

(g) Progress toward the teaching staff member's goals outlined in the corrective action plan shall be documented in the teaching staff member's personnel file and reviewed at the annual summary conference or the mid-year evaluation, when applicable. Both the teaching staff member on a corrective action plan and his or her designated supervisor may collect data and evidence to demonstrate the teaching staff member's progress toward his or her corrective action plan goals.

(h) 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.

(i) 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 designated supervisor.

(j) The School Improvement Panel shall ensure teachers with a corrective action plan receive a mid-year evaluation as required by N.J.S.A. 18A:6-120.c. If the corrective action plan was created on or prior to September 15 of the academic year, the mid-year evaluation shall occur before February 15; if the corrective action plan was created after September 15, the mid-year evaluation shall occur midway between the development of the corrective action plan and the annual summary conference. The mid-year evaluation shall include, at a minimum, a conference to discuss progress toward the teacher's goals outlined in the corrective action plan. The mid-year evaluation conference may be combined with a post-observation conference.

(k) The School Improvement Panel shall ensure teachers with a corrective action plan receive one observation, including a post-observation, in addition to the observations required in N.J.A.C. 6A:10-4.4 for the purpose of evaluation as described in N.J.A.C. 6A:10-1.2 and 4.4(a). The chief school administrator or principal shall determine the length of the additional observation.

(l) Tenured teachers with a corrective action plan shall be observed by multiple observers for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4(c)2.

(m) A chief school administrator, or his or her designee, and the principal, as appropriate, shall conduct a mid-year evaluation of any principal, assistant principal, or vice principal pursuant to N.J.S.A. 18A:6-121.c. If the corrective action plan was created before the start of the year, the mid-year evaluation shall occur before February 15; if the corrective action plan was created after the start of the academic year, the mid-year evaluation shall occur midway between the development of the corrective action plan and the annual summary conference. The mid-year evaluation shall include, at a minimum, a conference to discuss progress toward the principal, vice principal, or assistant principal's goals out-

lined in the corrective action plan. The mid-year evaluation conference may be combined with a post-observation conference.

(n) The chief school administrator shall ensure principals, vice principals, and assistant principals with a corrective action plan receive one observation and a post-observation in addition to the observations required in N.J.A.C. 6A:10-5.4 for the purpose of evaluation, as described in N.J.A.C. 6A:10-1.2 and 5.4. The chief school administrator or principal shall determine the length of the observation.

(o) The corrective action plan shall remain in effect until the teaching staff member receives his or her next summative evaluation rating.

New Rule, R.2013 d.120, effective October 7, 2013.

See: 45 N.J.R. 1292(a), 45 N.J.R. 2211(a).

Administrative change.

See: 46 N.J.R. 1743(a).

Amended by R.2014 d.169, effective November 3, 2014.

See: 46 N.J.R. 1377(a), 46 N.J.R. 2140(a).

Rewrote the section.

SUBCHAPTER 3. SCHOOL IMPROVEMENT PANEL

6A:10-3.1 School Improvement Panel membership

(a) The School Improvement Panel shall include the principal, a vice principal, and a teacher who is chosen in accordance with (b) below by the principal in consultation with the majority representative. The principal may appoint additional members to the School Improvement Panel as long as all members meet the criteria outlined in this section and N.J.S.A. 18A:6-120.a and the teacher(s) on the panel represents at least one-third of its total membership.

(b) The principal annually shall choose the teacher(s) on the School Improvement Panel through the following process:

1. The teacher member shall be a person with a demonstrated record of success in the classroom. Beginning in academic year 2015-2016, a demonstrated record of success in the classroom means the teacher member shall have been rated effective or highly effective in the most recent available annual summative rating.

2. The majority representative, in accordance with (a) above, may submit to the principal teacher member nominees for consideration.

3. The principal shall have final decision-making authority and is not bound by the majority representative's list of nominees.

(c) The teacher member shall serve a full academic year, except in case of illness or authorized leave, but may not be appointed more than three consecutive years.

(d) All members of the School Improvement Panel shall be chosen by August 31 of each year.

6A:10-3.2 School Improvement Panel responsibilities**(a) The School Improvement Panel shall:**

1. Oversee the mentoring of teachers according to N.J.A.C. 6A:9B-8 and support the implementation of the school district mentoring plan;

2. Conduct evaluations of teachers pursuant to N.J.A.C. 6A:10-2.4 and 4.4;

3. Ensure corrective action plans for teachers are created in accordance to N.J.A.C. 6A:10-2.5(j); and conduct mid-year evaluations for teachers who are on a corrective action plan; and

4. Identify professional development opportunities for all teaching staff members based on the review of aggregate school-level data, including, but not limited to, educator evaluation and student performance data to support school-level professional development plans described in N.J.A.C. 6A:9C-3.5.

(b) To conduct observations for the purpose of evaluation, the teacher member shall have:

1. Agreement of the majority representative;

2. An appropriate supervisory certificate; and

3. Approval of the principal who supervises the teacher being observed.

(c) The teacher member who participates in the evaluation process shall not serve concurrently as a mentor under N.J.A.C. 6A:9B-8.4.

