R 3221 EVALUATION OF TEACHERS (M)

M

Definitions – N.J.A.C. 6A:10-1.2

The following words and terms shall have the following meanings when used in Policy and Regulation 3221 unless the context clearly indicates otherwise:

"Announced observation" means an observation in which the person conducting an observation for the purpose of evaluation will notify the teacher of the date and the class period the observation will be conducted.

"Annual performance report" means a written appraisal of the teacher's performance prepared by the teacher's designated supervisor based on the evaluation rubric for his or her position.

"Annual summative evaluation rating" means an annual evaluation rating that is based on appraisals of educator practice and student performance, and includes all measures captured in a teacher's evaluation rubric. The four summative performance categories are ineffective, partially effective, effective, and highly effective.

"Calibration" in the context of educator evaluation means a process to monitor the competency of a trained evaluator to ensure the evaluator continues to apply an educator practice instrument accurately and consistently according to the standards and definitions of the specific instrument.

"Chief School Administrator" means the Superintendent of Schools or the Administrative Principal if there is no Superintendent.

"Commissioner" means Commissioner of the New Jersey Department of Education.

"Co-observation" means two or more supervisors who are trained on the practice instrument who observe simultaneously, or at alternate times, the same lesson or portion of a lesson for the purpose of training.

"Corrective Action Plan" means a written plan developed by the designated supervisor in collaboration with the teacher to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual teacher and the school district for implementing the plan, and specific support that the district shall provide as defined in N.J.S.A. 18A:6-119.

"Department" means the New Jersey Department of Education.

"Designated supervisor" means the supervisor designated by the Superintendent of Schools or designee as the teacher's supervisor.

"District Evaluation Advisory Committee" means a group created to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2.3.

"Educator practice instrument" means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from the teacher practice instrument are components of the teacher's evaluation rubric and the scores are included in the summative evaluation rating for the individual. The scores from educator practice instruments may be applied to the teacher's summative evaluation rating in a manner determined by the school district.

"Evaluation" means an appraisal of an individual's professional performance in relation to his or her job description and professional standards and based on, when applicable, the individual's evaluation rubric.

"Evaluation rubric" means a set of criteria, measures, and processes used to evaluate all teachers in a specific school district or local education agency. Evaluation rubrics consist of measures of professional practice, based on educator practice instrument, and student outcomes. Each Board of Education will have an evaluation rubric specifically for teachers, another specifically for Principals, Vice Principals, and Assistant Principals, and evaluation rubrics for other categories of teaching staff members.

"Indicators of student progress and growth" means the results of assessment(s) of students as defined in N.J.A.C. 6A:8, Standards and Assessment.



"Individual professional development plan" is as defined in N.J.S.A. 18A:6-119.

"Job description" means a written specification of the function of a position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and school district.

"Observation" means a method of collecting data on the performance of a teacher's assigned duties and responsibilities. An observation for the purpose of evaluation will be included in the determination of the annual summative evaluation rating and shall be conducted by an individual employed in the school district in a supervisory role and capacity and possessing a school administrator, Principal, or supervisor endorsement as defined in N.J.A.C. 6A:9-2.1.

"Post-observation conference" means a meeting, either in-person or remotely, between the supervisor who conducted the observation and the teacher for the purpose of evaluation to discuss the data collected in the observation.

"Scoring guide" means a set of rules or criteria used to evaluate a performance, product, or project. The purpose of a scoring guide is to provide a transparent and reliable evaluation process. Educator practice instruments include a scoring guide that an evaluator uses to structure his or her assessments and ratings of professional practice.

"Semester" means half of the school year.

"Signed" means the name of one physically written by oneself or an electronic code, sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

"Student growth objective" means an academic goal that teachers and designated supervisors set for groups of students.

"Student growth percentile" means a specific metric for measuring individual student progress on Statewide assessments by tracking how much a student's test scores have changed relative to other students Statewide with similar scores in previous years.

"Superintendent" means Superintendent of Schools or Chief School Administrator.



"Supervisor" means an appropriately certified teaching staff member, as defined in N.J.S.A. 18A:1-1, or Superintendent employed in the school district in a supervisory role and capacity, and possessing a school administrator, Principal, or supervisor endorsement as defined in N.J.A.C. 6A:9B-12.

