Highlights of NJDOE Evaluation Regulations - Sept. 11, 2013

Both the statute (TEACHNJ Act, P.L. 2012, ch. 26) and the regulations distinguish between "teaching staff members" and "teachers," as well as "teaching staff" other than "teachers."

In reviewing this chart, please note the following:

Teaching staff members = Certificated staff working under an instructional certificate (classroom teachers) *and* certificated staff working under an educational services certificate (such as school nurses, school librarians, school counselors, child study team members, speech therapists, etc.)

Teachers = Certificated staff working under an instructional certificate (classroom teachers)

Other teaching staff (non-administrative) = Certificated staff working under an educational services certificate

Observations		
Length	Former requirement	Current regulation (Adopted 9/11/13)
Teaching staff members	Formal observation = Full class period (secondary level) or full subject lesson (elementary level)	Different for classroom teachers and other teaching staff members. (See below.)
Teachers	Same as above	Long = 40 minutes or one class period, whichever shorter Short = at least 20 minutes long N.J.A.C. 6A:10-1.2
Other non- administrator teaching staff members	Same as above	 Length not specified. Nontenured educational services licensed teaching staff members -The chief school administrator determines length of observations. Observations may include: observations of meetings, student instruction, parent conferences, and case-study analysis of a significant student issue. Observation followed within 15 days by conference between administrator or supervisor who observed and wrote evaluation and the nontenured staff member. Both parties sign the written evaluation and retain copy for records. Tenured staff holding educational services license No mention of required observations.

Number of observations	Former requirement (minimum)	Current regulation (Adopted 9/11/13) - minimums N.J.A.C. 6A:10-4.4(d)
Teacher	Nontenured – 3/year Tenured – 1/year	Each teacher shall be observed at least three times during each school year, including at least once during each semester.
NONTENURED teachers* YEARS 1 and 2 YEARS 3 and 4	3 times per year	2 Long + 1 Short (includes at least one announced and one unannounced observation) 1 Long + 2 Short (includes at least one announced and one unannounced observation)
TENURED teachers (Rated "effective" or "highly effective")	1 time per year	3 Short (includes at least one announced and one unannounced observation.) Law requires multiple observations.
TEACHERS with Corrective Action Plans	Number not specified	Number above (based on whether nontenured or tenured) + 1 more (length determined by district)
OTHER TEACHING STAFF (those working under educational services or supervisory licenses)	Same as above, based on whether nontenured or tenured	To be determined by the district; no number specified. State law still requires a minimum of three observations a year for all nontenured teaching staff members, including those holding an educational services license.
Post-observation conferences	Former requirement	Adopted regulation (9/11/13)
Frequency, timing	Required for every observation Conference must occur within 10 days of evaluation for nontenured staff	 Required for each of the minimum number of observations Must occur no more than 15 working days following the observation with a supervisor who was present. One post-observation conference may be combined with a teacher's annual summary conference as long as it occurs within the required 15 teaching staff member working days following the observation for the purpose of evaluation. (Teachers only.) Teacher - N.J.A.C. 6A:10-4.4(b) Teaching staff member -N.J.A.C. 6A:10-2.4(h)