Administrative change.
See: 46 N.J.R. 1743(a).

SUBCHAPTER 4. COMPONENTS OF TEACHER EVALUATION

6A:10-4.1 Components of teacher evaluation rubric

(a) The components of the teacher evaluation rubric described in this section shall apply to teaching staff members holding the position of teacher and holding a valid and effective standard, provisional, or emergency instructional certificate.

(b) Evaluation rubrics for all teachers shall include the requirements described in N.J.S.A. 18A:6-123, including, but not limited to:

1. Measures of student achievement pursuant to N.J.A.C. 6A:10-4.2; and

2. Measures of teacher practice pursuant to N.J.A.C. 6A:10-4.3 and 4.4.

(c) To earn a summative rating, a teacher shall have a student achievement score, including median student growth

percentile and/or student growth objective(s) scores, and a teacher practice score pursuant to N.J.A.C. 6A:10-4.4.

(d) Each score shall be converted to a percentage weight so all components make up 100 percent of the evaluation rubric. By April 15 prior to the school year the evaluation rubric applies, the Department shall provide on its website the required percentage weight of each component and the required summative rating scale. All components shall be worth the following percentage weights or fall within the following ranges:

1. If, according to N.J.A.C. 6A:10-4.2(b), a teacher receives a median student growth percentile, the student achievement component shall be at least 40 percent and no more than 50 percent of a teacher's evaluation rubric rating as determined by the Department.

2. If, according to N.J.A.C. 6A:10-4.2(b), a teacher does not receive a median student growth percentile, the student achievement component shall be at least 15 percent and no more than 50 percent of a teacher's evaluation rubric rating as determined by the Department.

3. Measures of teacher practice described in N.J.A.C. 6A:10-4.3 and 4.4 shall be at least 50 percent and no more than 85 percent of a teacher's evaluation rubric rating as determined by the Department.

(e) Standardized tests, used as a measure of student progress, shall not be the predominant factor in determining a teacher's annual summative rating.

Amended by R.2014 d.169, effective November 3, 2014.
See: 46 N.J.R. 1377(a), 46 N.J.R. 2140(a).

In (b)2, substituted "pursuant to" for "determined through a teacher practice instrument and other measures described in"; added new (c); recodified former (c) and (d) as (d) and (e); and rewrote (d).

6A:10-4.2 Student achievement components

(a) Measures of student achievement shall be used to determine impact on student learning. The student achievement measure shall include the following components:

1. If the teacher meets the requirements in (b) below, the median student growth percentile of all students assigned to a teacher, which shall be calculated as set forth in (d) below; and

2. Student growth objective(s), which shall be specific and measurable, based on available student learning data, aligned to Core Curriculum Content Standards, and based on growth and/or achievement.

i. For teachers who teach subjects or grades not covered by the Core Curriculum Content Standards, student growth objectives shall align to standards adopted or endorsed, as applicable, by the State Board.

(b) The median student growth percentile shall be included in the annual summative rating of a teacher who:

1. Teaches at least one course or group within a course that falls within a standardized-tested grade or subject. The Department shall maintain on its website a course listing of all standardized-tested grades and subjects for which student growth percentile can be calculated pursuant to (d) below;

2. Teaches the course or group within the course for at least 60 percent of the time from the beginning of the course to the day of the standardized assessment; and

3. Has at least 20 individual student growth percentile scores attributed to his or her name during the academic year of the evaluation. If a teacher does not have at least 20 individual student growth percentile scores in a given academic year, the student growth percentile scores attributed to a teacher during the two academic years prior to the evaluation year may be used in addition to the student growth percentile scores attributed to the teacher during the academic year of the evaluation. Only student growth percentile scores from academic year 2013-2014 or any year after shall be used to determine median student growth percentiles.

(c) The Department shall periodically collect data for all teachers that include, but are not limited to, student achievement and teacher practice scores.

(d) The Department shall calculate the median student growth percentile for teachers using students assigned to the teacher by the school district. For teachers who have a student growth percentile score:

1. District boards of education shall submit to the Department final ratings for all components, other than the student growth percentile, for the annual summative rating; and

2. The Department 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.

(e) Student growth objectives for teachers shall be developed and measured according to the following procedures:

1. The chief school administrator shall determine the number of required student growth objectives for teachers, including teachers with a student growth percentile. A teacher with a student growth percentile shall have at least one and not more than four student growth objectives. A teacher without a student growth percentile shall have at least two and a maximum of four student growth objectives. By April 15, prior to the school year the evaluation rubric applies, the Department shall provide on its website the minimum and maximum number of required student growth objectives within this range.

2. A teacher with a student growth percentile shall not use the standardized assessment used in determining the

student growth percentile to measure progress toward a student growth objective.

3. Each teacher shall develop, in consultation with his or her supervisor or a principal's designee, each student growth objective. If the teacher does not agree with the student growth objectives, the principal shall make the final determination.

4. Student growth objectives and the criteria for assessing teacher performance based on the objectives shall be determined, recorded, and retained by the teacher and his or her supervisor by October 31 of each school year, or within 20 work days of the teacher's start date if the teacher begins work after October 1.

