Program Contact Person—a person employed by the local education agency to provide/facilitate Louisiana Teacher Assistance and Assessment Program activities. These persons are also involved in the grievance procedures at Step 2.

Assessor Bias—a preference or inclination that inhibits impartial assessment by an assessor.

Assessor Error—intentional or unintentional deviation(s) by an assessor from the prescribed procedures set by the *Policies and Procedures for Louisiana Teacher Assistance and Assessment*, Bulletin 1943, June 1994, Revised April 1998, 2001, 2004.

Assessor Omission—to fail to include or to leave out those steps necessary by an assessor for a procedurally accurate assessment of a teacher.

Day(s)—shall be the assessed teacher's working days during the school calendar year adopted by the local school board except during the summer months when days shall be working days as observed by the LDE.

NOTE: If the hearing decision is rendered during a period of a school holiday, and the teacher does not have direct access to his/her mail because he/she is away from his/her residence, out of the city, or state, then the period of appeal shall be extended upon verified

affidavit for an additional 5 working days upon his/her return to the residence. The affidavit shall be attached to the appeal.

It is the obligation of the assessed teacher or his/her representative to inform the hearing officer that he/she will be away from his/her residence during said holiday period. Should the teacher commute daily to and from the place of residence during the holiday season, then the 5-day extension does not apply.

Documentation—copies of the official and signed forms related to the assessment process

Due Process—fair and impartial treatment as guaranteed under the law including, but not limited to, the 1st, 5th, and 14th amendments to the Constitution of the United States, Section 1983 of the Civil Rights Act of 1971, Title VII of the Civil Rights Act of 1964, and Title IX of the Educational Amendment of 1972, relative to procedural requirements.

Formal Hearing—a meeting wherein arguments, proofs, and evidence are presented and testimony is heard.

Grievance—a claim by an assessed teacher that the assessment is inaccurate, invalid or misrepresented. The grievance shall be based upon assessor bias, omission or error. Any other issues are to be handled as administrative complaints (i.e., receipt of implementation guide, teacher orientation, teacher notification, etc.).

Hearing Officer—a legally trained person specifically contracted and trained by the attorney general's office to conduct a formal investigation or hearing at either the regional or state level and to report his findings of fact and render decisions based on those facts. No person who has a personal or professional interest which conflicts with his/her objectivity may be contracted to serve as a Hearing Officer.

Indemnification—to provide to assessor(s) legal exemption from liability during the Assessment Process.

Teacher's Representative—any person selected by the aggrieved teacher to represent him/her during the course of the grievance procedures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:286 (February 2002), amended LR 30:1658 (August 2004).

Chapter 23. Assistance Program Procedures

§2301. Period of Mentor Assignment

A. Mentors or mentor support teams will be assigned to new teachers for the duration of two years. During these two years of assistance and support, the mentor or mentor support team and new teacher should meet both frequently and regularly to carry out the activities outlined below. Building principals will need to facilitate these meetings and the activities described below by scheduling common free time for the two parties, supplying substitute teachers on occasion, and otherwise promoting the giving and receiving of support wherever and whenever possible.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:287 (February 2002).

§2303. Mentor/New Teacher Activities

A. There is sometimes a tendency to "load" new teachers with extra-curricular duties and responsibilities. A concerted effort should be made to minimize these responsibilities during a teacher's first two years in the classroom. It is to the benefit of students, learning, and the new teacher to focus the new teacher's attention primarily and specifically on the delivery of quality instruction.