"Teacher" means a teaching staff member who holds the appropriate standard, provisional, or emergency instructional certificate issued by the Board of Examiners and is assigned a class roster of students for at least one particular course.

"Unannounced observation" means an observation in which the person conducting an observation for the purpose of evaluation will not notify the teacher of the date or time the observation will be conducted.

B. Applicability of Rules on Collective Bargaining Agreements – N.J.A.C. 6A:10-1.3

No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives.

C. Educator Evaluation Data, Information, and Annual Performance Reports – N.J.A.C. 6A:10-1.4

All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees of the Board of Education for the purposes of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, shall be confidential. Such information shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Nothing contained in N.J.A.C. 6A:10-1.1 et seq. shall be construed to prohibit the Department or a school district from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e. or distributing aggregate statistics regarding evaluation data.

D. Evaluation of Teachers – N.J.A.C. 6A:10-2.1



1. The Board of Education shall annually adopt evaluation rubrics for teachers. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.

2. The evaluation rubrics for teachers shall include all other relevant minimum standards set forth in N.J.S.A. 18A:6-123 (P.L. 2012, c. 26, § 17c).

3. Evaluation rubrics shall be submitted to the Commissioner by August 1 for approval by August 15 of each year.

E. Duties of the Board of Education – N.J.A.C. 6A:10-2.2

1. The Board of Education shall meet the following requirements for the annual evaluation of teachers, unless otherwise specified:

a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2 et seq.;

b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c):

(1) The Superintendent shall develop policies and procedures that, at a minimum, ensure student performance data on the Statewide assessment is, upon receipt, promptly distributed or otherwise made available to teachers who were primarily responsible for instructing the applicable students in the school year in which the assessment was taken, as well as to teachers who are or will be primarily responsible for instructing the applicable students in the subsequent school year.

c. Ensure the Superintendent annually notifies all teachers of the adopted evaluation policies and procedures no later than October 1. If a teacher is hired after October 1, the Board/Superintendent shall notify the teacher of the policies and procedures at the

beginning of his or her employment. All teachers shall be notified of amendments to the policy and procedures within ten teacher working days of adoption;

d. Annually adopt by June 1, any Commissioner-approved educator practice instruments and, as part of the process described at N.J.A.C. 6A:10-2.1(c), notify the Department which instruments will be used as part of the school district's evaluation rubrics;

e. Ensure the Principal of each school within the school district has established a School Improvement Panel pursuant to N.J.A.C. 6A:10-3.1. The panel shall be established annually by August 31 and shall carry out the duties and functions described in N.J.A.C. 6A:10-3.2;

f. Ensure data elements are collected and stored in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation and student growth objective data; and

g. Ensure the Superintendent or designee certifies to the Department that any observer who conducts an observation of a teacher for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4; N.J.A.C. 6A:10-5.4; and N.J.A.C. 6A:10-6.2, shall meet the statutory observation requirements of N.J.S.A. 18A:6-119; 18A:6-123.b.(8); and N.J.S.A. 18A:27-3.1 and the teacher member of the School Improvement Panel requirements of N.J.A.C. 6A:10-3.2.

2. The Board of Education shall ensure the following training procedures are followed when implementing the evaluation rubric for all teachers and, when applicable, applying the Commissioner-approved educator practice instrument:

a. Annually provide training on and descriptions of each component of the evaluation rubric for all teachers who are being evaluated in the school district and provide more thorough training for any teacher who is being evaluated for the first time. Training shall include detailed descriptions of all evaluation rubric components including,



when applicable, detailed descriptions of student achievement measures and all aspects of the educator practice instrument;

b. Annually provide updates and refresher training for supervisors who are conducting evaluations in the school district and more thorough training for any supervisor who will evaluate teachers for the first time. Training shall be provided on each component of the evaluated teacher's evaluation rubric before the evaluation of a teacher;

c. Annually require each supervisor who will conduct observations for the purpose of evaluation of a teacher to complete at least two co-observations during the school year.

(1) Co-observers shall use the co-observation to promote accuracy and consistency in scoring.

(2) A co-observation may count as one required observation for the purpose of evaluation pursuant to N.J.A.C. 6A:10-4.4, as long as the observer meets the requirements set forth in N.J.A.C. 6A:10-4.3 and 4.4, but the co-observation shall not count as two or more required observations. If a co-observation counts as one required observation, the score shall be determined by the teacher's designated supervisor.

d. The Superintendent shall annually certify to the Department that all supervisors of teachers in the school district who are utilizing evaluation rubrics have completed training on and demonstrated competency in applying the evaluation rubrics.

