

R 3223 EVALUATION OF ADMINISTRATORS, EXCLUDING PRINCIPALS, VICE PRINCIPALS, AND ASSISTANT PRINCIPALS

A. 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 3223 unless the context clearly indicates otherwise:

“Administrator” means an appropriately certified staff member, as defined in N.J.S.A. 18A-1.1, employed in the school district in an administrative and/or supervisory role and capacity, and holding a valid and effective standard, provisional, or emergency administrative certificate. An “administrator” may be a director, supervisor or any other administrative or supervisory position in the district. For the purposes of Policy and Regulation 3223 and N.J.A.C. 6A:10-1.1 et seq., “administrator” is not a Principal, Vice Principal, or Assistant Principal.

~~“Announced observation” means the person conducting an evaluation for the purpose of evaluation will notify the administrator of the date and the time period the observation will be conducted.~~

“Annual performance report” means a written appraisal of the administrator’s performance prepared by the administrator’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 an administrator’s evaluation rubric. The four summative performance categories are ineffective, partially effective, effective, and highly effective.

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



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“Commissioner” means Commissioner of the New Jersey Department of Education.

“Corrective Action Plan” means a written plan developed by the administrator’s supervisor in collaboration with the administrator to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual administrator and the school district for implementing the plan, and specific support that the district shall provide.

“Department” means the New Jersey Department of Education.

**“Designated supervisor” means the supervisor designated by the Superintendent of Schools or designee as the administrator’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 educator practice instrument may be components of the administrator’s evaluation rubrics and the scores may be included in the summative evaluation rating for the individual.~~ **The scores from educator practice instruments for teaching staff members other than teachers, Principals, Vice Principals, and Assistant Principals may be applied to the administrator’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, professional standards, and Statewide evaluation criteria that incorporates analysis of multiple measures of student achievement or growth, if applicable, and multiple data sources.



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“Evaluation rubrics” means a set of criteria, measures, and processes used to evaluate all administrators in a specific school district or local education agency. Evaluation rubrics consist of measures of professional practice, based on educator practice instruments 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 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** ~~means a written statement of goals developed by a teaching staff member serving in a supervisory capacity in collaboration with a teaching staff member, that aligns with professional standards for teachers set forth in N.J.A.C. 6A:9-3.3 and the New Jersey Professional Development Standards; derives from the annual evaluation process; identifies professional goals that address specific individual, district or school needs, or both; and grounds professional development activities in objectives related to improving teaching, learning, and student achievement. The individual professional development plan shall include timelines for implementation, responsibilities of the employee and the school district for implementing the plan, and specific support and periodic feedback that the district shall provide~~ **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.

**“Model evaluation rubric” means district educator evaluation rubrics that have been reviewed and accepted by the Commissioner. A model teaching or principal evaluation rubric includes a teacher or principal practice instrument that appears on the Department’s list of approved educator practice instruments.**

“Observation” means a method of collecting data on the performance of an administrator's assigned duties and responsibilities. An observation for the purpose of evaluation will be included in the determination of the



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annual summative evaluation rating and shall be conducted by the Superintendent or designee.

“Post-observation conference” means a meeting, either in-person or remotely, between a Superintendent or **designated supervisor** ~~designee~~ who conducted the observation and the administrator 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 is** an academic goal that administrators and evaluators may set for groups of students.

“Superintendent” means Superintendent of Schools or Chief School Administrator.

~~“Superintendent or designee” means the Superintendent or the authorized and appropriately certified staff member as defined in 18A:1-1, employed in the school district in a supervisory role and capacity to evaluate the administrator.~~

“Supervisor” means an appropriately certified 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-11** ~~6A:9-1.1, designated by the Superintendent of Schools to evaluate the administrator .~~

~~“Teaching staff member” means a member of the professional staff of any district or regional Board of Education, or any county vocational school district Board of Education, holding office, position, or employment of such character that the qualifications for such office, position, or~~



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employment require him or her to hold a valid, effective, and appropriate standard, provisional, or emergency certificate issued by the State Board of Examiners. Teaching staff members include the positions of school nurse and school athletic trainer. There are three different types of certificates that teaching staff members work under:

1. An instructional certificate (holders of this certificate are referred to in N.J.A.C. 6A:10-1.1 et seq. as “teachers”);

2. Administrative certificate; and

3. Educational services certificate.

“Unannounced observation” means the person conducting an observation for the purpose of evaluation will not notify the administrator 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

The rules in N.J.A.C. 6A:10-1.1 et seq. shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts entered into by a school district in effect on July 1, 2013. 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 Written Reports – N.J.A.C. 6A:10-1.4

All information contained in written 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. 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



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evaluation data pursuant to N.J.S.A. 18A:6-123.e or distributing aggregate statistics regarding evaluation data.