How conducted	A discussion between the teaching	A meeting, either in-person or remotely, between the teaching staff member
	staff member and an administrator	and the person who conducted the observation.
	or supervisory staff member who	
	made the observation and written	If agreed to by the teacher, a post-observation conference for a short
	the evaluation	observation of a tenured teacher not on a corrective action plan may be
Purpose	To review a written report of the	 conducted via written communication, including electronic. For the purpose of evaluation, to discuss/review the data collected in
•	performance data collected in a formal observation, feedback based on the data and their implications on the teaching staff member's annual evaluation.	 the observation, To connect the data to the teacher practice instrument and the teacher's individual professional development plan, To collect additional information needed for the evaluation of the teacher, and To offer areas to improve effectiveness.
		For those on corrective action plan (CAP), to discuss progress toward the goals outlined in the CAP.
Pre-observation	Former requirement	Current regulation (Adopted 9/11/13)
conferences		N.J.A.C. 6A:10-4.4(b) & (c)
Nontenured	Not required; Negotiable	Teachers - Pre-conferences and prior notice required only for announced observations.
Tenured	Not required; Negotiable	Teachers- Pre-conference and prior notice required only for announced observations.
Timing	N/A`	When required, must occur within seven working days prior to the observation, not including the day of observation.
Who & how many	Former requirement	Current regulation (Adopted 9/11/13)
can observe		
	Certified district supervisor and/or administrator	Certified district supervisors/administrators hired in the district as supervisors/administrators (in statute)
		• School Improvement Panel (ScIP) to conduct evaluations, including annual summative evaluation, plus mid-year evaluation of those with a Corrective Action Plan.
		• Teachers on the ScIP to evaluate only if majority representative agrees (also in statute). Proposal also would require approval of the principal who supervises the teacher being observed and require a ScIP teacher member
Nontenured teachers	Individual's supervisor	who evaluates to hold a supervisory certificate. Multiple observers required; may include a co-observation (two observers in
Nomentied teachers	marviduai s supervisor	the room) – Only counts as one observation.
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Tenured teachers	Individual's supervisor	Multiple observers recommended
Teachers working under Corrective Action Plan	Varies depending on individual situation	Multiple observers required
Requirement for two evaluators in the room Evaluation formu	No such requirement	Evaluators must jointly evaluate with another administrator at least twice a year in effort to calibrate teacher practice instruments, promote accuracy in scoring, and to continually train themselves on the instrument.
	Former requirement	Current regulation (Adopted 9/11/13) N.J.A.C. 6A:10-4.1 and 4.2
All teaching staff members	No specific formula in most districts – criteria set by local school district. District board of education must annually notify all teaching staff members of the adopted evaluation policies and procedures no later than Oct. 1. If a staff member is hired after Oct. 1, the district board of education shall notify the teaching staff member of the policies at the beginning of his or her employment. All teaching staff members shall be notified of amendments to the policy within 10 working days of adoption.	 State-set formula - Different for classroom teachers of tested and nontested grades/subjects and for other teaching staff members. (See below.) Shall include, but are not limited to, measures of student achievement and teacher practice. Range for student achievement in formula: For teachers in tested grades/subjects receiving a Student Growth Percentile (SGP) - 40% to 50%. For teachers in subjects/grades without an SGP - 15% to 50%. Range for teacher practice in formula - 50% to 85%. Would allow NJDOE to change percentages each year. By April 15 prior to the year in which the evaluation rubric will apply, the NJDOE shall provide on its website the required percentage weights of such measures, including the minimum and maximum number of required student growth objectives within specified ranges. Future goal: Student Achievement 50% + Teacher Practice 50%. Different provisions for teaching staff members working under an educational services license (school nurses, school counselors, school librarians, child study team members, SAC, etc.) - No formula specified. District board notification of policies and procedures is the same as in current regulations. (See "current" column.) Teacher practice model Board must annually adopt by June 1, commissioner-approved educator practice instruments and, notify the department which instruments will be used as part of the school district's evaluation rubrics.