F. District Evaluation Advisory Committee – N.J.A.C. 6A:10-2.3

1. Members of the District Evaluation Advisory Committee shall include representation from the following groups: teachers from each school level represented in the school district; central office administrators overseeing the teacher evaluation process; supervisors involved in teacher evaluation, when available or appropriate; and administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel. Members also shall include

the Superintendent, a special education administrator, a parent, and a member of the Board of Education.

2. The Superintendent may extend membership on the District Evaluation Advisory Committee to representatives of other groups and to individuals.

3. A District Evaluation Advisory Committee is not required and the Board of Education shall have the discretion to establish a District Evaluation Advisory Committee.

G. Evaluation Procedures for Teachers – N.J.A.C. 6A:10-2.4

1. The provisions outlined in Policy and Regulation 3221 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation of teachers.

2. Evaluation policies and procedures requiring the annual evaluation of all teachers shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:

a. Roles and responsibilities for implementation of evaluation policies and procedures;

b. Job descriptions, evaluation rubrics for teachers, the process for calculating the summative ratings and each component, and the evaluation regulations set forth in N.J.A.C. 6A:10 et seq.;

c. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the process for student attribution to teachers, Principals, Assistant Principals, and Vice Principals for calculating the median and school-wide student growth percentile;

d. Processes for observations for the purpose of evaluation and post-observation conference(s) by a supervisor;

e. Process for developing and scoring student growth objectives;

f. The process for preparation of individual professional development plans; and

g. The process for preparation of an annual performance report by the teacher's designated supervisor and an annual summary conference between the teacher and his or her designated supervisor.

3. The annual summary conference between designated supervisors and teachers shall be held before the annual performance report is filed. The conference shall occur on or before June 30 of each school year and shall include, but not be limited to, a review of the following:

a. The performance of the teacher based upon the job description and the scores or evidence compiled using the teacher's evaluation rubric, including, when applicable:

(1) The educator's practice instrument; and

(2) Available indicators or student achievement measures such as student growth objective scores and student growth percentile scores.

b. The progress of the teacher toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan; and

c. The preliminary annual performance report.

4. If any scores for the teacher'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.

5. The annual performance report shall be prepared by the teacher's designated supervisor and shall include, but not be limited to:

a. A summative rating based on the evaluation rubric, including, when applicable, a total score for each component as described in N.J.A.C. 6A:10-4;



b. Performance area(s) of strength and area(s) needing improvement based upon the job description and components of the teacher's evaluation rubric; and

c. The teacher's individual professional development plan or corrective action plan from the evaluation year being reviewed in the report.

6. The teacher and the designated supervisor shall sign the report within five teacher working days of the review.

7. The Board of Education shall include all performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part of the teacher's personnel file, or in an alternative, confidential location. If reports and data are stored in an alternative location, the personnel file shall clearly indicate the report's location and how it can be easily accessed. The records shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

H. Corrective Action Plans for Teachers – N.J.A.C. 6A:10-2.5

1. For each teacher rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics, a corrective action plan shall be developed by the teacher and the teacher's designated supervisor. If the teacher does not agree with the corrective action plan's content, the designated supervisor shall make a final determination.

2. The corrective action plan shall be developed and the teacher and his or her designated supervisor shall meet to discuss the corrective action plan by October 31 of the school year following the year of evaluation except:

a. If the ineffective or partially effective summative evaluation rating is received after October 1 of the school year following the year of evaluation, a corrective action plan shall be developed, and the teacher and his or her designated supervisor shall meet to discuss the corrective action plan within twenty-five teacher working days



following the school district's receipt of the teacher's summative rating.

3. The content of the corrective action plan shall replace the content of the individual professional development plan required pursuant to N.J.A.C. 6A:9C-4.3(a) and 4.4(a) and shall:

   a. Address areas in need of improvement identified in the teacher evaluation rubric;

   b. Include specific, demonstrable goals for improvement;

   c. Include responsibilities of the evaluated employee and the school district for the plan's implementation; and

   d. Include timelines for meeting the goal(s).