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

1. The Board of Education shall annually adopt evaluation rubrics for all administrators. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.
2. Evaluation rubrics shall be submitted to the Commissioner by June 1 for approval by August 1 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 administrators, 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:10-1.1 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);
  - c. Ensure the Superintendent annually notifies all administrators of the adopted evaluation policies and procedures no later than October 1. If an administrator is hired after October 1, the Board/Superintendent shall notify the administrator of the policies and procedures at the beginning of his or her employment. All administrators shall be notified of amendments to the policy and procedures within ten administrator 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



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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 ~~from the implementation of the educator practice instrument~~ and stored ~~the data~~ 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** ~~each Principal in the district or the Superintendent certifies~~ any observer who conducts an observation of an administrator for the purpose of evaluation as described in ~~N.J.A.C. 6A:10-2.4(h);~~ N.J.A.C. 6A:10-4.4; ~~and~~ 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 administrators and, when applicable, applying the Commissioner-approved educator practice instruments:
    - a. Annually provide training on and descriptions of each component of the evaluation rubric for all administrators who are being evaluated in the school district and provide more thorough training for any administrator 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



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achievement measures and all aspects of the educator practice instruments;

- a. **Provide training on the educator practice instruments for any supervisor who will conduct observations for the purpose of evaluation of administrators. Training shall be provided before the observer conducts his or her first observation for the purpose of evaluation;**
- b. **Annually provide updates and refresher training on the educator practice instruments for any supervisor who will observe educator practice for the purpose of increasing accuracy and consistency among observers; and**
- db. The Superintendent **shall annually** ~~may be required to annually~~ certify to the Department that all supervisors of administrators in the school district who are utilizing educator practice instruments have completed training on the instrument and its application and have demonstrated competency in applying the educator practice instruments.

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.**





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3. Beginning in 2017-2018, the District Evaluation Advisory Committees shall no longer be required and the Board of Education shall have the discretion to continue the District's Evaluation Advisory Committee.
- G. Evaluation Procedures for Administrators – N.J.A.C. 6A:10-2.4
1. The provisions outlined in Policy and Regulation 3223 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation ~~procedures for~~ **of** administrators.
  2. Evaluation policies and procedures requiring the annual evaluation of all administrators 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. Evaluation rubrics for all administrators;~~
    - ab.** Roles and responsibilities for implementation of evaluation policies and procedures;
    - be.** Job descriptions, **evaluation rubrics for administrators, the process for calculating the summative ratings and each component** ~~and applicable evaluation criteria based upon school district goals, student achievement, instructional priorities,~~ and the evaluation regulations set forth in N.J.A.C. 6A:10 et seq.;
    - cd.** Methods of data collection and reporting appropriate to each job description, including, but not limited to, the processes for **student attrition to teachers, Principals, Vice Principals, and Assistant Principals for calculating the median and school-wide student growth percentile** ~~observations for the purpose of evaluation and post-observation conference(s) by the Superintendent or designee;~~
    - c.** **Processes for observations for the purpose of evaluation and post-observation conference(s) by a supervisor;**



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- e. The process for preparation of individual professional development plans; and
  - f. The process for preparation of an annual written performance report by the Superintendent or **designated supervisor designee**, and an annual summary conference between the administrator and the Superintendent or **designated supervisor designee**.
3. The annual summary conference between the Superintendent or **designated supervisor designee** and the administrator shall be held before the written performance report is filed. The conference shall **occur on or before June 30 of each year and shall** include, but not be limited to, a review of the following:
- a. The performance of the administrator based upon the job description and ~~when applicable~~, the scores or evidence compiled using the administrator's evaluation rubric, **including, whenever applicable,** ~~which may include~~ the educator's practice instrument;
  - b. The progress of the administrator toward meeting the **goals objectives** of the individual professional development plan or, when applicable, the corrective action plan;
  - c. Available indicators or scores of student achievement or growth, when applicable, such as student growth objective scores and student growth percentile scores; and
  - d. The preliminary annual written performance report.
4. If any scores for the administrator'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 written performance report for the administrator shall be prepared by the Superintendent or **designated supervisor designee** and shall include, but not be limited to:
- a. A summative rating based on the evaluation rubric;



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- b. 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; **and**
- c. An individual professional development plan developed by the Superintendent or **designated supervisor** ~~designee~~ and the administrator or, when applicable, a corrective action plan from the evaluation year being reviewed in the report. **and**
- ~~d. A summary of student achievement or growth indicators, when applicable.~~

- 6. The administrator and the **Superintendent or designated supervisor** ~~preparer of the annual written performance report~~ shall sign the report within five administrator working days of the review.