Teachers in tested	Same as above	Formula for 2013: Student Achievement 45%+ Teacher Practice 55%
grades/content		• NJDOE states student growth percentile (SGP) , based on growth of their
(initially those teaching		students on statewide tests relative to other students statewide with
gr. 4-8, language arts		similar scores, shall make up 30% of the evaluation in 2013-14, but this is
and/or math whose		not reflected specifically in regulation.
students take NJ ASK)		To calculate the median student growth percentile, the NJDOE shall use
		student growth percentiles of all students assigned to the teacher.
		To determine whether a teacher will have an SGP, the NJDOE will use
		"business" rules – not all of which are in regulation. These include:
		The teacher must teach the class 60% of the time – from the beginning
		of the year to the time the test is given. (Contained in proposed rules.)
		The student must be enrolled in the class 70% of the time – from the
		beginning of the year to the time the test is given. (<i>Not</i> in regulation.)
		The teacher must have a total of 20 students enrolled in the course –
		which could include several classes combined - or will have a
		maximum of three years of SGP scores from his/her students applied.
		(Contained in regulation.)
		• In addition to having SGP applied to their evaluations, these teachers also
		shall have to meet at least one student growth objective (SGO) —but no
		more than four — to make up the other 15% of the student achievement
		component. The chief school administrator shall determine number of
		SGOs. Principal and teacher set the SGO, with principal having final say.
		Any amendment to SGO must be submitted by Feb. 15 to district
		superintendent, who will determine whether to approve the change.
		SGOs and the criteria for assessing teacher performance based on the
		objectives shall be determined and recorded in the teacher's personnel file
		by Nov. 15, 2013, and by Oct. 15 of subsequent school years.
Teachers in non-tested	Same as above	Formula for 2013: Student Achievement at least 15% + Teacher Practice
grades/content		measures no more than 85%.
		• Each teacher shall have two to four student growth objectives (SGOs),
		with number determined by district superintendent. Principal and
		teacher set the SGO, with principal having final say.
		Any amendment to SGO must be submitted by Feb. 15 to district
		superintendent, who will determine whether to approve the change.
		SGOs and the criteria for assessing teacher performance based on the
		objectives shall be determined and recorded in the teacher's personnel file
		by Nov. 15, 2013, and by Oct. 15 of subsequent school years.
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Annual summative ratings		
	Former requirement	Current regulation (Adopted 9/11/13)
Tested grades (for which an SGP is calculated)	"Annual summative evaluation rating" means an annual evaluation rating that is based on appraisals of educator practice and student performance, and that describes an educator's performance in relation to a scale, scoring guide or standard. (Adopted by State Board of Education, Feb. 6, 2013.)	 "Annual summative evaluation rating" means an annual evaluation rating that is based on appraisals of educator practice and student performance, and is the sum of all measures captured in a teaching staff member's evaluation rubric. To calculate the median student growth percentile, the NJDOE shall use student growth percentiles of all students assigned to the teacher. District school boards shall submit to the NJDOE final ratings for all components, other than the student growth percentile, for the annual summative rating; and The NJDOE then shall report to the employing district board of education the annual summative rating, including the median student growth percentile for each teacher who receives a median student growth percentile. If any scores for the teaching staff member's evaluation rubric are not
Non-tested grades	Same as above	available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available. (For those with SGP scores, this is estimated to be January of the following year.) • "Annual summative evaluation rating" definition same as above. • The summative rating is based on the evaluation rubric, including, when applicable, a total score for each component. • The district is to construct the annual summative rating based on a method not identified in regulation. • If any scores for the teaching staff member's evaluation rubric are not available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available.

Annual summative	Annual summative conference		
	Former requirement	Current regulation (Adopted 9/11/13)	
Who participates	Teaching staff member and supervisor	Teaching staff member and supervisor and his or her designee	
When held	Held before written performance report is filed.	Same as now. However, for teachers with SGP, annual summative conference may be held prior to SGP ratings being issued – based on data available prior to the conference.	
Includes for: Nontenured teachers	 Areas not specified. Purpose of observation/evaluation defined as: to improve professional competence, to identify deficiencies, to extend assistance for the correction of such deficiencies, to provide a basis for recommendations regarding reemployment and to improve the quality of instruction received by students served by the public schools (See "Annual performance report" below) 	 The proposed annual summative conference includes: Performance of the teaching staff member based upon the job description and, when applicable, the scores or evidence compiled using the teaching staff member's evaluation rubric; Progress of the teaching staff member toward meeting the objectives of the individual professional development plan or, when applicable, the corrective action plan; Available indicators or scores of student achievement or growth, when applicable, such as student growth objective scores and student growth percentile scores; and Preliminary annual written performance report. If any scores for the teaching staff member's evaluation rubric are not available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available. 	
Includes for: Tenured teachers	 Includes, but not limited to: Performance based on job description, Progress of teaching staff member toward objectives of individual professional development plan developed at previous annual conference, Available indicators of student progress and growth toward program objective, Annual written performance report 	Same as above	