4. The teacher's designated supervisor and the teacher on a corrective action plan shall discuss the teacher's progress toward the goals outlined in the corrective action plan during each required post-observation conference, pursuant to N.J.S.A. 18A:27-3.1 or N.J.A.C. 6A:10-4.4. The teacher and his or her designated supervisor may update the goals outlined in the corrective action plan to reflect any change(s) in the teacher's progress, position, or role.

5. Progress toward the teacher's goals outlined in the corrective action plan:

   a. Shall be documented in the teacher's personnel file and reviewed at the annual summary conference and the mid-year evaluation. Both the teacher on a corrective action plan and his or her designated supervisor may collect data and evidence to demonstrate the teacher's progress toward his or her corrective action plan goals; and

   b. May be used as evidence in the teacher's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.



6. Responsibilities of the evaluated teacher on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the teacher's designated supervisor.

7. 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. The mid-year evaluation shall occur approximately midway between the development of the corrective action plan and the expected receipt of the next annual summative rating. 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.

8. The School Improvement Panel shall ensure teachers with a corrective action plan receive one observation, including a post-observation conference, 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).

9. Except where a school district employs only one administrator whose position requires a supervisor, principal, or school administrator endorsement, 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)4.

10. The corrective action plan shall remain in effect until the teacher receives his or her next summative evaluation rating.

11. There shall be no minimum number of teacher working days a teacher's corrective action plan can be in place.

I. School Improvement Panel – N.J.A.C. 6A:10-3 et seq.

1. School Improvement Panel Membership – N.J.A.C. 6A:10-3.1

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. If an Assistant Principal or Vice Principal is not available to serve on the panel, the Principal shall appoint an additional member who is

employed in the district in a supervisory role and capacity, in accordance with N.J.S.A. 18A:6-120.a. 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. 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 school year, except in case of illness or authorized leave, but may not be appointed more than three consecutive school years.

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

2. School Improvement Panel Responsibilities – N.J.A.C. 6A:10-3.2

a. The School Improvement Panel shall:

(1) Oversee the mentoring of teachers according to N.J.A.C. 6A:9C-5.3(a)2. 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; and ensure mid-year evaluations are conducted for teachers who are on a corrective action plan; and

(4) Identify professional development opportunities for all teachers based on the review of aggregate school-level data, including, but not limited to, teacher evaluation and student performance data to support school-level professional development plans described in N.J.A.C. 6A:9C-4.2.

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:9C-5.2(a)3.

J. Components of Teacher Evaluation Rubric – N.J.A.C. 6A:10-4.1

1. The components of the teacher evaluation rubric described in N.J.A.C. 6A:10-4.1 et seq. shall apply to teachers holding the position of teacher and holding a valid and effective standard, provisional, or emergency instructional certificate.

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

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



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

3. To earn a summative rating, a teacher shall have a student achievement score, including median student growth percentile and/or student growth objectives(s) scores, and a teacher practice score pursuant to N.J.A.C. 6A:10-4.4.

4. Each score shall be converted to a percentage weight so all components make up 100 percent of the evaluation rubric. By August 31 prior to the school year in which 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:

a. 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 thirty percent and no more than fifty percent of a teacher's evaluation rubric rating as determined by the Department.

b. 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 fifteen percent and no more than fifty percent of a teacher's evaluation rubric rating as determined by the Department.

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

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

K. Student Achievement Components – N.J.A.C. 6A:10-4.2



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

   a. If the teacher meets the requirements of 2. below, the median student growth percentile of all students assigned to a teacher, which shall be calculated as set forth in 4. below; and

   b. Student growth objective(s), which shall be specific and measurable, based on available student learning data, aligned to the New Jersey Student Learning Standards (NJSLS), and based on growth and/or achievement.

      (1) For teachers who teach subjects or grades not covered by the NJSLS, student growth objective(s) shall align to standards adopted or endorsed, as applicable, by the State Board.

2. The median student growth percentile shall be included in the annual summative rating of a teacher who:

   a. 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 4. below;

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

   c. Has at least twenty individual student growth percentile scores attributed to his or her name during the school year of the evaluation. If a teacher does not have at least twenty individual student growth percentile scores in a given school year, the student growth percentile scores attributed to a teacher during the two school years prior to the evaluation year may be used in addition to the student growth percentile scores attributed to the teacher during the school year of the evaluation. Only student growth percentile

scores from school year 2013-2014 or any school year after shall be used to determine median student growth percentiles.