~~7. The annual summary conference and annual written performance report shall be completed prior to June 30.~~

- 78. The Board of Education shall **include** ~~add~~ all written performance reports and supporting data, including, but not limited to, **written observation reports and additional components of the summative evaluation** ~~rating indicators of student progress and growth for an administrator, if applicable~~ as part of his or her personnel file, **or in an alternative, confidential location. If reports and data are stored in an alternative, confidential location, the personnel file shall clearly indicate the report's location and how it can easily be 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 Administrators – N.J.A.C. 6A:10-2.5

- 1. For each administrator rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics, a corrective action plan shall be developed by administrator and the Superintendent or **the designated supervisor** ~~designee~~.



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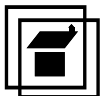
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2. If the summative evaluation rating is calculated before the end of the school year, then the corrective action plan shall be developed and the administrator and the Superintendent or **designated supervisor designee** shall meet to discuss the corrective action plan prior to September 15 of the following school year. The conference to develop and discuss the corrective action plan may be combined with the administrator's annual summary conference that occurs at the end of the year of evaluation.
3. If the ineffective or partially effective summative evaluation rating is received after the start of the school year following the year of evaluation, then a corrective action plan must be developed, and the administrator and the Superintendent or **designated supervisor designee** shall meet to discuss the corrective action plan within fifteen administrator working days following the school district's receipt of the administrator's summative rating.
4. The content of the corrective action plan shall replace the content of the individual professional development plan required in N.J.A.C. ~~6A:9-15.4(e) and 15.7(e)~~ **6A:9C-3.4(c) and 3.7(c)** until the next annual summary conference.
5. The content of the corrective action plan shall:
  - a. Address areas in need of improvement identified in the administrator 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).
6. The Superintendent or **designated supervisor designee**, and the administrator on a corrective action plan shall discuss the administrator's progress toward the goals outlined in the corrective action plan during each post-observation conference.
7. Progress toward the administrator's goals outlined in the corrective action plan, ~~and data and evidence collected by the Superintendent or designee and/or the administrator to determine progress between~~



~~the time the corrective action plan began and the next annual summary conference,~~ shall be documented in the administrator's personnel file and reviewed at the annual summary conference **or the mid-year evaluation, when applicable. Both the administrator on a corrective action plan and the Superintendent or designated supervisor may collect data and evidence to demonstrate the administrator's progress toward his or her corrective action plan goals.**

8. Progress toward the administrator's goals outlined in the corrective action plan may be used as evidence in the administrator's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.
9. Responsibilities of the evaluated administrator on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the Superintendent or **designated supervisor** ~~designee~~.
- 10. The corrective action plan shall remain in effect until the administrator receives his or her next summative evaluation rating.**

I. Administrator Observations and Evaluations – **N.J.A.C. 6A:10-6.2**

1. The Superintendent shall determine the duration of observations required **pursuant to N.J.S.A. 18A:27-3.1** for nontenured administrators ~~pursuant to N.J.S.A. 18A:27-3.1~~.
2. Each nontenured administrator shall be observed and evaluated in the performance of his or her duties at least three times during each school year but not less than once during each semester.
3. Each tenured administrator shall be observed and evaluated in the performance of his or her duties at least once each school year. The Superintendent shall determine the duration of the observation.



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4. Observations include, but are not limited to: observations of meetings, student instruction, parent conferences, and a case-study analysis of a significant student issue.
5. Each observation shall be followed within fifteen administrator working days by a conference between **the Superintendent or designated supervisor** ~~Superintendent or designee~~ who made the observation and written **or electronic** evaluation and the administrator. **Both parties to such a conference shall sign the written or electronic evaluation report and each shall retain a copy for his or her records. The purpose of this procedure is to recommend as to reemployment, identify any deficiencies, extend assistance for correction, and improve professional competence.**
6. **The administrator may submit his or her written objection(s) of the evaluation within ten administrator working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.**
76. The required observations ~~for the purposes of the annual~~ **and** evaluations for nontenured administrators shall take place before April 30 each year. These observations **and evaluations** may cover that period between April 30 of one year and April 30 of the succeeding year excepting in the case of the first year of employment where the three evaluations **and observations** must have been completed prior to April 30.
87. The number of required observations and ~~the annual~~ evaluations for nontenured administrators may be reduced proportionately when an individual administrator's term of service is less than one academic year.
8. ~~Evaluations for nontenured administrators shall be completed prior to May 15.~~
9. Evaluations for tenured administrators shall be completed prior to June 30.
10. ~~Each evaluation of nontenured and tenured administrator shall be followed by a conference between that administrator and the Superintendent or designee who has made the observation and~~



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~~written evaluation. Both parties to such a conference shall sign the written evaluation report and each shall retain a copy for his or her records. The purpose of this procedure is to recommend as to reemployment, identify any deficiencies, extend assistance for correction and improve professional competence.~~

~~11. The administrator may submit his or her written objection(s) of the evaluation within ten administrator working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.~~

Adopted: 5 December 2013

1<sup>st</sup> Reading: 19 November 2015