5. Adjustments to student growth objectives may be made by the teacher in consultation with his or her supervisor only when approved by the chief school administrator or designee. Adjustments shall be recorded in the teacher's personnel file on or before February 15.

i. If the SGO covers only the second semester of the school year, or if a teacher begins work after October 1, adjustments shall be recorded before the mid-point of the second semester.

6. The teacher's designated supervisor shall calculate each teacher's student growth objective score. The teacher's student growth objective score, if available, shall be discussed at the teacher's annual summary conference and recorded in the teacher's personnel file.

Amended by R.2014 d.169, effective November 3, 2014.

See: 46 N.J.R. 1377(a), 46 N.J.R. 2140(a).

Rewrote the section.

6A:10-4.3 Teacher practice components

The teacher practice component rating shall be based on the measurement of the teacher's performance according to the school district's Commissioner-approved teacher practice instrument. Observations pursuant to N.J.A.C. 6A:10-4.4 shall be used as one form of evidence for the measurement.

6A:10-4.4 Teacher observations

(a) For purpose of teacher evaluation, observers shall conduct the observations pursuant to N.J.S.A. 18A:6-123.b(8) and N.J.A.C. 6A:10-2.5 and 3.2, and they shall be trained pursuant to N.J.A.C. 6A:10-2.2(b).

(b) Observation conferences shall include the following procedures:

1. A supervisor who is present at the observation shall conduct a post-observation conference with the teacher being observed. A post-observation conference shall occur no more than 15 teaching staff member working days following each observation.

2. The post-observation conference shall be for the purpose of reviewing the data collected at the observation,

connecting the data to the teacher practice instrument and the teacher's individual professional development plan, collecting additional information needed for the evaluation of the teacher, and offering areas to improve effectiveness.

3. If agreed to by the teacher, post-observation conferences and pre-conferences for short observations of tenured teachers who are not on a corrective action plan may be conducted via written communication, including electronic.

4. A pre-conference, when required, shall occur at least one but not more than seven teaching staff member working days prior to the observation.

(c) Each teacher shall be observed as described in this section, at least three times during each school year but not less than once during each semester. For all teachers, at least one of the required observations shall be announced and preceded by a pre-conference, and at least one of the required observations shall be unannounced. The chief school administrator shall decide whether the third required observation is announced or unannounced. The following additional requirements shall apply:

1. Nontenured teachers shall receive a minimum of three observations within the timeframe set forth in N.J.S.A. 18A:27-3.1, and observations for all other teachers shall occur prior to the annual summary conference, which shall occur prior to the end of the academic school year.

2. Teachers on a corrective action plan shall receive observations within the timeline set forth in N.J.A.C. 6A:10-2.5.

3. Nontenured teachers shall be observed during the course of the year by more than one appropriately certified supervisor, either simultaneously or separately, by multiple observers, with the following provisions:

i. A co-observation shall fulfill the requirement in this subsection for multiple observers.

ii. One co-observation shall count as one observation required in (d) below.

4. 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.

5. A written or electronic evaluation report shall be signed by the supervisor who conducted the observation and post-observation and the teacher who was observed.

6. 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.

(d) Each observation required for the purpose of evaluations shall be conducted for the minimum duration based on the following groups:

1. A nontenured teacher who is in his or her first or second year of teaching in the school district shall receive at least two long observations and one short observation.

2. A nontenured teacher who is in his or her third or fourth year of teaching in the school district shall receive at least one long observation and two short observations.

3. A tenured teacher shall receive at least three short observations.

(e) To earn a teacher practice score, a teacher shall receive at least three observations.

1. If a teacher is present for less than 40 percent of the total student school days in an academic year, he or she shall receive at least two observations to earn a teacher practice score.

Amended by R.2014 d.169, effective November 3, 2014.

See: 46 N.J.R. 1377(a), 46 N.J.R. 2140(a).

In (b)1, deleted the last sentence; in (b)3, inserted "and pre-conferences"; rewrote (b)4; in (c)5, inserted "or electronic"; and added (e).

SUBCHAPTER 5. COMPONENTS OF PRINCIPAL EVALUATION

6A:10-5.1 Components of principal evaluation rubrics

(a) Unless otherwise noted, the components of the principal evaluation rubrics shall apply to teaching staff members holding the position of principal, vice principal, or assistant principal and holding a valid and effective standard, provisional, or emergency administrative certificate.

(b) The principal evaluation rubric shall meet the standards provided in N.J.S.A. 18A:6-123, including, but not limited to:

1. Measures of student achievement pursuant to N.J.A.C. 6A:10-5.2; and

2. Measures of principal practice pursuant to N.J.A.C. 6A:10-5.3 and 5.4.

(c) To earn a summative rating, the principal, vice principal, or assistant principal shall have a student achievement score, pursuant to N.J.A.C. 6A:10-5.2 and a principal practice score pursuant to N.J.A.C. 6A:10-5.3 and 5.4.

(d) Each score shall be converted to a percentage weight so all components make up 100 percent of the evaluation rubric. By April 15 prior to each school year the evaluation rubric applies, the Department shall provide on its website the required percentage weight of each component and the required summative rating scale. All components shall be worth the