B. During the new teacher's first year, it is expected that mentor or mentor support team/new teacher activities will include:

1. familiarization of the new teacher with school routines, procedures, and resources;
2. discussions around new teacher questions and needs;
3. assistance with identification and collection of artifacts to be included in the new teacher portfolio;
4. mentor or mentor support team observations of the new teacher with appropriate feedback, including one or more observations that parallel those which will be conducted by assessors during the third (assessment) semester;
5. new teacher observations of the mentor or mentor support team and other teachers as appropriate;
6. one or more Informal Conferences conducted by the mentor or mentor support team that parallel those which will be conducted by assessors during the third (assessment) semester;
7. at least one visit to the new teacher by the building principal like that which will be conducted by assessors during the third assessment semester; i.e., Informal Conferences, observation feedback;
8. collaborative formulation by the mentor or mentor support team, principal, and new teacher of a formal Professional Growth Plan for the new teacher. Said plan should be formulated after both mentor and principal have conducted Informal Conferences, and classroom observations;
9. provision of assistance to the new teacher by the mentor or mentor support team and others in understanding the characteristics of students, school, and community that can/will influence teaching and learning;
10. provision of assistance to the new teacher by the mentor or mentor support team and others in interpretation and use of student assessment data in improving instruction;
11. provision of assistance to the new teacher by the mentor or mentor support team and others in forming meaningful collaborative relationships with colleagues, parents, and the community.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:287 (February 2002), amended LR 30:1658 (August 2004).

§2305. Second Semester Mentor/New Teacher Activities

A. During the new teacher's second year, it is expected that mentor or mentor support team and new teacher activities will include:

1. additional Informal Conferences and observations;
2. additional new teacher observations of the mentor or mentor support team and other teachers, as appropriate;
3. additional mentor assistance in resolving problems and issues confronting the new teacher;
4. mentor or mentor support team assistance in expanding the new teacher's repertoire of effective teaching practices and student assessment techniques;
5. continuing mentor or mentor support team assistance in gathering artifacts, analyzing data, and using information that will increase student learning and effective instruction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:287 (February 2002), amended LR 30:1658 (August 2004).

Chapter 25. Assessment Procedures

§2501. Semester of Assessment

A. During the assessment semester, the two person assessment teams will carry out the following processes.

1. Each assessor shall visit the new teacher and conduct an Informal Conference, observation, and Postobservation Conference, in that order.
2. The Informal Conference may be conducted one day prior to the scheduled observation, if that procedure is agreeable to both the assessor and the new teacher.
3. The Postobservation Conference shall be held within 48 hours following the completion of the Observation. However, it can be held on the same day that the Observation is conducted, if that procedure is agreeable to both the assessor and the new teacher.
4. An assessor should complete all responsibilities (Informal Conference, observation, Postobservation Conference) with one teacher before beginning assessment of another.
5. During each Postobservation Conference, the assessor and the new teacher will formulate improvement plans in accordance with the assessment data available. Professional growth is a continuous process which should not wait until all visits for assessment are completed.

6. At the conclusion of each Postobservation Conference, the new teacher shall be provided a copy of the Postobservation Conference record. Copies of the Observation and Preobservation Interview Records shall also be provided, if the teacher requests them.

7. At the end of the semester, when both members of the assessment team have completed their visits and rated the new portfolio, they shall compare and combine their findings, share their consensus findings with the teacher being assessed, and prepare a comprehensive Professional Growth Plan. Both members of the assessment team shall be present for this conference with the new teacher.

8. The assessment team will combine attribute ratings into component ratings in order to determine if the teacher being assessed has met the assessment standards for certification. In the event the two members of the assessment team are in disagreement over the certification recommendation and the disagreement cannot be resolved, the principal/designee shall notify the LEA contact person of the impasse within two working days after the assessor team consensus meeting. Within five working days of this notification, the LEA contact person shall appoint a third assessor external to the school, who will conduct a third visit and participate in the certification decision. The assessment ratings, the resultant recommendations pertaining to the assessment standards for certification, and identified instructional strengths and needs of the teacher, will be shared at the summary conference and used to develop with the new teacher a new or modified Professional Growth Plan.

9. At the conclusion of the summary conference, the new teacher shall be provided copies of the Team Summary Report and the Professional Growth Plan. If the teacher desires copies of observation and Informal Conference records not previously received, these records can also be requested in writing at this time.