Annual written performance report		
	Former requirement	Current regulation (Adopted 9/11/13)
Nontenured teaching staff member	The annual performance report shall include, but is not limited to: 1. Performance areas of strength; 2. Performance areas needing improvement based upon the job description and the evaluation regulations; 3. An individual professional development plan developed by the supervisor and the teaching staff member; and 4. A summary of indicators of student progress and growth, and a statement of how the indicators relate to the overall program effectiveness_and the performance of the individual teaching staff member.	 The annual written performance report shall be prepared by the teaching staff member's supervisor, or the supervisor's designee, who participated in the evaluation of the teaching staff member. In the case of a teacher, the annual written performance report shall be prepared by the teacher's principal, or his or her designee, and shall include, but not be limited to: Summative rating based on the evaluation rubric, including, when applicable, a total score for each component; Performance area(s) of strength and area(s) needing improvement based upon the job description, observations for the purpose of evaluation and, when applicable, the educator practice instrument; Individual professional development plan developed by the supervisor and the teaching staff member or, when applicable, a corrective action plan; and Summary of student achievement or growth indicators, when applicable. The teaching staff member and preparer of the annual performance report shall sign the report within five working days of the review. Each school board shall add all written performance data, including but not limited to, indictors of student progress and growth for a teaching staff member as part of his or her personnel file.
Tenured teaching staff member	Prepared by certified supervisor who participated in the evaluation of the teaching staff member. It includes but is not limited to: 1. Performance areas of strength; 2. Performance areas needing improvement based upon the job description; 3. An individual professional development plan developed by the supervisor and the teaching staff member; 4. A summary of available indicators	Same as above

Rebuttals/respons	of student progress and growth, and a statement of how these indicators relate to the effectiveness of the overall program and the performance of the individual teaching staff member; and 5. Provisions for performance data not included in the report prepared by the supervisor to be entered into the record by the evaluatee within 10 working days after the supervisor's signing of the report. • Report must be signed within five working days of the review.	
	Former requirement	Current regulation (Adopted 9/11/13)
Teacher (Nontenured & tenured)	Nontenured teacher has right to submit his or her written disclaimer of such evaluation within 10 days following the conference. Such disclaimer shall be attached to each party's copy of the annual written performance report.	The teacher shall submit his or her written objection(s) of the evaluation within 10 teaching staff member working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report. N.J.A.C. 6A:10-4.4(c)6
	While this provision was not specifically in regulation for tenured teachers, in practice to allow due process, all teaching staff members were permitted to submit rebuttals — in most cases supported by bargained contract language, board policy, or past practice. Tenured teachers were permitted to add student performance data.	

Nontenured teaching staff member (other than teachers, principals, vice principals, and assistant principals)	Teacher has right to submit his or her written disclaimer of such evaluation within 10 days following the conference. Such disclaimer shall be attached to each party's copy of the annual written performance report.	 Included only for those who are <u>not</u> teachers, principals, vice principals, and assistant principals – namely those who hold an educational services certificate (school nurse, school librarian, school counselor, child study team members, etc.) or supervisory certificate. Allows the nontenured teaching staff member who works under an educational services or supervisory certificate to submit his or her written objection(s) of the evaluation within 10 working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.
Tenured teaching staff member (other than teachers, principals, vice principals, and assistant principals) Adding performan	While not specifically in regulation, in practice to allow due process, all teaching staff members were permitted to submit rebuttals — in most cases supported by bargained contract language, board policy, or past practice. Ce data	Not included.

	Former requirement	Current regulation (Adopted 9/11/13)
	•	N.J.A.C. 6A:10-2.4 (h)3
Nontenured staff	No provision in regulations, but could have been submitted as part of "disclaimer" (rebuttal/response)	Only for nontenured teaching staff members who are not classroom teachers (basically those holding educational services license, such as school nurse, counselor, librarian, child study team members, etc.) The observation shall allow the nontenured teaching staff member to submit his or her written objection(s) of the evaluation within 10 working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.
Tenured staff	Provisions for performance data not included in the report prepared by the supervisor to be entered into the record by the evaluatee within 10 working days after the <u>supervisor's</u> signing of the report. (Term "supervisor" added to regulations adopted by State Board on Feb. 6, 2013.)	Not included specifically.