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

4. 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:

   a. The Board of Education shall submit to the Department final ratings for all components, other than the student growth percentile, for the annual summative rating; and

   b. 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.

5. Student growth objectives for teachers shall be developed and measured according to the following procedures:

   a. The Superintendent 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 August 31 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.

   b. 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.

   c. 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.

d. 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 twenty-five teacher working days of the teacher's start date if the teacher begins work after October 1.

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

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

f. The teacher's designated supervisor shall approve 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.

L. Teacher Practice Components – N.J.A.C. 6A:10-4.3

1. 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.

M. Teacher Observations – N.J.A.C. 6A:10-4.4

1. For the 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).



2. Observation conferences shall include the following procedures:

   a. 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 fifteen teacher working days following each observation.

   b. 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. Within a school year, the post observation conference shall be held prior to the occurrence of further observations for the purpose of evaluation.

   c. If agreed to by the teacher, one required post-observation conference and any pre-observation conference(s) for observations of tenured teachers who are not on a corrective action plan may be conducted by written communication, including electronic.

   d. One post-observation conference may be combined with a teacher's annual summary conference, as long as it occurs within the required fifteen teacher working days following the observation for the purpose of evaluation.

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

3. Each teacher shall be observed as described in N.J.A.C. 6A:10-4.4. For all teachers, at least one of the required observations shall be announced and preceded by a pre-observation conference, and at least one of the required observations shall be unannounced. The Superintendent shall decide whether additional required observations are announced or unannounced, if applicable. The following additional requirements shall apply:

   a. Each observation required for the purpose of evaluation shall be conducted for at least twenty minutes.



b. Nontenured teachers shall be observed at least three times each school year, but not less than once each semester. The observations shall be conducted in accordance with the timeframe set forth in N.J.S.A. 18A:27-3.1.

(1) Except where a school district employs only one administrator whose position requires a supervisor, principal, or school administrator endorsement, nontenured teachers shall be observed during the course of the year by more than one appropriately certified supervisor.

c. Tenured teachers shall be observed at least two times during each school year. Observations for all tenured teachers shall occur prior to the annual summary conference, which shall occur prior to the end of the academic school year.

(1) If a tenured teacher was rated highly effective on his or her most recent summative evaluation and if both the teacher and the teacher's designated supervisor agree to use this option, one of the two required observations may be an observation of a Commissioner-approved activity other than a classroom lesson. The Department of Education shall post annually to its website a list of Commissioner-approved activities that may be observed in accordance with N.J.A.C. 6A:10-4.4.

d. Teachers on a corrective action plan shall receive, in accordance with N.J.A.C. 6A:10-2.5(h), one additional observation, including a post-observation conference.

e. Upon receiving a final summative evaluation that necessitates a corrective action plan, in accordance with N.J.A.C. 6A:10-2.5(a), any remaining required observation(s) shall not be conducted until the corrective action plan has been finalized.

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



g. The teacher shall submit his or her written objection(s) of the evaluation within ten teacher working days following the conference. The objection(s) shall be attached to each party's copy of the annual performance report.

4. To earn a teacher practice score, a nontenured teacher shall receive at least three observations.

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

N. Teacher Practice Instrument – N.J.A.C. 6A:10-7.2

1. The teacher practice instrument approved by the Department shall meet the following criteria:

a. Include domains of professional practice that align to the New Jersey Professional Standards for Teachers pursuant to N.J.A.C. 6A:9-3;

b. Include scoring guides for assessing teacher practice that differentiate among a minimum of four levels of performance, and the differentiation has been shown in practice and/or research studies. Each scoring guide shall:

(1) Clearly define the expectations for each rating category;

(2) Provide a conversion to four rating categories;

(3) Be applicable to all grades and subjects; or to specific grades and/or subjects if designed explicitly for the grades and/or subjects; and

(4) Use clear and precise language that facilitates common understanding among teachers and administrators.



c. Rely on, to the extent possible, specific, discrete, observable, and/or measurable behaviors of students and teachers in the classroom with direct evidence of student engagement and learning; and

d. Include descriptions of specific training and implementation details required for the instrument to be effective.

Adopted: 4 February 2002

First Read: 29 October 2026
Second Read: 19 November 2026