10. The rating scale to be used in the Louisiana Teacher Assistance and Assessment Program shall be a 2-point scale where a rating of "2" is defined as "Competent" and a rating of "1" is defined as "Needs Improvement." However, the utility of this rating scale shall be reviewed annually by the LDE with input from educators using the scale to complete new teacher assessments. (Assessment standards for certification based on this 2-point scale are explicated in this bulletin.)

11. At the conclusion of the assessment process, assessment teams shall provide all completed assessment forms and instruments required by the LDE together with appropriate recommendations to the LEA assessment contact person, who in turn will forward these forms, instruments, and recommendations to the LDE.

12. The new teacher may file a response to the assessment as represented in the team summary report and supporting assessment records. This response shall be permanently attached to the team summary report.

13. Confidentiality of assessment results must be maintained as prescribed by law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:287 (February 2002), amended LR 30:1658 (August 2004).

§2503. Extenuating Circumstances in the Assessment Process

A. When extenuating circumstances in the assessment process occur, the procedures outlined below shall be followed.

1. New teachers employed or unreported to the LDE by the LDE established dates shall not enter the first phase (initial support semester) of the assistance and assessment program until the following semester.

2. If a new teacher is employed and reported by the dates specified above, but is reassigned to a new school or a new subject/grade assignment after October 1 or February 1, the teacher shall not enter the first phase (initial support semester) of the assistance and assessment program until the following semester.

3. If a new teacher who has completed the first year of teaching is reassigned to a new school or a grade/subject greatly different from the previous assignment, the teacher may request in writing that the LEA and LDE defer assessment for one semester. A written response to the request must be delivered to the teacher within 10 working days from the date that the LEA and LDE receive the request. If the assessment is deferred, the new teacher shall be assessed the following semester.

4. If a new teacher does not complete either the initial support year or the assessment semester, the new teacher shall reenter that phase of the assessment program, i.e., either support or assessment, that was incomplete.

5. If a new teacher does not meet the assessment standards for certification at the end of the first assessment period, the teacher may request changes in the mentor and/or the assessment team for the second assessment period. The written request shall be submitted to both the principal and the LEA contact person.

6. If a new teacher has successfully completed semester three of the Louisiana Teacher Assistance and Assessment Program and will be moving to another state due to family re-employment or due to a military assignment, the teacher may request a waiver from the fourth semester of the Louisiana Teacher Assistance and Assessment Program. The written request shall be submitted to both the principal and the LEA contact person, with supporting documentation (e.g. verification from out-of-state employer or military orders). The LEA contact person will forward the teacher's waiver request to the LDE for approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:288 (February 2002), amended LR 31:638 (March 2005).

Chapter 27. Relations to Other Existing Policies and Laws

§2701. Right to Evaluate Employees or Make Employment Decisions

A. It is important to note that nothing contained in the Louisiana Teacher Assistance and Assessment Program shall diminish the right of the local board, or of principals, or of other employees with supervisory responsibilities, to evaluate employees or to make employment decisions. The services of a teacher shall be considered the services of a fully certified teacher for all purposes of the local school system related to funding, calculation of minimum foundation funds, accreditation, or for any other purpose, administrative, substantive, or otherwise.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:289 (February 2002).

§2703. Program Relationship to Entitlement to All Benefits

A. Participation in the Assistance and Assessment Program shall have no effect on the service of the teacher as it relates to entitlement to all benefits including retirement, accrual of leave time, progress on the salary schedule, and any other benefit calculation or consideration to which the teacher would otherwise be entitled.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:289 (February 2002).