Corrective action plans		
	Former requirement	Current regulation (Adopted 9/11/13)
		N.J.A.C. 6A:10-8.1
Teaching staff members	No regulatory guidance. Covered by prior statute.	 Required when teaching staff member gets "ineffective" or "partially effective" rating in annual summative evaluation. (Law requires.) Corrective action plan (CAP) developed by teaching staff member and chief school administrator or supervisor. It replaces individual professional development plan until the next annual summary conference. CAP may include PD, however. If summative evaluation rating is calculated prior to end of the school year, the CAP shall be developed and discussed prior to Sept. 15 of the following school year. The conference may be combined with the annual summary conference. Student Growth Percentile (SGP) teachers who earn low ratings on teacher practice instrument receive CAP between June and December. SGP added when available. The CAP shall: Address areas in need of improvement identified in the educator evaluation rubric, Include specific, demonstrable goals for improvement; Include responsibilities of the evaluated employee and the school district for the plan's implementation; and Include timelines for meeting the goal(s). The teaching staff members' progress toward the CAP goals shall be discussed at each observation conference and progress documented through data and evidence in the teaching staff members' personnel file and reviewed at the annual summary conference. Progress toward the teaching staff member's goals outlined in the corrective action plan may be used as evidence in the teaching staff member's next annual summative evaluation; however, such progress shall not guarantee an "effective" rating on the next summative evaluation. Responsibilities of the evaluated employee on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the teaching staff member's supervisor. The School Improvement Panel shall ensure teachers with a CAP

Nontenured non-re	newal hearings	 receive a mid-year evaluation. If the plan was created before the start of the academic year, the mid-year evaluation will be held before Feb. 15. If the plan was created after the start of the academic year, the mid-year evaluation occurs before the annual summary conference. The mid-year evaluation includes one additional observation, with length determined by the superintendent, and one additional post-observation conference during which progress will be reviewed. Tenured teachers with a CAP shall be evaluated by multiple observers.
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	Former requirement	Current regulation (Adopted 9/11/13) N.J.A.C. 6A:10-8.1
Teaching staff members	Includes timelines for requests in writing for reasons for nonrenewal and for an informal hearing before the board.	Same as current. Minor proposed changes in sentence construction do not change the provisions.
Training		
	Former requirement	Current regulation (Adopted 9/11/13)
To a ship or ota CC		N.J.A.C. 6A:10-2.2
	Complete teacher training on the	Appually provide training on and descriptions of each component of the
Teaching staff members	Complete teacher training on the adopted teaching practice observation instrument by July 1, 2013. Teaching staff members hired after May 1, 2013 shall be trained prior to Aug. 31, 2013. Training shall include detailed descriptions of all aspects of the teaching practice evaluation instrument, as well as detailed and concrete descriptions of applied instrument use. (Regulations adopted by	Annually provide training on and descriptions of each component of the evaluation rubric for all teaching staff members who are being evaluated in the school district. Shall include: • detailed descriptions of all evaluation rubric components, including, when applicable, o detailed descriptions of student achievement measures, detailed descriptions of all aspects of the educator practice instruments. Provide more thorough training for any teacher being evaluated for the first time
reaching staff members	adopted teaching practice observation instrument by July 1, 2013. Teaching staff members hired after May 1, 2013 shall be trained prior to Aug. 31, 2013. Training shall include detailed descriptions of all aspects of the teaching practice evaluation instrument, as well as detailed and	evaluation rubric for all teaching staff members who are being evaluated in the school district. Shall include: • detailed descriptions of all evaluation rubric components, including, when applicable, o detailed descriptions of student achievement measures, o detailed descriptions of all aspects of the educator practice instruments.

