

DEPARTMENT OF EDUCATION
SUPERINTENDENT OF PUBLIC INSTRUCTION
TEACHER AND SCHOOL ADMINISTRATOR EVALUATION TOOLS

Filed with the secretary of state on June 27, 2024

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the superintendent of public instruction by sections 1249 and 1249b of the revised school code, 1976 PA 451, MCL 380.1249 and 380.1249b, and Executive Reorganization Order No. 1996-6, MCL 388.993)

R 380.21 and R 380.22 of the Michigan Administrative Code are amended, as follows:

R 380.21 Definitions.

Rule 1. As used in these rules:

- (a) “Act” means the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.
- (b) “Department” means the department of education.
- (c) “District” means a school district, intermediate school district, or public school academy as defined in the act.
- (d) “Educator” means a teacher or school administrator whose performance is evaluated as required by the act.
- (e) “Efficacy” means the extent to which an evaluation tool provides information that improves professional practice.
- (f) “Evaluation tool” means a written instrument used to assess the performance of educators as required by the act.
- (g) “List” means the compilation of evaluation tools by the department as required by the act and maintained on the department’s website.
- (h) “Reliability” means the extent to which an evaluation tool is consistent and stable in yielding similar results under varying conditions, including, but not limited to, different evaluators and observers or different observation windows.
- (i) “Scoring guide” means the scoring instrument developed by the department and reviewed by the department’s technical advisory committee before initial implementation and subsequent modification that is available on the department’s website and that defines the minimum requirements for placement of an evaluation tool on the list using the following criteria: research base, qualifications of the author or authors, reliability, validity, and efficacy.
- (j) “Validity” means the extent to which an evaluation tool measures what it is intended to measure.

R 380.22 Placement of evaluation tool on list.

January 4, 2024

Rule 2. (1) The department may place an evaluation tool on the list under this rule.

(2) A district may request placement of an evaluation tool that it has adopted for use on the list by submitting an online application available on the department's website and all of the following:

- (a) Evidence of the evaluation tool's research base.
- (b) The identity and qualifications of the author or authors of the evaluation tool.
- (c) Evidence of the evaluation tool's reliability, validity, and efficacy.
- (d) All frameworks and rubrics used with the evaluation tool, with detailed descriptors for each performance level on key summative indicators.
- (e) A description of the processes for conducting observations, collecting evidence, conducting evaluation conferences, developing performance ratings, and developing performance improvement plans.
- (f) A description of the plan for providing evaluators and observers with training in the use of the evaluation tool.

(3) A public or private organization other than a district may request placement of an evaluation tool on the list by submitting an online application available on the department's website and all of the following:

- (a) One of the following:
 - (i) Evidence that at least 2 state education agencies have approved or adopted the evaluation tool.
 - (ii) Evidence that not less than 10 districts in this state will consider adopting the evaluation tool if the department adds it to the list.
- (b) Evidence of the evaluation tool's research base.
- (c) The identity and qualifications of the author or authors of the evaluation tool.
- (d) Evidence of the evaluation tool's reliability, validity, and efficacy.
- (e) All frameworks and rubrics used with the evaluation tool, with detailed descriptors for each performance level on key summative indicators.
- (f) A description of the processes for conducting observations, collecting evidence, conducting evaluation conferences, developing performance ratings, and developing performance improvement plans.
- (g) A description of the plan for providing evaluators and observers with training in the use of the evaluation tool.

(4) The department shall review an evaluation tool submitted under this rule using the scoring guide and examining all information required under subrule (2) or (3) of this rule.

(5) After receiving a request under this rule, the department shall notify the district or organization if the department will place the evaluation tool on the list. If the department determines that it will not place the evaluation tool on the list, the notice must include the reasons for denial of the request.

(6) The department shall place an evaluation tool submitted under this rule on the list if it satisfies the minimum requirements set forth in the scoring guide.