Chapter 29. Monitoring Guidelines

§2901. Monitoring Procedures

A. The LDE shall annually monitor the conduct of the assistance and assessment procedures within the LEAs. The purpose of the monitoring process shall be to determine whether this program is being carried out in compliance with the provisions set forth by legislation and this bulletin. The LDE, each year, shall schedule visits to selected LEAs for the purpose of monitoring the implementation of the process of state assessment. LEAs will be selected for visits based on a three-year rotation cycle. During the monitoring process the LDE team shall perform the following tasks:

1. notify the LEA superintendent and assistance and assessment contact person of the impending visit and establish dates of the visit;

2. visit the LEA (length of time spent in the LEA will be determined by size of the LEA) to determine compliance or failure to comply. During each visit, the monitoring team will:

- a. meet with LEA designee to explain the nature and duration of the visit (attendance by LEA superintendent is optional);

- b. meet with the LEA assistance and assessment contact person and/or other appropriate personnel to discuss the schedule;

- c. conduct a summary session with the LEA superintendent, contact person, and/or other appropriate personnel;

3. inform the LEA in writing of compliance, the areas of noncompliance, and of recommendations;

4. notify the SBESE of system(s) that are in compliance and those that failed to comply;

5. make recommendations to the SBESE regarding action to be taken in situations of noncompliance;

6. failure of local school systems to implement the procedures outlined in the bulletin according to R.S. 17:3883, can result in the department recommending to the board whatever sanctions against such school system the department deems appropriate which may include withholding funds distributed pursuant to the minimum foundation program formula until the corrections are made.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:289 (February 2002), amended LR 1659 (August 2004).

Chapter 31. Revisions; Policy Manuals

§3101. Review and Revisions

A. The SBESE shall establish the Louisiana Components of Effective Teaching. These Components and the Louisiana Teacher Assistance and Assessment Program results shall be regularly reviewed by the LDE with involvement of all segments of the education community and appropriate consultants. Necessary revisions shall be recommended to the SBESE by June of each year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:289 (February 2002).

§3103. Additional Materials for Educators

A. The Louisiana Department of Education shall produce for trainers, mentors, assessors, and new teachers subject to assistance and assessment definitive manuals which convey SBESE's policies as set forth in this bulletin and further explain each process and procedure of the assistance and assessment program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:289 (February 2002).

Chapter 33. Appendix A

§3301. Assessor and Mentor Code of Ethics

A. Assessors and mentors shall conduct themselves in a professional manner at all times during the assistance and assessment processes.

B. Assessors shall not communicate, either directly or indirectly, regarding any issue concerning the assessment process or the new teacher's personal qualifications, with any person except the new teacher's assessment team members, appropriate administrators of the LEA, and/or State Department of Education representatives to whom assessment results are reported.

C. The mentor shall maintain confidentiality regarding contacts and communications with new teachers unless such confidentiality will bring into question the safety and well-being of students. It is unlawful for any employee to withhold any information/knowledge regarding unlawful, unethical, and/or immoral activities involving students.

D. Assessors and mentors shall not knowingly misrepresent the qualifications or performance of a new teacher.

E. Assessors and mentors shall not knowingly make false statements about a new teacher.

F. Assessors and mentors shall not make malicious statements about a new teacher.

G. Assessors and mentors shall not accept any gratuity, gift, or favor that might impair or influence the assistance and assessment processes.

H. Mentors shall not act as mentors for their own immediate families, including aunts, uncles, nieces, nephews, and in-laws.

I. Assessors shall not participate in assessment teams for their own immediate families, including aunts, uncles, nieces, nephews, and in-laws.

J. Assessors shall try to optimize the assessment process and develop appropriate rapport with the new teachers to whom they are assigned.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:289 (February 2002).

Chapter 35. Appendix B

§3501. New Teacher Code of Ethics

A. New teachers shall conduct themselves in a professional manner at all times during the assistance and assessment processes.

B. New teachers shall not knowingly misrepresent the qualifications or performance of a mentor or assessor.

C. New teachers shall not knowingly make false statements about a mentor or assessor.

D. New teachers shall not make malicious statements about a mentor or assessor.

E. New teachers shall try to optimize the assistance and assessment processes and develop appropriate rapport with the mentors or assessors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:290 (February 2002).

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