District Evaluation	who will be observing using the adopted teaching practice evaluation instrument. Evaluators hired after Aug. 31, 2013, must complete training prior to observing teaching practice. The district board shall: • Provide training that is rigorous, comprehensive and results in evaluators of teaching practice who can demonstrate proof of mastery; • Create processes for both disqualification and opportunity for remediation for an evaluator o who does not meet the accuracy and consistency requirements at either the proof of mastery or calibration steps (Regulations adopted Feb. 6, 2013) Advisory Committee (DEAC)	 first observation for the purpose of evaluation. All supervisors using the principal practice instrument for the first time in 2013-14 shall be provided training before Oct. 31, 2013. Annual updates and refresher training on the teacher and principal practice instruments must be provided for any supervisor who will observe teaching and/or principal practice for the purpose of increasing accuracy and consistency among observers. Chief school administrators shall annually certify to NJDOE that supervisors who are evaluating teaching staff members in the district have completed training on the instrument and its application and have demonstrated competency in applying the educator practice instruments. In 2015 or any following year, the teacher practice instrument shall include a process to assess competency on the evaluation instrument which the school district may choose to use as a measure of competency.
Continuation of DEAC	Former requirement No specified expiration date	Current regulation (Adopted 9/11/13) Would not be required beginning with 2016-17 school year; continued at
School Improvement	ent Panel (ScIP)	discretion of school board.
	Former requirement	Current regulation (Adopted 9/11/13)
Members	Law calls for a principal or certified administrator designee, an assistant principal or vice principal, and a teacher	 Proposed regulation would allow principal to add individuals to the ScIP, but there would have to be a minimum of one teacher for every two administrators. (Implicit is that more teachers could be added than administrators.) If the majority representative (local association that bargains for teaching staff) allows the ScIP teacher member(s) to evaluate, the rules also would: Require teacher ScIP member to hold supervisory certificate; Require approval of the principal of the teacher being evaluated; Prohibit teacher member from serving concurrently as a mentor.

Term Principal evalu	Law specifies teacher members may not serve more than three consecutive years on any one ScIP. Iation (includes assistant principal Former requirement	 Beginning with the 2015-16 school year, ScIP teacher members must be rated "effective" or "highly effective" in their most recent annual summative evaluation. Proposal would limit teacher term to a full academic year, except in case of illness or authorized leave. Teachers would not be able to be appointed more than three consecutive years. Panel members must be chosen by Aug. 31 of each school year. Current regulation (Adopted 9/11/13)
Components	The regulations covering tenured and nontenured teaching staff member evaluations have applied to tenured and nontenured principals and other administrators, except for the chief school administrator, business administrator, and assistant superintendents. (See p. 1, 2, 3) For "administrative" teaching staff members, most districts use principal practice evaluation criteria which vary from district-to-district. These often are linked to the national and N.J. Standards for School Leaders. In addition, new principals must complete a two-year support residency to obtain a standard certificate.	 Composed of: measures of student achievement or student/teacher outcomes and measures of principal practice. For those who a Schoolwide Student Growth Percentile (SGP) – 20% to 40%, as determined by NJDOE. Average Student Growth Objective scores of all teachers (or specific teachers linked to assistant principals or vice principals) – 10% to 20%, as determined by NJDOE. Administrator goal measure – 10% to 40%. Principal goals (AP scores, SAT/ACT scores, graduation rates, college acceptance rates, NJASK scores, HSPA scores, nationally norm-referenced tests) – One to four goals, number determined by chief school administrator. Goals developed in consultation with their supervisor, with supervisor having final say. Principal practice measure – 30%. A principal practice evaluation instrument and Leadership practice measure – 20%. Evaluation of leadership (State rubric on their performance in leading the new evaluation system in their school.) Weighting within formula varies based on whether principal works in school with several SGP grades, with one SGP grade, or with no SGP grades. NJDOE to determine formula by April 15 each year.
Observations	The number of "observations" have been the same for teachers/teaching staff, and principals, vice/assistant principals, and supervisors — at least 3	 2 for tenured; 3 for nontenured. Conducted by chief school administrator or designee with each followed by a post-observation conference within 15 working days. May include but is not limited to school walkthrough, case studies,

for nontenua	red and 1 for tenured. The	observation of staff meeting/school assembly, parent conference
types of observed	ervations have been	observation, teacher conference observation.
different bed	ause principal activities	• Additional observation required for principals who are on a corrective
and work re	quirements are different	action plan.
than for other	er teaching staff.	